

2015 DRAFTING REQUEST

Bill

Received: 10/22/2014 Received By: phurley
Wanted: As time permits Same as LRB:
For: LaTonya Johnson (608) 266-5580 By/Representing: Christian
May Contact: Drafter: phurley
Subject: Criminal Law - guns and weapons Addl. Drafters:
Criminal Law - sentencing Extra Copies:

Submit via email: YES
Requester's email: Rep.Johnson@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Mandatory minimum sentence for possession of gun after committing a violent felony

Instructions:

See attached

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>
/?	phurley 10/22/2014	evinz 11/6/2014		_____			
/1	phurley 4/20/2015		rschluet 11/7/2014	_____	sbasford 11/7/2014		State S&L Crime
/2	phurley 4/22/2015	jdye 4/23/2015		_____	mbarman 4/23/2015	mbarman 4/27/2015	State S&L

FE Sent For:

→ A+
Intro.

<END>

Hurley, Peggy

From: Rep.Johnson
Sent: Tuesday, October 21, 2014 3:02 PM
To: Hurley, Peggy
Subject: RE: Mandatory minimum draft

Thanks Peggy! The only change we would like to make to the draft is to add 940.302 (Human Trafficking) to the list of violent felonies. That was probably enacted after the body armor provision. Are there any other newer violent felonies that you know of to add? Thanks.

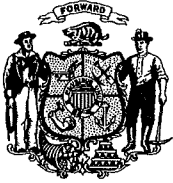
Christian Ullsvik
Office of Rep. LaTonya Johnson
17th Assembly District

From: Hurley, Peggy
Sent: Tuesday, October 21, 2014 11:26 AM
To: Rep.Johnson
Subject: Mandatory minimum draft

Hi Christian,

Here is the preliminary draft I prepared over the summer. If it meets your approval, I will enter it as a request for the current session. If you need any changes or would like to discuss the draft, please let me know.

Peggy Hurley
Legislative Reference Bureau
608 266 8906



0477/1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

mm

10-22-14

PWF

SADJ
xref ✓

regen

1 AN ACT to repeal 941.29 (2); to renumber and amend 941.29 (1); to amend
2 941.29 (3), 941.29 (4) and 973.176 (1); and to create 941.29 (1g) and 941.29 (4m)
3 of the statutes; relating to: establishing a mandatory minimum period of
4 confinement in prison for a person who possesses a firearm after being
5 convicted of committing certain violent felonies, and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law generally prohibits a person from possessing a firearm if he or she has been convicted of a felony, found not guilty of a felony by reason of mental disease or defect, or adjudicated delinquent for an act that if committed by an adult in this state would be a felony. A person who violates the prohibition is guilty of a felony and is subject to a fine of up to \$25,000 or a term of imprisonment of up to ten years, or both.

Under this bill, if the person was convicted of certain violent felonies and violates the prohibition on possessing a firearm, he or she must be sentenced to at least three years of confinement in prison.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

The bill contains a sunset provision that eliminates the mandatory minimum period of confinement for sentences imposed on or after 7/1/2020.

INS 2-1

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 941.29 (1) of the statutes, as affected by 2013 Wisconsin Act 223,
2 is renumbered 941.29 (1m) and amended to read:

3 941.29 (1m) A person is subject to the requirements and penalties of this
4 section if he or she has been who possesses a firearm is guilty of a Class G felony if
5 any of the following applies:

6 (a) ~~Convicted~~ The person has been convicted of a felony in this state.

7 (b) ~~Convicted~~ The person has been convicted of a crime elsewhere that would
8 be a felony if committed in this state.

9 (bm) ~~Adjudicated~~ The person has been adjudicated delinquent for an act
10 committed on or after April 21, 1994, that if committed by an adult in this state would
11 be a felony.

12 (c) ~~Found~~ The person has been found not guilty of a felony in this state by reason
13 of mental disease or defect.

14 (d) ~~Found~~ The person has been found not guilty of or not responsible for a crime
15 elsewhere that would be a felony in this state by reason of insanity or mental disease,
16 defect or illness.

17 (e) ~~Committed~~ The person has been committed for treatment under s. 51.20 (13)
18 (a) and ~~ordered~~ is subject to an order not to possess a firearm under s. 51.20 (13) (cv)
19 1., 2007 stats.

