

2019 Assembly Bill 806 (LRB -4469)

An Act to amend 938.34 (4h) (a) and 938.34 (4m) (b) 1. of the statutes; relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program. (FE)

2020

01-27.	A.	Introduced by Representatives Sanfelippo, Dittrich, Duchow, Edming, Gundrum, Horlacher, Jagler, James, Knodl, Kuglitsch, Ott, Ramthun, Tittl and Wichgers ; cosponsored by Senators Craig, Marklein, Nass and Stroebel .	510
01-27.	A.	Read first time and referred to Committee on Criminal Justice and Public Safety	510
01-30.	A.	Public hearing held	
02-04.	A.	Fiscal estimate received	
02-04.	A.	Fiscal estimate received	
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02-04.	A.	Fiscal estimate received	
02-04.	A.	Fiscal estimate received	
02-05.	A.	Assembly Amendment 1 offered by Representative Duchow (LRB a1082)	539
02-05.	A.	Representative Brandtjen added as a coauthor	541
02-06.	A.	Executive action taken	
02-06.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Criminal Justice and Public Safety, Ayes 8, Noes 6	543
02-06.	A.	Report passage as amended recommended by Committee on Criminal Justice and Public Safety, Ayes 8, Noes 6	544
02-06.	A.	Referred to committee on Rules	544
02-06.	A.	Placed on calendar 2-11-2020 by Committee on Rules	
02-11.	A.	Read a second time	557
02-11.	A.	Assembly Amendment 1 adopted	557
02-11.	A.	Assembly Amendment 2 offered by Representatives Goyke, Crowley, Hintz, Hesselbein, Spreitzer, Doyle, B. Meyers, McGuire, Neubauer, Fields, Pope, Ohnstad, Sargent, Subeck, Sinicki, C. Taylor, Vining, Emerson, Cabrera, Bowen, Brostoff and Stuck (LRB a1154)	557
02-11.	A.	Assembly Amendment 2 laid on table, Ayes 61, Noes 37	557
02-11.	A.	Ordered to a third reading	557
02-11.	A.	Rules suspended	557
02-11.	A.	Read a third time and passed , Ayes 60, Noes 38	557
02-11.	A.	Ordered immediately messaged	557
02-12.	S.	Received from Assembly	669
02-13.	S.	Read first time and referred to committee on Senate Organization	674
02-13.	S.	Available for scheduling	
02-14.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	678
02-14.	S.	Placed on calendar 2-19-2020 pursuant to Senate Rule 18(1)	679
02-19.	S.	Read a second time	
02-19.	S.	Ordered to a third reading	
02-19.	S.	Rules suspended	
02-19.	S.	Read a third time and concurred in	
02-19.	S.	Ordered immediately messaged	
02-20.	A.	Received from Senate concurred in	639

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ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

19-4469, 1

Amendments: None or Listed below.

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Corrections: None or Listed by date below.

Topic: Same as relating clause or Indicated below.

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Date

Enrolling Drafter



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4469/1
EAW:cjs

2019 ASSEMBLY BILL 806

January 27, 2020 - Introduced by Representatives SANFELIPPO, DITTRICH, DUCHOW, EDMING, GUNDRUM, HORLACHER, JAGLER, JAMES, KNODL, KUGLITSCH, OTT, RAMTHUN, TITTL and WICHGERS, cosponsored by Senators CRAIG, MARKLEIN, NASS and STROEBEL. Referred to Committee on Criminal Justice and Public Safety.

- 1 **AN ACT to amend** 938.34 (4h) (a) and 938.34 (4m) (b) 1. of the statutes; **relating**
2 **to:** acts for which a juvenile may be placed in correctional placement or the
3 Serious Juvenile Offender Program.

Analysis by the Legislative Reference Bureau

This bill expands the acts for which a juvenile may be placed in the Serious Juvenile Offender Program (SJOP) or in a juvenile correctional facility or secured residential care center for children and youth under the Juvenile Justice Code.

Under current law, a juvenile who is 14 years of age or over and who has been adjudicated delinquent by the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) for committing or conspiring to commit certain law violations may be placed in the SJOP. This bill expands the law violations for which a juvenile may be placed in the SJOP to include any act that would be a felony if committed by an adult.

Also under current law, if the juvenile court determines that placement in the SJOP is not appropriate, a finding that a juvenile has committed any of a number of law violations that would be felonies if committed by an adult is prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement. Under current law such a juvenile may be placed in a juvenile correctional facility or a secured residential care center for children and youth. This bill expands the list of acts constituting prima facie evidence that the juvenile is a danger to the public and in need of restrictive placement to any act that would be a felony if committed by an adult.

ASSEMBLY BILL 806

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. 938.34 (4h) (a) of the statutes is amended to read:

2 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated
3 delinquent for committing or conspiring to commit ~~a violation of s. 939.32 (1) (a),~~
4 ~~940.03, 940.06, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10~~
5 ~~(2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2)~~ an act that would be
6 a felony ^{or higher} if committed by an adult in this state or attempting a violation of s. 943.32
7 (2) or the juvenile is 10 years of age or over and has been adjudicated delinquent for
8 attempting or committing a violation of s. 940.01 or for committing a violation of s.
9 940.02 or 940.05.

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10 SECTION 2. 938.34 (4m) (b) 1. of the statutes is amended to read:

11 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be
12 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),
13 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02
14 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult in this state.

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(END)

or higher

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