

2011 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0135/3)-SB93)

Received: **06/12/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Tim Carpenter (608) 266-8535**

By/Representing: **Stuart Ewy**

May Contact:

Drafter: **chanaman**

Subject: **Criminal Law - guns and weapons
Criminal Law - sentencing**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Carpenter@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Mandatory minimum for concealed carry without a permit

Instructions:

require a minimum 3 year period of incarceration

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 06/12/2011	jdye 06/13/2011		_____			
/1			mduchek 06/13/2011	_____	sbasford 06/13/2011	sbasford 06/13/2011	

FE Sent For:

<END>

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/?	chanaman	1/6/13 jld	NO	_____	_____		

FE Sent For:

<END>

Hanaman, Cathlene

3
39

From: Hurley, Peggy
Sent: Friday, June 10, 2011 3:43 PM
To: Ewy, Stuart
Cc: Hanaman, Cathlene
Subject: RE: Amendments for SB 93

Amendments

Thanks Stuart. Cathlene Hanaman, who drafted the concealed carry bill and the substitute, will draft this amendment for you.

Peggy

From: Ewy, Stuart
Sent: Friday, June 10, 2011 3:27 PM
To: Hurley, Peggy
Subject: FW: Amendments for SB 93

Hi Peggy-

Regarding Tim's request No 2, here is hopefully more clear request:

"An amendment that would make concealed carry without a permit a felony that carries a mandatory jail sentence of three years"

Let me know if you need any more information.

Thanks!

Stuart

From: Ewy, Stuart
Sent: Friday, June 10, 2011 12:38 PM
To: Hurley, Peggy; LRB.Legal
Subject: Amendments for SB 93

Peggy Hurley

Hello Peggy-

Can you please do two things for us:

1. Make sure that Tim's amendment LRB a1171 is drafted to the most current version of SB 93 that is expected to come to the floor on Tues?
2. Draft another amendments to the current version of SB 93 that will make anyone convicted of using a gun in the commission of a crime to have a mandatory 3 year incarceration?

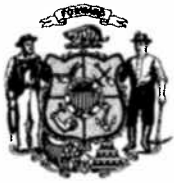
If you are not the person to do this, please feel free to pass it on to the appropriate person.

Let me know if you have any questions or comments.

Thank you very much!

Regards,

G. Stuart Ewy
Office of Senator Tim Carpenter
State Capitol 19 S
608.266.8535



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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0135/3),
TO 2011 SENATE BILL 93**

INSERT J (move to next page)

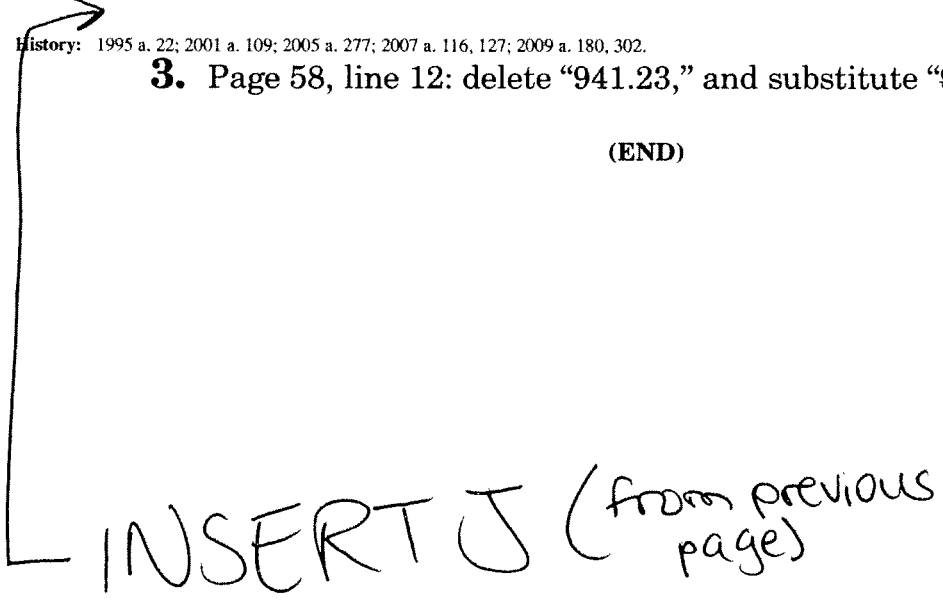
- 1 At the locations indicated, amend the substitute amendment as follows: ✓
- 2 **1.** Page 43, line 24: delete that line and substitute "of a Class [✓]A misdemeanor.
- 3 Notwithstanding [✓]H felony: Y () .
- 4 **2.** Page 43, line 19: after that line insert:
- 5 "SECTION [✓]49g. 939.6185^x of the statutes is created to read:
- 6 **939.6185 Mandatory minimum sentence for illegally carrying a**
- 7 **concealed weapon.** ✓ If a person is convicted of a violation of s. 941.23 (2) ✓, the court
- 8 shall impose a bifurcated sentence under s. 973.01. ✓ The term of confinement in
- 9 prison portion of the bifurcated sentence shall be at least 3 ✓ years. Otherwise the
- 10 penalties for the crime apply, subject to any applicable penalty enhancement. ✓
- 11 **SECTION 49L.** ✓ 939.632 (1) (e) 3. ^x of the statutes is amended to read:

1 939.632 (1) (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
2 (2), 940.42, 940.44, 941.20 (1), ~~941.23~~[✓], 941.235, 941.24 or 941.38 (3)".[✓]

History: 1995 a. 22; 2001 a. 109; 2005 a. 277; 2007 a. 116, 127; 2009 a. 180, 302.

3 **3.** Page 58, line 12: delete "941.23," and substitute "~~941.23,~~"[✓]

4 (ENR)


INSERT J (from previous
page)