20 (em) ~~Ordered~~ The person is subject to an order not to possess a firearm under
21 s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

1 (f) ~~Enjoined under~~ The person is subject to an injunction issued under s. 813.12
 2 or 813.122 or under a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
 3 established by any federally recognized Wisconsin Indian tribe or band, except the
 4 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
 5 or she is subject to the requirements and penalties under this section and that has
 6 been filed under s. 806.247 (3).

7 (g) ~~Ordered~~ The person is subject to an order not to possess a firearm under s.
 8 813.123 (5m) or 813.125 (4m).

9 SECTION 2. 941.29 (1g) of the statutes is created to read:

10 941.29 (1g) In this section, "violent felony" means any felony under s. 943.23
 11 (1m) or (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09,
 12 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.285
 13 (2), 940.29, 940.295 (3), 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3),
 14 941.20, 941.26, 941.28, 941.29, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,
 15 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.86, 943.87, 946.43,
 16 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08,
 17 948.085, or 948.30.

18 SECTION 3. 941.29 (2) of the statutes is repealed.

19 SECTION 4. 941.29 (3) of the statutes is amended to read:

20 941.29 (3) Any firearm involved in an offense under sub. (2) this section is
 21 subject to s. 968.20 (3).

22 SECTION 5. 941.29 (4) of the statutes is amended to read:

23 941.29 (4) A person is concerned with the commission of a crime, as specified
 24 in s. 939.05 (2) (b), in violation of this section if he or she knowingly furnishes a person
 25 with a firearm in violation of sub. (2) this section.

This section,

*940.205, 940.207,
940.208,*

940.235,

940.32,

*941.292,
941.295,*

948.051,

[Scribbled out text]

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0477/lins
PJH:eev:...

1 INS 2-1

2 **SECTION 1.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

3 175.60 (11) (a) 2. f. The individual becomes subject to an injunction described
4 in s. 941.29 ~~(1)~~ (1m) (f) or is ordered not to possess a firearm under s. 813.123 (5m)
5 or 813.125 (4m).

6 **SECTION 2.** 813.12 (2) (c) 1. of the statutes is amended to read:

7 813.12 **(2)** (c) 1. Notice of the requirements and penalties under s. 941.29 ~~(1)~~
8 ~~(f) and (2) (e)~~ and notice of any similar applicable federal laws and penalties.

9 **SECTION 3.** 813.122 (2) (b) 1. of the statutes is amended to read:

10 813.122 **(2)** (b) 1. Notice of the requirements and penalties under s. 941.29 ~~(1)~~
11 ~~(f) and (2) (e)~~ and notice of any similar applicable federal laws and penalties.

12 **SECTION 4.** 813.123 (5) (a) 2. a. of the statutes is amended to read:

13 813.123 **(5)** (a) 2. a. Notice of the requirements and penalties under s. 941.29
14 ~~(1) (g) and (2) (d)~~ and notice of any similar applicable federal laws and penalties.

15 **SECTION 5.** 813.125 (4) (a) 2. a. of the statutes is amended to read:

16 813.125 **(4)** (a) 2. a. Notice of the requirements and penalties under s. 941.29
17 ~~(1) (g) and (2) (d)~~ and notice of any similar applicable federal laws and penalties.

18 END INS 2-1

19

20 INS 4-9

21 **SECTION 6.** 941.29 (5) (intro.) of the statutes is amended to read:

22 941.29 **(5)** (intro.) This section does not apply to any person specified in sub.
23 ~~(1)~~ (1m) who:

1 **SECTION 7.** 941.29 (5) (a) of the statutes is amended to read:

2 941.29 (5) (a) Has received a pardon with respect to the crime or felony specified
3 in sub. ~~(1)~~ (1m or 4m) and has been expressly authorized to possess a firearm under
4 18 USC app. 1203; or

5 **SECTION 8.** 941.29 (8) of the statutes is amended to read:

6 941.29 (8) This section does not apply to any person specified in sub. ~~(1)~~ (1m)
7 (bm) if a court subsequently determines that the person is not likely to act in a
8 manner dangerous to public safety. In any action or proceeding regarding this
9 determination, the person has the burden of proving by a preponderance of the
10 evidence that he or she is not likely to act in a manner dangerous to public safety.

