



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 68**

September 12, 2013 - Offered by COMMITTEE ON JUDICIARY.

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

2 **1.** Page 2, line 25: delete that line and substitute "par. (cm) or (dm) or sub. (2j)
3 (bm), (cm), or (cr) or (3r) once in his or her lifetime."

4 **2.** Page 3, line 1: delete lines 1 to 14 and substitute:

5 "**SECTION 7m.** 346.65 (2) (dm) of the statutes is amended to read:

6 346.65 (2) (dm) In any county that opts to offer a reduced minimum period of
7 imprisonment for the successful completion of a probation period that includes
8 alcohol and other drug treatment, if the number of convictions under ss. 940.09 (1)
9 and 940.25 in the person's lifetime, plus the total number of suspensions,
10 revocations, and other convictions counted under s. 343.307 (1) equals 4, and ~~par.~~
11 ~~(am) 4m. does not apply~~, except that suspensions, revocations, or convictions arising
12 out of the same incident or occurrence shall be counted as one, the fine and the period

1 ~~of imprisonment~~ shall be the same as under par. (am) ~~4.~~, ~~but the period of~~
2 ~~imprisonment shall be not less than 60 days~~ 5., except that if the person successfully
3 completes a period of probation that includes alcohol and other drug treatment, the
4 period of imprisonment shall be not less than ~~29 days~~ 3 months. A person may be
5 sentenced under this paragraph or under par. (bm) or (cm) or sub. (2j) (bm), (cm), or
6 (cr) or (3r) once in his or her lifetime.”.

7 **3.** Page 5, line 6: delete lines 6 to 11.

8 **4.** Page 5, line 24: delete lines 24 and 25 and substitute “par. (cm) or (cr) or sub.
9 (2) (bm), (cm), or (dm) or (3r) once in his or her lifetime.”.

10 **5.** Page 6, line 1: delete lines 1 to 13 and substitute:

11 **“SECTION 16m.** 346.65 (2j) (cr) of the statutes is amended to read:

12 346.65 **(2j)** (cr) In any county that opts to offer a reduced minimum period of
13 imprisonment for the successful completion of a probation period that includes
14 alcohol and other drug treatment, if the number of convictions under ss. 940.09 (1)
15 and 940.25 in the person’s lifetime, plus the total number of suspensions,
16 revocations, and other convictions counted under s. 343.307 (1) equals 4, ~~and sub. (2)~~
17 ~~(am) 4m. does not apply~~, except that suspensions, revocations, or convictions arising
18 out of the same incident or occurrence shall be counted as one, the fine shall be the
19 same as under par. (am) 3., but the period of imprisonment shall be not less than 60
20 days, except that if the person successfully completes a period of probation that
21 includes alcohol and other drug treatment, the period of imprisonment shall be not
22 less than 29 days. A person may be sentenced under this paragraph or under par.
23 (bm) or (cm) or sub. (2) (bm), (cm), or (dm) or (3r) once in his or her lifetime.”.

24 (END)