

1983 Assembly Bill 977

Date of enactment: **April 16, 1984**
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1983 Wisconsin Act 199

AN ACT to amend 20.435 (4) (hx) and 949.03 (1) (b); and to create 20.455 (5) (h) and 949.08 (2) (e) of the statutes, relating to compensation for victims of intoxicated drivers, crime victims and making appropriations.

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	1983-84	1984-85
20.455 Justice, department of		
(5) VICTIMS AND WITNESSES		
(h) Crime victim compensation		
services	PR A	0 22,300

SECTION 2. 20.435 (4) (hx) of the statutes, as affected by 1983 Wisconsin Act 27, is amended to read:

20.435 (4) (hx) *Services for drivers, receipts.* The amounts in the schedule for services for drivers. All moneys received from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 shall be credited to this appropriation. These moneys may be transferred to pars. (hy) and (hz) and ss. 20.255 (1) (hm), 20.285 (1) (ia) ~~and~~, 20.395 (5) (ch) and 20.455 (5) (h) by the secretary of administration for expenditures based upon determinations by the departments of health and social services, public instruction, justice and transportation and the university of Wisconsin system.

SECTION 3. 20.455 (5) (h) of the statutes is created to read:

20.455 (5) (h) *Crime victim compensation services.* The amounts in the schedule to provide crime victim compensation services. All moneys transferred from s. 20.435 (4) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (4) (hx).

SECTION 4. 949.03 (1) (b) of the statutes is amended to read:

949.03 (1) (b) The commission or the attempt to commit any crime specified in s. 346.63 (2), 940.01, 940.02, 940.05, 940.06, 940.07, 940.08, 940.09, 940.19, 940.20, 940.201, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.28, 940.29, 940.30, 940.305, 940.31, 940.32, 943.02, 943.03, 943.04, 943.10, 943.20, 943.32 or 944.12.

SECTION 4m. 949.08 (2) (e) of the statutes is created to read:

949.08 (2) (e) Is an adult passenger in the offender's vehicle and the crime involved is specified in s. 346.63 (2) or 940.25 and the passenger knew the offender was under the influence of an intoxicant, a controlled substance or both or had a blood alcohol concentration of 0.1% or more, as defined in s. 885.235 (5). This paragraph does not apply if the victim is also a victim of a crime specified in s. 940.30, 940.305, 940.31 or 940.32.

SECTION 5. **Nonstatutory provisions.** The authorized FTE positions for the department of justice are increased by 1.0 PRO position on July 1, 1984, to provide crime victim compensation services.

SECTION 6. **Appropriation changes.** Notwithstanding section 20.435 (4) (hx) of the statutes, the secretary of administration shall transfer \$22,300 in fiscal year 1984-85 from the appropriation to the department of health and social services under section 20.435 (4) (hx) of the statutes, as affected by the acts of 1983, to the appropriation to the department of justice under section 20.455 (5) (h) of the statutes. This SECTION does not increase the amounts in the schedule for the appropriation under section 20.455 (5) (h) of the statutes.

SECTION 7. **Initial applicability.** The treatment of section 949.03 (1) (b) of the statutes by this act applies to crimes occurring on or after the effective date of this act.
