



2013 ASSEMBLY BILL 294

August 20, 2013 - Introduced by Representatives KESSLER, YOUNG, C. TAYLOR, OHNSTAD, SINICKI, BERCEAU and WACHS. Referred to Committee on Judiciary.

1 **AN ACT** *to repeal* 972.02 (2); and *to amend* 756.06 (2) (a) and 972.04 (1) of the
2 statutes; **relating to:** the number of jurors in felony cases.

Analysis by the Legislative Reference Bureau

Under current law, a defendant in a criminal case is entitled to have his or her case decided by a jury, unless he or she opts to have his or her case decided by the judge. Generally, a jury in criminal case consists of 12 persons. However, under current law, a defendant charged with a felony may agree, before a verdict is rendered, to have his or her case decided by a smaller number of jurors.

Under this bill, a jury in a criminal case must consist of 12 persons. The bill removes the option for a defendant charged with a felony to have his or her case decided by a smaller number of jurors.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 972.02 (2) of the statutes is repealed.

4 **SECTION 2.** 756.06 (2) (a) of the statutes is amended to read:

5 756.06 (2) (a) A jury in a felony case shall consist of 12 persons ~~unless both~~
6 ~~parties agree on a lesser number as provided in s. 972.02.~~

