

2017 DRAFTING REQUEST

Assembly Amendment (AA-AB548)

For: Dale Kooyenga (608) 266-9180

Drafter: mshovers

By: Rachel

Secondary Drafters:

Date: 11/7/2017

May Contact:

Same as LRB:

Submit via email: YES

Requester's email: Rep.Kooyenga@legis.wisconsin.gov

Carbon copy (CC) to: melinda.johns@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Claims by and treatment of wrongfully convicted persons; who may file a petition

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mshovers 11/7/2017	jdye 11/7/2017	dwalker 11/7/2017	dwalker 11/7/2017	

FE Sent For:

<END>

Shovers, Marc

From: Johns, Melinda
Sent: Tuesday, November 07, 2017 12:49 PM
To: Shovers, Marc
Subject: FW: Amendment to AB 548 SB 456
Attachments: Proposed revisions to compensation bill.docx

Here you go!

Melinda

From: Vander Wiele, Rachel
Sent: Tuesday, November 07, 2017 11:46 AM
To: Johns, Melinda <Melinda.Johns@legis.wisconsin.gov>
Subject: Amendment to AB 548 SB 456

Hi Melinda

We have an amendment we would like drafted to both AB 548 and SB 456 that would specify who can file a petition for an award from the state. The language is attached and in red in the text.

Please let me know if you have any questions – thanks!

Rachel Vander Wiele
Legislative Assistant
State Representative Dale Kooyenga
14th Assembly District
608-266-9181
Rachel.Vanderwiele@legis.wi.gov

775.05 (2) (a) Except as provided in pars. (b) and (c), any person who is imprisoned as the result of his or her conviction for a crime in any court of this state, of which crime the person claims to be innocent, and whose conviction has been vacated and who has been subsequently acquitted, or whose conviction has been vacated and the charges have been dismissed, or who has received a pardon on the basis of innocence, any of which occurs ~~who is released from imprisonment for that crime~~ after March 13, 1980, may petition the claims board for compensation for such imprisonment. Within 5 days after receipt of the petition, department of administration shall transmit a copy thereof to the prosecutor who prosecuted the petitioner and the judge who sentenced the petitioner for the conviction which is the subject of the claim, or their successors in office, for the information of these persons.

775.05(3) Within 5 days after the claims board receives a petition under sub. (2)(a), if the petitioner meets the requirements of 775.05(2)(a), the department of administration shall refer the petition to the division of hearings and appeals.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1557/1

MES:A

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ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 548

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1 At the locations indicated, amend the bill as follows:

2 **1.** Page 7, line 24: delete "who is released from" and substitute "who is released
3 from".

4 **2.** Page 7, line 25: delete "imprisonment for that crime" and substitute
5 "imprisonment for that crime whose conviction has been vacated and who has been
6 subsequently acquitted, or whose conviction has been vacated and the charges have
7 been dismissed, or who has received a pardon on the basis of innocence, any of which
8 occurs".

9 **3.** Page 9, line 16: after "sub. (2) (a)," insert "if the petitioner meets the
10 requirements of sub. (2) (a),".

11 (END)