



**ASSEMBLY AMENDMENT 34,  
TO 1995 ASSEMBLY BILL 130**

May 24, 1995 – Offered by Representative R. YOUNG.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 58, line 13: after that line insert:

3 “**SECTION 133r.** 48.205 (1) (intro.) of the statutes is amended to read:

4 48.205 (1) (intro.) A child may be held under s. 48.207, or 48.208 ~~or 48.209~~ if  
5 the intake worker determines that there is probable cause to believe the child is  
6 within the jurisdiction of the court and.”.

7 **2.** Page 59, line 3: delete that line and substitute:

8 “**SECTION 139d.** 48.209 of the statutes is repealed.”.

9 **3.** Page 59, line 7: delete “48.209” and substitute “48.209 48.208”.

10 **4.** Page 59, line 22: after that line insert:

11 “**SECTION 142m.** 48.21 (4) (b) of the statutes is amended to read:

12 48.21 (4) (b) Order the child held in an appropriate manner under s. 48.207,  
13 or 48.208 ~~or 48.209~~.”.

14 **5.** Page 74, line 19: after that line insert:

15 “**SECTION 211g.** 48.299 (5) of the statutes is amended to read:

1           48.299 (5) On request of any party, unless good cause to the contrary is shown,  
2 any hearing under s. ~~48.209 (1)(e)~~ or 48.21 (1) may be held on the record by telephone  
3 or live audio-visual means or testimony may be received by telephone or live  
4 audio-visual means as prescribed in s. 807.13 (2). The request and the showing of  
5 good cause for not conducting the hearing or admitting testimony by telephone or live  
6 audio-visual means may be made by telephone.”.

7           **6. Page 88, line 17:** after that line insert:

8           “**SECTION 308r.** 48.38 (2) (a) of the statutes is amended to read:

9           48.38 (2) (a) The child is being held in physical custody under s. 48.207, or  
10 48.208 ~~or 48.209~~.”.

11          **7. Page 88, line 24:** strike through “, juvenile portion of a county jail”.

12          **8. Page 164, line 3:** after that line insert:

13          “**SECTION 553m.** 808.075 (4) (a) 3. of the statutes is amended to read:

14          808.075 (4) (a) 3. Review of secure detention orders under s. 48.208 ~~and secure~~  
15 ~~detention status reviews under s. 48.209 (1)(e)~~.”.

16          **9. Page 164, line 7:** delete lines 7 and 8 and substitute:

17          “3. Review of secure detention orders under s. 938.208.”.

18          **10. Page 209, line 6:** delete lines 6 and 7 and substitute: “custody under this  
subsection for no more than 24 hours unless an extension of 24 hours is”.

19          **11. Page 209, line 10:** delete lines 10 to 24.

20          **12. Page 210, line 1:** delete lines 1 and 2 and substitute:

21          “**938.209 Criteria for holding a juvenile in a county jail.** (1) A juvenile  
22 may be held in the juvenile portion of a county jail for not more than the time period  
23 specified in sub. (2) (a) or (b), whichever is applicable, while awaiting his or her

1 hearing under s. 938.21 (1) (a) if the intake worker determines that probable cause  
2 exists to believe that the juvenile has committed a delinquent act and if all of the  
3 following conditions apply:

4 (a) No acceptable alternative placement for the juvenile exists.

5 (b) The portion of the jail in which the juvenile is held has sight and sound  
6 separation from the adult portion of the jail and has been approved by the  
7 department of corrections under s. 938.22 (2) (a).

8 **(2)** (a) If the county having jurisdiction over a juvenile is part of a federal  
9 standard metropolitan statistical area, the juvenile may be held in the juvenile  
10 portion of the county jail for not more than 6 hours after being taken into custody.

11 (b) If the county having jurisdiction over a juvenile is located outside of a federal  
12 standard metropolitan statistical area, the juvenile may be held in the juvenile  
13 portion of the county jail for not more than 24 hours after being taken into custody,  
14 excluding Saturdays, Sundays and legal holidays.”.

15 **13.** Page 210, line 10: delete “end of the day” and substitute “time”.

16 **14.** Page 253, line 11: delete “938.209 (1) (e) or”.

17 **15.** Page 275, line 12: delete lines 12 and 13 and substitute:

18 “(f) A secure detention facility or in a place of non-”.

19 **16.** Page 310, line 2: delete “or juvenile portion of a county jail”.

20 **17.** Page 310, line 24: delete lines 24 and 25 and substitute:

21 “1. Placement of the juvenile in a secure detention facility or”.

22 **18.** Page 311, line 1: delete “tions by rule or”.

23 **19.** Page 311, line 19: delete the last “juvenile”.

