



**SENATE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 130**

June 15, 1995 – Offered by COMMITTEE ON JUDICIARY.

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

2 **1.** Page 7, line 1: delete lines 1 to 17.

3 **2.** Page 8, line 1: delete lines 1 and 2.

4 **3.** Page 8, line 13: delete lines 13 to 21.

5 **4.** Page 8, line 24: delete that line.

6 **5.** Page 9, line 1: delete lines 1 to 3.

7 **6.** Page 9, line 15: delete lines 15 and 16 and substitute: “the department
specified in s. 46.26 (4) (d) 1m. shall be credited to this appropriation.”.

8 **7.** Page 9, line 19: delete lines 19 to 23.

9 **8.** Page 10, line 14: delete lines 14 to 17 and substitute:

10 “SECTION 10p. 20.435 (3) (cg) of the statutes is repealed.”.

11 **9.** Page 11, line 10: delete that line and substitute: “s. 46.26 (4) (c) and (d).
Except”.

12 **10.** Page 13, line 17: delete that line.

1 **11. Page 14, line 23:** delete lines 23 and 24 and substitute: “ss. ~~48.34 and~~
48.345, 938.34 and 938.45.”

2 **12. Page 17, line 5:** delete “(4h) or”.

3 **13. Page 22, line 2:** after that line insert:

4 “**SECTION 40m.** 46.26 (3) (c) of the statutes is amended to read:

5 46.26 (3) (c) ~~Subject to pars. (dd), (de) and (dg), within~~ Within the limits of the
6 appropriations under s. 20.435 (3) (cd) and (oo), the department of health and social
7 services shall allocate funds to each county for services under this section.”

8 **14. Page 22, line 13:** delete that line and substitute:

9 “46.26 (3) (d) In addition to the funds allo–”.

10 **15. Page 22, line 17:** substitute “and” for the last comma.

11 **16. Page 22, line 18:** delete “and 938.538”.

12 **17. Page 22, line 19:** before that line insert:

13 “**SECTION 41r.** 46.26 (3) (dd) of the statutes is repealed.

14 **SECTION 41t.** 46.26 (3) (de) of the statutes is repealed.

15 **SECTION 41v.** 46.26 (3) (dg) of the statutes is repealed.”

16 **18. Page 24, line 9:** delete “pars. (c) and (cm)” and substitute: “~~pars.~~ par. (c)
and (cm)”.

17 **19. Page 25, line 17:** on lines 17 and 22, delete “, (c) and (cm)” and substitute
“and (c)”.

18 **20. Page 26, line 4:** delete “, 938.183 (2) and 938.34 (4h)” and substitute “and
938.183 (2)”.

19 **21. Page 27, line 4:** delete lines 4 to 24.

1 **22.** Page 28, line 1: delete lines 1 to 15 and substitute:

2 “**SECTION 46q.** 46.26 (4) (cm) 1. of the statutes, as affected by 1993 Wisconsin
3 Act 377 and 1995 Wisconsin Act (this act), is repealed.

4 **SECTION 47n.** 46.26 (4) (cm) 2. of the statutes is repealed.

5 **SECTION 47q.** 46.26 (4) (cm) 3. of the statutes is repealed.”.

6 **23.** Page 40, line 5: after that line insert:

7 “**SECTION 103g.** 48.12 (title) of the statutes is repealed.”.

8 **24.** Page 40, line 9: after that line insert:

9 “**SECTION 103m.** 48.12 (1) of the statutes, as affected by 1995 Wisconsin Act
10 (this act), is repealed.”.

11 **25.** Page 40, line 18: after that line insert:

12 “**SECTION 103r.** 48.12 (2) of the statutes, as affected by 1995 Wisconsin Act
13 (this act), is repealed.”.

14 **26.** Page 77, line 16: delete “(4g) or”.

15 **27.** Page 84, line 3: delete lines 3 to 7 and substitute:

16 “48.396 (1) Law enforcement officers’ records of children shall be kept separate
17 from records of adults. Law enforcement officers’ records of children shall not be
18 open to inspection”.

19 **28.** Page 85, line 14: before the period insert: “, unless the court finds, after
due notice and hearing, that inspection of those records by the parent, guardian or
legal custodian would result in imminent danger to the child”.

