



**ASSEMBLY AMENDMENT 10,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 13**

January 24, 1996 – Offered by Representative BAUMGART.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 4: after that line insert:

3 “**SECTION 1e.** 165.83 (2) (am) of the statutes is created to read:

4 165.83 (2) (am) Obtain and file a copy of a warning given under s. 943.13 (2m)
5 to a person alleged to have violated s. 943.13 (1).

6 **SECTION 1m.** 165.84 (5m) of the statutes is created to read:

7 165.84 (5m) All persons in charge of law enforcement and tribal law
8 enforcement agencies in this state shall furnish the department with a copy of a
9 warning given under s. 943.13 (2m) to a person alleged to have violated s. 943.13 (1).

10 **SECTION 1s.** 778.26 (1) of the statutes is amended to read:

11 778.26 (1) The citation procedures established by this section may be used only
12 in an action to recover a forfeiture under s. 943.13. A citation under this section may
13 be issued to a person alleged to have violated s. 943.13 (1) only as provided under s.
14 943.13 (2m). The citation form provided by this section may serve as the initial

1 pleading for the action and is adequate process to give a court jurisdiction over the
2 person if the citation is filed with the circuit court.”.

3 **2.** Page 1, line 7: after “forfeiture” insert “if, at any time before the person
entered or remained on the land, the person received a warning under sub. (2m).”.

4 **3.** Page 1, line 8: after that line insert:

5 “**SECTION 3m.** 943.13 (2m) of the statutes is created to read:

6 943.13 (2m) Before issuing a citation under s. 778.26 to a person who a law
7 enforcement officer believes has violated sub. (1), the law enforcement officer shall
8 determine whether the department of justice has on file information indicating that
9 the person has previously received a warning under this subsection for allegedly
10 violating under sub. (1). If the department of justice files indicate that the person
11 has not previously received a warning under this subsection for allegedly violating
12 sub. (1), the law enforcement officer shall issue the person a warning and may not
13 issue the person a citation under s. 778.26. A warning issued under this subsection
14 shall include the date of the alleged violation of sub. (1), the date on which the
15 warning is issued and identifying information of the person alleged to have violated
16 sub. (1). The law enforcement officer shall provide a copy of a warning issued under
17 this subsection to the department of justice for filing under s. 165.83 (2) (am). If the
18 department of justice files indicate that the person has previously received a warning
19 under this subsection for allegedly violating sub. (1), the law enforcement officer may
20 issue the person a citation under s. 778.26.”.

21 (END)