11 **SECTION 9.** 941.29 (9) of the statutes is amended to read:

12 941.29 (9) (a) This section does not apply to a person specified in sub. ~~(1)~~ (1m)
13 (e) if the prohibition under s. 51.20 (13) (cv) 1., 2007 stats., has been canceled under
14 s. 51.20 (13) (cv) 2. or (16) (gm), 2007 stats., or under s. 51.20 (13) (cv) 1m. c.

15 (b) This section does not apply to a person specified in sub. ~~(1)~~ (1m) (em) if the
16 order under s. 51.20 (13) (cv) 1. is canceled under s. 51.20 (13) (cv) 1m. c., if the order
17 under s. 51.45 (13) (i) 1. is canceled under s. 51.45 (13) (i) 2. c., if the order under s.
18 54.10 (3) (f) 1. is canceled under s. 54.10 (3) (f) 2. c., or if the order under s. 55.12 (10)
19 (a) is canceled under s. 55.12 (10) (b) 3.

20 **SECTION 10.** 941.29 (10) (intro.) of the statutes is amended to read:

21 941.29 (10) (intro.) The prohibition against firearm possession under this
22 section does not apply to a person specified in sub. ~~(1)~~ (1m) (f) if the person satisfies
23 any of the following:

24 END INS 4-9

Hurley, Peggy

From: Ullsvik, Christian
Sent: Thursday, April 23, 2015 8:49 AM
To: Hurley, Peggy
Subject: LRB 0477: violent felon gun possession mand min

Good morning Peggy,

Hopefully this is the last round of edits:

LRB-0477:

Delete the following:

941.327(b)(1) tampering with household
941.327(b)(2) tampering with likelihood of great bodily harm
941.327(3) lying about tampering
943.86 Extortion of a financial institution
947.015 Bomb Scare

(I think you did these already, but delete as well if not) :

943.01 Damage to property
943.011 Damage to property
943.013 Damage to property

And just to triple-check, this is how the mandatory minimums would play out for the various underlying violent felonies (if committed while possessing a gun):

So, for a Class I offense, the violent felon would get **3 years for possession + 1.5 years for the max = 4.5 yrs** minimum incarceration
For a Class H offense, the violent felon would get **3 years for possession + 3 years for the max = 6 yrs** minimum incarceration
For a Class G offense, the violent felon gets **3 years for possession + 5 years for the max = 8 years** minimum incarceration
For a Class A-F, the violent felon gets **3 years for possession + 5 year minimum = 8 years** minimum incarceration

We are hoping to have drafts to show to members and stakeholders on Friday, do you think this draft and the violent misdemeanor proposal will be back from editing by then?

Thanks!

Christian Ullsvik
Office of Rep. LaTonya Johnson
17th Assembly District



2
Lmr
↓ JLD

2015 BILL

today

1
2
3
4
5
6
7
8
Or who uses a
firearm to commit
certain crimes

reger

AN ACT *to repeal* 941.29 (2); *to renumber and amend* 941.29 (1); *to amend* 175.60 (11) (a) 2. f., 813.12 (2) (c) 1., 813.122 (2) (b) 1., 813.123 (5) (a) 2. a., 813.125 (4) (a) 2. a., 941.29 (3), 941.29 (4), 941.29 (5) (intro.), 941.29 (5) (a), 941.29 (8), 941.29 (9), 941.29 (10) (intro.) and 973.176 (1); and *to create* 941.29 (1g) and 941.29 (4m) of the statutes; **relating to:** establishing a mandatory minimum period of confinement in prison for a person who possesses a firearm after being convicted of committing certain violent felonies, and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law generally prohibits a person from possessing a firearm if he or she has been convicted of a felony, found not guilty of a felony by reason of mental disease or defect, or adjudicated delinquent for an act that if committed by an adult in this state would be a felony. A person who violates the prohibition is guilty of a felony and is subject to a fine of up to \$25,000 or a term of imprisonment of up to ten years, or both.