20 **29.** Page 99, line 1: delete lines 1 to 16 and substitute:

21 “**SECTION 367m.** 48.66 (1) of the statutes is amended to read:

1 48.66 (1) The department shall license and supervise child welfare agencies,
2 as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities,
3 as required by s. 48.48 and day care centers, as required by s. 48.65. The department
4 may license foster homes or treatment foster homes, as provided by s. 48.62, and may
5 license and supervise county departments in accordance with the procedures
6 specified in this section and in ss. 48.67 to 48.74. The department of corrections may
7 license a child welfare agency to hold in secure custody children under 12 years of
8 age who have been convicted under s. 938.183 or adjudicated delinquent under s.
9 938.34 (4m) and placed in a secured child caring institution, and to provide
10 supervision, care and maintenance for those children. The department of corrections
11 may also license a child welfare agency to hold in secure custody children who have
12 been adjudicated delinquent under s. ~~48.34 (4m)~~ 938.34 (4m) and referred to the child
13 welfare agency by the department under the intensive residential aftercare pilot
14 program under 1993 Wisconsin Act 377, section 9126 (3x), and to provide
15 supervision, care and maintenance for those children.”.

16 **30.** Page 100, line 12: after that line insert:

17 “**SECTION 370j.** 48.78 (2) (f) of the statutes is created to read:

18 48.78 (2) (f) If an agency discloses information in its records about a child under
19 par. (b), (d) or (e), the agency shall immediately notify the child who is the subject of
20 the record and the child’s parent, guardian or legal custodian of that disclosure and
21 shall immediately provide to the child and the parent, guardian or legal custodian
22 the information disclosed, unless the agency determines that provision of that
23 information to the parent, guardian or legal custodian would result in imminent
24 danger to the child.”.

- 1 **31.** Page 120, line 3: delete lines 3 to 17.
- 2 **32.** Page 121, line 15: delete lines 15 to 25.
- 3 **33.** Page 122, line 6: delete the material beginning with “The” and ending with
4 “(e).” on line 7.
- 5 **34.** Page 122, line 10: after “permit,” insert “or that the failing school
6 performance of the minor would be remedied by the revocation of the permit.”.
- 7 **35.** Page 124, line 14: delete lines 14 to 17 and substitute:
8 “SECTION 421m. 118.125 (2) (cg) of the statutes is created to read:
9 118.125 (2) (cg) The school district clerk shall provide a law enforcement
10 agency with a copy of a pupil’s attendance record if the law enforcement agency
11 certifies in writing that the pupil is under investigation for allegedly committing a
12 criminal or delinquent act and that the law enforcement agency will not further
13 disclose the pupil’s attendance record except as permitted under s. 938.396 (1), (1g),
14 (1m) and (1r).”.
- 15 **36.** Page 126, line 15: after that line insert:
16 “SECTION 425m. 118.125 (2) (n) of the statutes is created to read:
17 118.125 (2) (n) Subject to par. (m), if a public school discloses information in a
18 pupil record under par. (c), (cg), (d), (f), (g), (j) or (L), the public school shall
19 immediately notify the pupil who is the subject of the record and the pupil’s parent
20 or guardian of that disclosure and shall immediately provide to the pupil and the
21 parent or guardian the information disclosed, unless the public school determines
22 that provision of the information to the parent or guardian would result in imminent
 danger to the pupil.”.
- 37.** Page 133, line 5: delete “or refuse to issue”.

- 1 **38.** Page 146, line 5: delete “or serious”.
- 2 **39.** Page 146, line 6: delete that line and substitute: “, the revocation of parole
or proba-”.
- 3 **40.** Page 151, line 3: delete that line and substitute: “~~48.02~~ 938.02 (15m), or
any”.
- 4 **41.** Page 151, line 5: delete lines 5 to 8.
- 5 **42.** Page 151, line 14: delete lines 14 to 16.
- 6 **43.** Page 152, line 3: on lines 3 and 8, delete “938.17 (2) (h) 1.”.
- 7 **44.** Page 152, line 16: delete lines 16 to 24.
- 8 **45.** Page 153, line 8: delete lines 8 to 11.
- 9 **46.** Page 153, line 19: delete lines 19 to 23.
- 10 **47.** Page 156, line 14: delete lines 14 to 18.
- 11 **48.** Page 157, line 12: delete lines 12 to 25.
- 12 **49.** Page 158, line 1: delete lines 1 to 9.
- 13 **50.** Page 178, line 6: before the last period insert: “or, when used with
reference to a juvenile who is subject to s. 938.17 (2), a municipal court”.
- 14 **51.** Page 179, line 5: before the period insert: “or, when used with reference
to a juvenile who is subject to s. 938.17 (2), the judge of the municipal court”.
- 15 **52.** Page 180, line 13: delete that line and substitute: “or contracted for by
the department”.
- 16 **53.** Page 180, line 14: delete “of corrections”.

