



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1200/1
CMH:amn

2019 SENATE BILL 6

1 **AN ACT to amend** 346.65 (2) (am) 5. of the statutes; **relating to:** committing a
2 fifth or sixth offense related to operating a vehicle while intoxicated and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 346.65 (2) (am) 5. of the statutes is amended to read:
5 346.65 (2) (am) 5. Except as provided in pars. (f) and (g), is guilty of a Class G
6 felony and shall be fined not less than \$600 and imprisoned for not less than 6 months
7 if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime,
8 plus the total number of suspensions, revocations and other convictions counted
9 under s. 343.307 (1), equals 5 or 6, except that suspensions, revocations or
10 convictions arising out of the same incident or occurrence shall be counted as one.

SENATE BILL 6**SECTION 1**

1 The court shall impose a bifurcated sentence under s. 973.01, and the confinement
2 portion of the bifurcated sentence imposed on the person shall be not less than one
3 year and 6 months. The court may impose a term of confinement that is less than
4 one year and 6 months if the court finds that the best interests of the community will
5 be served and the public will not be harmed and if the court places its reasons on the
6 record.

7 **SECTION 2. Initial applicability.**

8 (1) This act first applies to violations committed or refusals occurring on the
9 effective date of this subsection, but does not preclude the counting of other
10 violations, convictions, suspensions, or revocations for purposes of administrative
11 action by the department of transportation, sentencing by a court, or revocation or
12 suspension of motor vehicle operating privileges.

13 (END)