Under this bill, if the person was convicted of certain violent felonies and violates the prohibition on possessing a firearm, he or she must be sentenced to at least three years of confinement in prison. The bill contains a sunset provision that

Insert analysis

criminal ✓

BILL

eliminates the mandatory minimum period of confinement for sentences imposed on or after July 1, 2020.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

2 175.60 (11) (a) 2. f. The individual becomes subject to an injunction described
3 in s. 941.29 (1) (1m) (f) or is ordered not to possess a firearm under s. 813.123 (5m)
4 or 813.125 (4m).

5 **SECTION 2.** 813.12 (2) (c) 1. of the statutes is amended to read:

6 813.12 (2) (c) 1. Notice of the requirements and penalties under s. 941.29 (1)
7 (f) and (2) (e) and notice of any similar applicable federal laws and penalties.

8 **SECTION 3.** 813.122 (2) (b) 1. of the statutes is amended to read:

9 813.122 (2) (b) 1. Notice of the requirements and penalties under s. 941.29 (1)
10 (f) and (2) (e) and notice of any similar applicable federal laws and penalties.

11 **SECTION 4.** 813.123 (5) (a) 2. a. of the statutes is amended to read:

12 813.123 (5) (a) 2. a. Notice of the requirements and penalties under s. 941.29
13 (1) (g) and (2) (d) and notice of any similar applicable federal laws and penalties.

14 **SECTION 5.** 813.125 (4) (a) 2. a. of the statutes is amended to read:

15 813.125 (4) (a) 2. a. Notice of the requirements and penalties under s. 941.29
16 (1) (g) and (2) (d) and notice of any similar applicable federal laws and penalties.

17 **SECTION 6.** 941.29 (1) of the statutes is renumbered 941.29 (1m) and amended
18 to read:

BILL

1 941.29 (1m) A person is subject to the requirements and penalties of this
2 section if he or she has been who possesses a firearm is guilty of a Class G felony if
3 any of the following applies:

4 (a) ~~Convicted~~ The person has been convicted of a felony in this state.

5 (b) ~~Convicted~~ The person has been convicted of a crime elsewhere that would
6 be a felony if committed in this state.

7 (bm) ~~Adjudicated~~ The person has been adjudicated delinquent for an act
8 committed on or after April 21, 1994, that if committed by an adult in this state would
9 be a felony.

10 (c) ~~Found~~ The person has been found not guilty of a felony in this state by reason
11 of mental disease or defect.

12 (d) ~~Found~~ The person has been found not guilty of or not responsible for a crime
13 elsewhere that would be a felony in this state by reason of insanity or mental disease,
14 defect or illness.

15 (e) ~~Committed~~ The person has been committed for treatment under s. 51.20 (13)
16 (a) and ~~ordered~~ is subject to an order not to possess a firearm under s. 51.20 (13) (cv)
17 1., 2007 stats.

18 (em) ~~Ordered~~ The person is subject to an order not to possess a firearm under
19 s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

20 (f) ~~Enjoined under~~ The person is subject to an injunction issued under s. 813.12
21 or 813.122 or under a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
22 established by any federally recognized Wisconsin Indian tribe or band, except the
23 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
24 or she is subject to the requirements and penalties under this section and that has
25 been filed under s. 806.247 (3).

BILL

SECTION 6

1 (g) ~~Ordered~~ The person is subject to an order not to possess a firearm under s.
2 813.123 (5m) or 813.125 (4m).

3 **SECTION 7.** 941.29 (1g) of the statutes is created to read:

4 941.29 (1g) In this section, "violent felony" means any felony under s. 943.23

5 (1m) or (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05, 940.06,

6 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.205, 940.207,

7 940.208, 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30,

8 940.302, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28,

9 941.292, 941.295, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04,

10 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.86, 943.87, 946.43, 947.015, 948.02 (1) or

11 (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, or

12 948.30.

Handwritten notes: 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. A checkmark is next to line 8.

13 **SECTION 8.** 941.29 (2) of the statutes is repealed.

14 **SECTION 9.** 941.29 (3) of the statutes is amended to read:

15 941.29 (3) Any firearm involved in an offense under ~~sub. (2)~~ this section is
16 subject to s. 968.20 (3).

17 **SECTION 10.** 941.29 (4) of the statutes is amended to read:

18 941.29 (4) A person is concerned with the commission of a crime, as specified
19 in s. 939.05 (2) (b), in violation of this section if he or she knowingly furnishes a person
20 with a firearm in violation of ~~sub. (2)~~ this section.