1 **54.** Page 180, line 16: delete the comma and substitute “and”; and delete “and
a facil-”.

2 **55.** Page 180, line 17: delete that line and substitute a period.

3 **56.** Page 181, line 14: on lines 14 and 17, delete “or 938.538 (4) (b)”.

4 **57.** Page 187, line 9: delete that line.

5 **58.** Page 187, line 20: on lines 20 and 21, delete “ordering compliance with
deferred prosecution agreements and”.

6 **59.** Page 188, line 1: delete “(4h) or”.

7 **60.** Page 199, line 9: before the period insert: “and par. (cg) shall govern the
issuing of a summons to the juvenile’s parent, guardian and legal custodian”.

8 **61.** Page 199, line 13: delete “or guardian” and substitute “, guardian and legal
custodian”.

9 **62.** Page 199, line 17: after that line insert:

10 “(cg) After a citation is issued, unless the juvenile and his or her parent,
11 guardian and legal custodian voluntarily appear, the municipal court may issue a
12 summons requiring the parent, guardian and legal custodian of the juvenile to
13 appear personally at any hearing involving the juvenile and, if the court so orders,
14 to bring the juvenile before the court at a time and place stated. Section 938.273 shall
15 govern the service of a summons under this paragraph, except that the expense of
16 service or publication of a summons and of the travelling expenses and fees as
17 allowed in ch. 885 of a person summoned shall be a charge on the municipality of the
18 court issuing the summons when approved by the court. If any person summoned
19 under this paragraph fails without reasonable cause to appear, he or she may be

1 proceeded against for contempt of court under s. 785.06. If a summons cannot be
2 served or if the person served fails to obey the summons or if it appears to the court
3 that the service will be ineffectual, a *capias* may be issued for the juvenile and for the
4 parent, guardian and legal custodian.”.

5 **63.** Page 199, line 20: delete the first “to” and substitute “or”.

6 **64.** Page 201, line 1 : delete “to 4.” and substitute: “or 4. that are authorized
under par. (cm) or may petition the court assigned to exercise jurisdiction under this
chapter and ch. 48 to impose on the juvenile the sanctions specified in s. 938.355 (6)
(d) 1. or 3. that are authorized under par. (cm).”.

7 **65.** Page 201, line 3: delete “2. to 4.”.

8 **66.** Page 201, line 5: delete “for imposition of” and substitute: “requesting the
municipal court to impose or petition for”.

9 **67.** Page 201, line 7: delete lines 7 and 8 and substitute: “ney or the court that
entered the dispositional order. Notice of the motion”.

10 **68.** Page 202, line 11: before the period insert: “, except that if the juvenile
denies the facts of the petition and becomes 17 years of age before an adjudication,
the petition for waiver of jurisdiction may be filed at any time prior to the
adjudication”.

11 **69.** Page 202, line 12: delete lines 12 to 17.

12 **70.** Page 203, line 7: on lines 7 and 11, delete “initiated by the district attorney
or a”.

13 **71.** Page 203, line 8: on lines 8 and 12, delete “judge”.

14 **72.** Page 203, line 19: delete lines 19 to 25.

