



**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 180**

May 8, 2013 – Offered by Representative J. OTT.

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

2 **1.** Page 4, line 17: delete “or (3r),” and substitute “~~or~~, (3r), or (3t).”

3 **2.** Page 4, line 24: after that line insert:

4 “**SECTION 6g.** 346.65 (3r) of the statutes is amended to read:

5 346.65 (3r) ~~In~~ Subject to sub. (3t), in any county that opts to offer a reduced  
6 minimum period of imprisonment for the successful completion of a probation period  
7 that includes alcohol and other drug treatment, any person violating s. 346.63 (2) or  
8 (6) shall be fined the same as under sub. (3m), but the period of imprisonment shall  
9 be not less than 30 days, except that if the person successfully completes a period of  
10 probation that includes alcohol and other drug treatment, the period of  
11 imprisonment shall be not less than 15 days. If there was a minor passenger under  
12 16 years of age in the motor vehicle at the time of the violation that gave rise to the  
13 conviction under s. 346.63 (2) or (6), the offense is a felony, the applicable minimum

1 and maximum fines or periods of imprisonment for the conviction are doubled and  
2 the place of imprisonment shall be determined under s. 973.02. A person may be  
3 sentenced under this subsection or under sub. (2) (bm) or (cm) or (2j) (bm) or (cm) once  
4 in his or her lifetime. This subsection does not apply to a person sentenced under sub.  
5 (3p).

6 **SECTION 6r.** 346.65 (3t) of the statutes is created to read:

7 346.65 (3t) If the person injured was an adult who was in the vehicle operated  
8 by the person violating s. 346.63 (2) or (6), the court may impose a sentence that is  
9 less than the minimum sentence required under sub. (3m) if the court finds that the  
10 best interest of the community will be served and the public will not harmed by the  
11 sentence, and the court places the reasons for imposing a sentence that is less than  
12 the minimum sentence required under sub. (3m) on the record.”

13 **3.** Page 5, line 14: delete “and (3m)” and substitute “, (3m), (3r), and (3t)”.

14 (END)