21 **SECTION 11.** 941.29 (4m) of the statutes is created to read:

22 941.29 (4m) If the person is subject to this section because he or she was
23 convicted of, adjudicated delinquent for, or found not guilty of by reason of mental
24 disease or defect, committing, soliciting, conspiring, or attempting to commit a
25 violent felony, the court shall impose a bifurcated sentence under s. 973.01 and the

Handwritten notes: 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. A checkmark is next to line 10.

BILL

1 confinement portion of the bifurcated sentence imposed on the person shall be not
2 less than 3 years. This subsection does not apply to sentences imposed after July 1,
3 2020.

4 **SECTION 12.** 941.29 (5) (intro.) of the statutes is amended to read:

5 941.29 (5) (intro.) This section does not apply to any person specified in sub.
6 ~~(1)~~ (1m) who:

7 **SECTION 13.** 941.29 (5) (a) of the statutes is amended to read:

8 941.29 (5) (a) Has received a pardon with respect to the crime or felony specified
9 in sub. ~~(1)~~ (1m or 4m) and has been expressly authorized to possess a firearm under
10 18 USC app. 1203; or

11 **SECTION 14.** 941.29 (8) of the statutes is amended to read:

12 941.29 (8) This section does not apply to any person specified in sub. ~~(1)~~ (1m)
13 (bm) if a court subsequently determines that the person is not likely to act in a
14 manner dangerous to public safety. In any action or proceeding regarding this
15 determination, the person has the burden of proving by a preponderance of the
16 evidence that he or she is not likely to act in a manner dangerous to public safety.

17 **SECTION 15.** 941.29 (9) of the statutes is amended to read:

18 941.29 (9) (a) This section does not apply to a person specified in sub. ~~(1)~~ (1m)
19 (e) if the prohibition under s. 51.20 (13) (cv) 1., 2007 stats., has been canceled under
20 s. 51.20 (13) (cv) 2. or (16) (gm), 2007 stats., or under s. 51.20 (13) (cv) 1m. c.

21 (b) This section does not apply to a person specified in sub. ~~(1)~~ (1m) (em) if the
22 order under s. 51.20 (13) (cv) 1. is canceled under s. 51.20 (13) (cv) 1m. c., if the order
23 under s. 51.45 (13) (i) 1. is canceled under s. 51.45 (13) (i) 2. c., if the order under s.
24 54.10 (3) (f) 1. is canceled under s. 54.10 (3) (f) 2. c., or if the order under s. 55.12 (10)
25 (a) is canceled under s. 55.12 (10) (b) 3.

1 INSERT ANALYSIS:

2 *Class* *NO #* If the person is convicted of using a firearm to commit certain violent Class A *to*
3 *though* G felonies, he or she must be sentenced to at least five years of confinement
4 in prison. If a person is convicted of using a firearm to commit certain violent Class
5 H or I felonies, he or she must be sentenced to at least three years or at least one year
6 and six months, respectively, of confinement in prison. *NO #*

3 INSERT 6.4:

4 SECTION 1. 973.123 of the statutes is created to read:

5 **973.123 Sentence for certain violent offenses; use of a firearm.** (1) In
6 this section, "violent felony" means any felony under s. 943.23 (1m) or (1r), 1999
7 stats., this section, or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09,
8 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.235,
9 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3),
10 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.292, 941.30, 941.327, 943.02, 943.04,
11 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.86, 943.87, 946.43, 947.015, 948.02 (1) or
12 (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, or
13 948.30.

14 (2) A court shall impose a bifurcated sentence under s. 973.01 if the court
15 sentences a person for committing a violent felony and the court finds that all of the
16 following are true:

17 (a) At the time the person committed the violent felony, he or she was subject
18 to s. 941.29 because he or she was convicted of, adjudicated delinquent for, or found
19 not guilty of by reason of mental disease or defect, committing, soliciting, conspiring,
20 or attempting to commit a prior violent felony.



Barman, Mike

From: Ullsvik, Christian
Sent: Monday, April 27, 2015 9:04 AM
To: LRB.Legal
Subject: Draft Review: LRB -0477/2 Topic: Mandatory minimum sentence for possession of gun after committing a violent felony

Thanks!

Please Jacket LRB -0477/2 for the ASSEMBLY.