- 1 **73.** Page 204, line 1: delete lines 1 and 2.
- 2 **74.** Page 204, line 3: on lines 3 and 4, delete “on a petition for waiver of
jurisdiction initiated by the district attorney or a judge”.
- 3 **75.** Page 204, line 19: delete “and the suitability of the”.
- 4 **76.** Page 204, line 20: delete lines 20 and 21 and substitute a period.
- 5 **77.** Page 205, line 1: on lines 1 and 2, delete “on a petition for waiver of
jurisdiction initiated by the district attorney or a judge”.
- 6 **78.** Page 205, line 22: after “and” insert “who”.
- 7 **79.** Page 228, line 3: delete lines 3 and 4 and substitute: “cility or transfer
jurisdiction over the juve-”.
- 8 **80.** Page 235, line 5: delete lines 5 to 8 and substitute: “shall receive written
notice of such action. A notice of deferred prosecution of an alleged”.
- 9 **81.** Page 238, line 12: delete “the juvenile has at-”.
- 10 **82.** Page 238, line 13: delete “tained the age of 10 and”.
- 11 **83.** Page 238, line 24: delete “10 to 13” and substitute “under 14”.
- 12 **84.** Page 239, line 5: delete “10 to 13” and substitute “under 14”.
- 13 **85.** Page 239, line 6: delete that line and substitute:
14 “6. That the juvenile participate in a”.
- 15 **86.** Page 240, line 5: delete “The judge or juvenile court commissioner”.
- 16 **87.** Page 240, line 6: delete lines 6 and 7.
- 17 **88.** Page 240, line 8: delete “agreement.”.
- 18 **89.** Page 240, line 9: delete “and order”.

1 **90.** Page 248, line 11: delete “or guardian has” and substitute “, guardian and
legal custodian have”.

2 **91.** Page 251, line 24: delete “or guardian” and substitute “, guardian and
legal custodian”.

3 **92.** Page 252, line 17: after “(12)” insert: “or the juvenile or the juvenile’s
parent, guardian or legal custodian has requested the substitution of a judge in a
previous proceeding under s. 938.12 or 938.13 (4), (6), (6m), (7) or (12)”.

4 **93.** Page 273, line 8: delete “if 10 years of age or older”.

5 **94.** Page 275, line 17: delete “, if the juvenile is 10 years of age or older,”.

6 **95.** Page 276, line 4: on lines 4 and 10, delete “10 to 13” and substitute “under
14”.

7 **96.** Page 276, line 11: delete that line and substitute:

8 “(b) The judge may require the juvenile”.

9 **97.** Page 279, line 23: delete lines 23 to 25.

10 **98.** Page 280, line 1: delete lines 1 to 5.

11 **99.** Page 283, line 8: after the last period insert: “In deciding the dispositions
for a juvenile who is adjudicated delinquent, the court shall consider the seriousness
of the act for which the juvenile is adjudicated delinquent and may consider any
other delinquent act that is read into the record and dismissed at the time of the
adjudication.”.

12 **100.** Page 283, line 23: delete “20” and substitute “30”.

13 **101.** Page 285, line 18: delete “, (4h)”.

14 **102.** Page 286, line 1: delete lines 1 to 9.

1 **103.** Page 287, line 10: delete “48.532” and substitute “938.532”.

2 **104.** Page 288, line 11: delete “10 to 13” and substitute “under 14”.

3 **105.** Page 288, line 16: delete “10 to 13” and substitute “under 14”.

4 **106.** Page 289, line 16: on lines 16 and 22, delete “10 to 13” and substitute
“under 14”.

5 **107.** Page 295, line 6: after that line insert:

6 “(14d) HATE VIOLATIONS. In addition to any other disposition imposed under
7 this section, if the juvenile is found to have committed a violation under
8 circumstances in which, if committed by an adult, the adult would be subject to a
9 penalty enhancement under s. 939.645, the court shall order any one or more of the
10 following dispositions:

11 (a) That the juvenile make restitution under sub. (5).

12 (b) That the juvenile participate in a supervised work program or other
13 community service work under sub. (5g) or (5m).

14 (c) That the juvenile participate in a victim-offender mediation program under
15 sub. (5r) or otherwise apologize to the victim.

16 (d) That the juvenile participate in an educational program under sub. (7n) that
17 includes sensitivity training or training in diversity.”.

18 **108.** Page 295, line 9: delete “Any limita-”.

19 **109.** Page 295, line 10: delete lines 10 and 11, and substitute: “If the court
suspends or revokes a juvenile’s operating privilege under this subsection, the court
shall immediately take possession of the suspended or revoked license and forward
it to the department of transportation together with a notice stating the reason for
and duration of the suspension or revocation. If the court limits a juvenile’s operating

privilege under this subsection, the court shall immediately notify the department of transportation of that limitation.”.

