

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

State of Misconsin 1995 - 1996 LEGISLATURE

LRBa1595/1 JEO:skg:mkd

ASSEMBLY AMENDMENT 1, TO 1995 ASSEMBLY BILL 295

September 14, 1995 - Offered by Committee on Criminal Justice and Corrections.

At the locations indicated, amend the bill as follows:

1. Page 4, line 21: after that line insert:

"Section 4m. 302.06 of the statutes is amended to read:

302.06 Delivery of persons to prisons. The sheriff shall deliver to the reception center designated by the department every person convicted in the county and sentenced to the Wisconsin state prisons or to the intensive sanctions program as soon as may be after sentence, together with a copy of the judgment of conviction and, if applicable, a copy of any report specified in s. 973.017 (4). The warden or superintendent shall deliver to the sheriff a receipt acknowledging receipt of the person, naming the person, which receipt the sheriff shall file in the office of the clerk who issued the copy of the judgment of conviction. When transporting or delivering the person to any of the Wisconsin state prisons the sheriff shall be accompanied by an adult of the same sex as the person. If the sheriff and the person are of the same sex, this requirement is satisfied and a 3rd person is not required."

2. Page 5, line 24: delete that line and substitute: "provided in ss. 971.163 (2) (a) and (3) and 973.017 (4), the contents of the report shall be confidential".

1

 $\mathbf{2}$

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

3. Page 7, line 3: after that line inser	3.	Page 7.	line 3:	after	that	line	inser
---	----	---------	---------	-------	------	------	-------

"(d) The defendant states that he or she is willing to participate in appropriate mental health treatment that is recommended by a physician, psychologist or mental health worker who is responsible for his or her mental health care and treatment.".

4. Page 9, line 8: after that line insert:

- "(4) If a defendant who is found guilty but mentally ill is sentenced to prison or to the intensive sanctions program, the clerk of court shall attach all of the following to the judgment of conviction that is delivered with the defendant under s. 302.06 to the reception center designated by the department:
 - (a) A copy of any report of an examination conducted under s. 971.16.
- (b) A copy of any report other than a report specified in par. (a) that was admitted into evidence at a hearing under s. 971.163 (2) (b).
- (c) A copy of any report other than a report specified in par. (a) that was admitted into evidence at a trial under s. 971.165.

Section 17m. 973.08 (1) of the statutes is amended to read:

973.08 (1) When any defendant is sentenced to the state prisons, a copy of the judgment of conviction and, a copy of any order for restitution under s. 973.20 and, if applicable, a copy of any report specified in s. 973.017 (4) shall be delivered by the officer executing the judgment to the warden or superintendent of the institution when the prisoner is delivered.".

21 (END)