



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa2003/1
PJH:emw

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 839**

February 9, 2016 - Offered by Representative SCHRAA.

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

2 **1.** Page 2, line 1: before that line insert:

3 “**SECTION 1d.** 165.957 (4) (a) 1. of the statutes, as created by 2015 Wisconsin
4 Act 55, is amended to read:

5 165.957 (4) (a) 1. The person is ordered by a judge or by the department of
6 corrections as a condition of release under s. 969.01 (1), probation or deferred
7 prosecution, release to parole, or release to extended supervision, to refrain from
8 using alcohol or a controlled substance, and whose participation in the program is
9 ordered by the judge or by the department of corrections as a condition of release
10 under s. 969.01 (1), probation, release to parole, or release to extended supervision.

11 **SECTION 1k.** 165.957 (4) (a) 2. of the statutes, as created by 2015 Wisconsin Act
12 55, is amended to read:

1 165.957 (4) (a) 2. The person agrees to refrain from using alcohol or a controlled
2 substance while he or she is on release under s. 969.01 (1), on probation, participating
3 in a deferred prosecution agreement, or on parole or extended supervision and
4 volunteers to participate in the program even though his or her participation is not
5 ordered by a judge or by the department of corrections as a condition of release
6 pursuant to s. 969.01 (1), probation or deferred prosecution, or release to parole or
7 to extended supervision.

8 **SECTION 1n.** 165.957 (4) (c) of the statutes, as created by 2015 Wisconsin Act
9 55, is amended to read:

10 165.957 (4) (c) The program informs a participant that, if he or she fails to
11 appear for a scheduled test or if his or her test results indicate that the participant
12 used alcohol or a controlled substance, he or she may be placed under immediate
13 arrest and referred to the department of corrections and to the appropriate
14 prosecuting agency for violating a condition of his or her release under s. 969.01 (1),
15 probation or deferred prosecution, or of his or her release to parole or extended
16 supervision.”.

17 **2.** Page 2, line 18: after “order” insert “, unless the order restricts the person’s
18 operating privilege while he or she participates in the program”.

19 **3.** Page 3, line 18: after after “order” insert “, unless the order restricts the
20 person’s operating privilege while he or she participates in the program”.

21 **4.** Page 4, line 13: after “program,” insert “or while the person participates in
22 the program and for the additional period of time under sub. (2m) (b),”.

23 **5.** Page 5, line 6: after “2.” insert “that does not restrict a person’s operating
24 privilege while he or she participates in a program”.