1 **110.** Page 301, line 9: delete “or”.

2 **111.** Page 301, line 10: delete “refuse to issue”.

3 **112.** Page 301, line 9: delete lines 9 to 11.

4 **113.** Page 309, line 6: delete “18th” and substitute “17th”.

5 **114.** Page 309, line 18: delete “the serious juvenile offender program,”.

6 **115.** Page 309, line 20: delete that line.

7 **116.** Page 310, line 4: delete lines 4 and 5.

8 **117.** Page 318, line 14: delete “(4h)”.

9 **118.** Page 318, line 18: delete “(4h) or”.

10 **119.** Page 318, line 21: delete lines 21 to 25 and substitute “is earlier.”.

11 **120.** Page 319, line 10: after “delinquent” insert: “or to have violated a civil
law or ordinance”.

12 **121.** Page 320, line 1: delete lines 1 to 5 and substitute:

13 “(an) If a juvenile who has violated a municipal ordinance violates a condition
14 of a dispositional order imposed by the municipal court, the municipal court may
15 petition the court assigned to exercise jurisdiction under this chapter and ch. 48 to
16 impose on the juvenile any of the sanctions specified in par. (d) 1. or 3. if, at the time
17 of the judgment the municipal court explained the conditions to the juvenile and
18 informed the juvenile of the possible sanctions under par. (d) 1. and 3. for a
19 violation.”.

20 **122.** Page 320, line 8: delete “If the court”.

- 1 **123.** Page 320, line 9: delete that line.
- 2 **124.** Page 321, line 3: delete “90 days” and substitute “3 years”.
- 3 **125.** Page 321, line 8: delete “20” and substitute “30”.
- 4 **126.** Page 321, line 22: delete “as a sanction” and substitute “while the alleged
violation is being investigated”.
- 5 **127.** Page 321, line 23: delete “sanction” and substitute “placement”.
- 6 **128.** Page 322, line 5: delete “as a sanction” and substitute: “while the alleged
violation is being investigated”.
- 7 **129.** Page 322, line 7: delete “sanction” and substitute “placement”.
- 8 **130.** Page 332, line 21: delete lines 21 to 23 and substitute: “charge upon the
county. This section does not prevent re-”.
- 9 **131.** Page 343, line 4: on lines 4 and 5, delete “the department of corrections,”.
- 10 **132.** Page 344, line 11: on lines 11 and 12, delete “or the department of
corrections”.
- 11 **133.** Page 352, line 25: before the period insert: “, unless the court finds, after
due notice and hearing, that inspection of those records by the parent, guardian or
legal custodian would result in imminent danger to the juvenile”.
- 12 **134.** Page 362, line 23: delete “or 938.537”.
- 13 **135.** Page 362, line 24: delete lines 24 and 25.
- 14 **136.** Page 363, line 1: delete lines 1 to 16 and substitute:
- 15 “**938.49 Notification by court of placement with department;**
16 **information for department. (1)** When the court places a juvenile in a secured

1 correctional facility or secured child caring institution under the supervision of the
2 department, the court shall immediately notify the department of that action. The
3 court shall, in accordance with procedures established by the department, provide
4 transportation for the juvenile to a receiving center designated by the department
5 or deliver the juvenile to personnel of the department.

6 (2) When the court places a juvenile in a secured correctional facility or a
7 secured child caring institution under the supervision of the department, the court
8 and all other public agencies shall also immediately transfer to the department a
9 copy of the report submitted to the court under s. 938.33 or, if the report was
10 presented orally, a transcript of the report and all other pertinent data in their
11 possession and shall immediately notify the juvenile's last school district in writing
12 of its obligation under s. 118.125 (4).".

13 **137.** Page 363, line 17: on lines 17 and 18, delete "of health and social
services".

14 **138.** Page 364, line 8: on lines 8 and 9, delete "of health and social services
or the department of corrections".

15 **139.** Page 364, line 17: delete that line and substitute: "department or a
county de-".

16 **140.** Page 364, line 21: delete "of health and".

17 **141.** Page 364, line 22: delete "social services, department of corrections".

18 **142.** Page 365, line 3: delete that line and substitute "permission for the
department".

