

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-3093/1 MLJ:amn

## 2021 SENATE BILL 628

October 20, 2021 – Introduced by Senators FEYEN, BALLWEG, STROEBEL and WIRCH, cosponsored by Representatives BOWEN, SCHRAA, ROZAR and CABRERA. Referred to Committee on Judiciary and Public Safety.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1 AN ACT to amend 973.046 (1r) (a), 973.046 (1r) (b) and 973.047 (1f) of the

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statutes; relating to: deoxyribonucleic acid analysis surcharges.

### Analysis by the Legislative Reference Bureau

Under current law, any time a person is convicted for a crime and a sentence is imposed or the person is placed on probation, the court must order the person to submit a DNA sample and the person is charged \$250 for each felony conviction and \$200 for each misdemeanor conviction. Under this bill, a person is required to submit a sample and is charged the corresponding fee only the first time a person is sentenced or placed on probation for a misdemeanor or for a felony.

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:

SECTION 1. 973.046 (1r) (a) of the statutes is amended to read:
973.046 (1r) (a) For each the person's first conviction for a felony, \$250.
SECTION 2. 973.046 (1r) (b) of the statutes is amended to read:
973.046 (1r) (b) For each the person's first conviction for a misdemeanor, \$200.

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SECTION 3. 973.047 (1f) of the statutes is amended to read:
 973.047 (1f) If a court imposes a sentence or places a person on probation, and
 the person has not previously been sentenced or placed on probation and has not

- 4 previously provided a biological sample under this subsection, for a misdemeanor or
- 5 for a felony, the court shall require the person to provide a biological specimen to the
   6 state crime laboratories for deoxyribonucleic acid analysis. The court shall inform
- 7 the person that he or she may request expungement under s. 165.77 (4).

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#### (END)

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