19 **143.** Page 365, line 4: delete "tions".

- 1 **144.** Page 365, line 7: before the period insert: “, except that the court may
not determine that a parent’s or guardian’s consent is unreasonably withheld solely
because the parent or guardian relies on treatment by spiritual means through
prayer for healing in accordance with his or her religious tradition”.
- 2 **145.** Page 365, line 15: delete “of health and social ser-”.
- 3 **146.** Page 365, line 16: delete “vices, department of corrections”.
- 4 **147.** Page 365, line 23: delete “of health and social”.
- 5 **148.** Page 365, line 24: delete “services, the department of corrections”.
- 6 **149.** Page 366, line 1: delete “or legal custody.”.
- 7 **150.** Page 366, line 16: delete “or legal custo-”.
- 8 **151.** Page 366, line 17: delete “dy”.
- 9 **152.** Page 366, line 21: delete “of health and”.
- 10 **153.** Page 366, line 22: delete “social services, department of corrections”.
- 11 **154.** Page 367, line 4: on lines 4, 8 and 9, delete “of health and social services”.
- 12 **155.** Page 367, line 6: on lines 6, 12, 15 and 18, delete “or legal custody”.
- 13 **156.** Page 372, line 12: delete “as a sanction” and substitute: “while the
alleged violation is being investigated”.
- 14 **157.** Page 372, line 14: delete “sanction” and substitute “placement”.
- 15 **158.** Page 372, line 19: delete “as a sanction,” and substitute: “as crisis
intervention, if the juvenile is in need of crisis intervention and”.
- 16 **159.** Page 372, line 20: delete “sanction” and substitute “placement”.

1 **160.** Page 373, line 6: delete lines 6 and 7, and substitute: “while a violation
of a condition of a juvenile’s participation in the program is being investigated and
the use of placement in a place of nonsecure custody for not more than 30 days as
crisis intervention.”.

2 **161.** Page 373, line 15: delete lines 15 to 24.

3 **162.** Page 374, line 1: delete lines 1 to 25.

4 **163.** Page 375, line 1: delete lines 1 to 25.

5 **164.** Page 376, line 1: delete lines 1 to 25.

6 **165.** Page 377, line 1: delete lines 1 to 17.

7 **166.** Page 385, line 23: after the comma insert “ or s. 938.183 or 938.34 (4m)”.

8 **167.** Page 385, line 24: after “stats.,” insert “or s. 938.34 (4n)”.

9 **168.** Page 386, line 3: delete “938.183 or 938.366” and substitute “48.366 or
938.183”.

10 **169.** Page 386, line 4: delete “938.183 or 938.366 (8)” and substitute “48.366
(8) or 938.183”.

11 **170.** Page 386, line 13: after that line insert:

12 “(f) If an agency discloses information in its records about a juvenile under par.

13 (b) 1., (d) or (e), the agency shall immediately notify the juvenile who is the subject
14 of the record and the juvenile’s parent, guardian or legal custodian of that disclosure
15 and shall immediately provide to the juvenile and the parent, guardian or legal
16 custodian the information disclosed, unless the agency determines that provision of
17 that information to the parent, guardian or legal custodian would result in imminent
18 danger to the juvenile.”.

- 1 **171.** Page 388, line 11: on lines 11 and 12, delete “or other persons”.
- 2 **172.** Page 388, line 14: after “(15m)” insert: “, a secure detention facility, as
3 defined in s. 938.02 (16)”.
- 4 **173.** Page 389, line 24: delete “(4h) or”.
- 5 **174.** Page 391, line 1: delete “(4h) or”.
- 6 **175.** Page 392, line 1: delete “committed to the supervision”.
- 7 **176.** Page 392, line 2: delete that line and substitute “or placed in a secured
8 correc-”.
- 9 **177.** Page 393, line 4: delete “committed to the supervision”.
- 10 **178.** Page 393, line 5: delete that line and substitute: “or placed in a secured
11 correc-”.
- 12 **179.** Page 395, line 23: delete “knowingly” and substitute “knowingly”.
- 13 **180.** Page 399, line 13: delete lines 13 to 25.
- 14 **181.** Page 400, line 1: delete lines 1 and 2 and substitute:
15 “**SECTION 617m.** 970.032 (title) and (1) of the statutes are amended to read:
16 **970.032 (title) Preliminary examination; ~~child accused of committing~~**
17 **~~assault or battery in a secured correctional facility~~ child under original**
18 **adult court jurisdiction. (1) Notwithstanding s. 970.03, if a preliminary**
19 **examination is held regarding a child who is ~~accused of violating s. 940.20 (1) or~~**
20 **~~946.43 while placed in a secured correctional facility, as defined in s. 48.02 (15m)~~**
 subject to the original jurisdiction of the court of criminal jurisdiction under s.
 938.183 (1), the court shall first determine whether there is probable cause to believe
 that the child has committed a ~~violation of s. 940.20 (1) or 946.43 while placed in a~~

1 ~~secured correctional facility, as defined in s. 48.02 (15m)~~ the violation of which he or
2 she is accused. If the court does not make that finding, the court shall order that the
3 child be discharged but proceedings may be brought regarding the child under ch.
4 48.”.

5 **182.** Page 400, line 12: delete lines 12 to 17 and substitute:

6 “**SECTION 620m.** 970.032 (2) (c) of the statutes is amended to read:

7 970.032 (2) (c) That retaining jurisdiction is not necessary to deter the child or
8 other children from committing ~~violations of s. 940.20 (1) or 946.43 or other similar~~
9 ~~offenses while placed in a secured correctional facility, as defined in s. 48.02 (15m)~~
10 the violation of which the child is accused.”.

11 **183.** Page 402, line 24: on lines 24 and 25, delete the underscored material.

12 **184.** Page 409, line 22: delete lines 22 to 25.

13 **185.** Page 410, line 1: delete lines 1 to 6.

14 **186.** Page 412, line 6: delete lines 6 to 9.

15 **187.** Page 412, line 12: delete lines 12 to 25.

16 **188.** Page 413, line 1: delete lines 1 to 6 and substitute:

17 “(1h) MISCELLANEOUS PROVISIONS. The treatment of sections 20.435 (3) (au) and
18 (bg), 46.26 (4) (d) 3., 48.275 (2) (b) and 60.23 (22m) of the statutes and the
19 amendment of sections 48.275 (2) (a) (by SECTION 190m) and 48.505 (by SECTION
20 343m) of the statutes take effect on July 1, 1995, or on the day after publication,
21 whichever is later.

22 (2h) YOUTHFUL OFFENDER PROGRAM. The treatment of sections 20.410 (1) (am),
23 20.435 (3) (k), 46.03 (6) (a), 46.26 (4) (dr), 48.18 (2m), 48.33 (3m), 48.34 (4g), 48.537,
24 301.03 (9m), 301.28 (1) and 304.06 (1) (b) of the statutes and the amendment of

1 sections 20.435 (3) (hm) (by SECTION 11m), 46.26 (3) (d) (by SECTION 41m) and (4) (a)
2 (by SECTION 43m), (b) 1. (by SECTION 44m), (c) (by SECTION 45m) and (cm) 1. (by
3 SECTION 46m), 48.02 (15m) (by SECTION 77m), 48.065 (3) (f) (by SECTION 92m), 48.18
4 (5) (c) (by SECTION 115g), 48.19 (1) (d) 6., (by SECTION 119m), 48.205 (1) (c) (by SECTION
5 135m), 48.208 (1) (by SECTION 135r), 48.23 (1) (a) (by SECTION 148m), 48.345 (1) (a)
6 (by SECTION 273m), 48.355 (4) (a) (by SECTION 288m) and (b) (by SECTION 288r), 48.365
7 (7) (by SECTION 303m), 48.38 (3) (a) (by SECTION 309m), 48.49 (by SECTION 341m),
8 48.51 (1) (intro.) (by SECTION 345d), 48.78 (3) (by SECTION 370m), 118.125 (4) (by
9 SECTION 427m), 227.03 (4) (by SECTION 494m), 946.42 (1) (a) (by SECTION 587m) and
10 (3) (c) (by SECTION 591m), 946.44 (1) (a) (by SECTION 593m) and (2) (d) (by SECTION
11 595m) and 946.45 (1) (by SECTION 596m) and (2) (d) (by SECTION 598m) of the statutes
12 take effect on December 1, 1995.”.

13

(END)