

- 1 2. Placement of the juvenile for adoption.
- 2 3. Placement of the juvenile with a guardian.
- 3 4. Permanent placement of the juvenile with a fit and willing relative.
- 4 5. Some other alternative permanent placement, including sustaining care,
- 5 independent living, or long-term foster care.

6 ***b3034/1.7* SECTION 533eL.** 938.38 (4) (fm) of the statutes is amended to read:

7 938.38 (4) (fm) If the goal of the permanency plan calls for placing is to place
8 the juvenile for adoption, with a guardian, with a fit and willing relative, or in some
9 other alternative permanent placement, the efforts made to place the juvenile for
10 adoption, with a guardian or in some other alternative permanent placement achieve
11 that goal.

12 ***b3034/1.7* SECTION 533en.** 938.38 (4) (h) of the statutes is created to read:

13 938.38 (4) (h) If the juvenile is 15 years of age or over, a description of the
14 programs and services that are or will be provided to assist the juvenile in preparing
15 for the transition from out-of-home care to independent living. The description
16 shall include all of the following:

- 17 1. The anticipated age at which the juvenile will be discharged from
18 out-of-home care.
- 19 2. The anticipated amount of time available in which to prepare the juvenile
20 for the transition from out-of-home care to independent living.
- 21 3. The anticipated location and living situation of the juvenile on discharge
22 from out-of-home care.
- 23 4. A description of the assessment processes, tools, and methods that have been
24 or will be used to determine the programs and services that are or will be provided

1 to assist the juvenile in preparing for the transition from out-of-home care to
2 independent living.

3 5. The rationale for each program or service that is or will be provided to assist
4 the juvenile in preparing for the transition from out-of-home care to independent
5 living, the time frames for delivering those programs or services, and the intended
6 outcome of those programs or services.

7 ***b3034/1.7* SECTION 533ep.** 938.38 (5) (a) of the statutes, as affected by 2001
8 Wisconsin Act 69, is amended to read:

9 938.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel
10 appointed under ~~this paragraph~~ par. (ag) shall review the permanency plan ~~every in~~
11 the manner provided in this subsection not later than 6 months from after the date
12 on which the juvenile was first held in physical custody or placed outside of removed
13 from his or her home and every 12 months after a previous review under this
14 subsection for as long as the juvenile is placed outside the home, except that for the
15 review that is required to be conducted not later than 12 months after the juvenile
16 was first removed from his or her home and the reviews that are required to be
17 conducted every 12 months after that review the court shall hold a hearing under
18 sub. (5m) to review the permanency plan, which hearing may be instead of or in
19 addition to the review under this subsection.

20 (ag) If the court elects not to review the permanency plan, the court shall
21 appoint a panel to review the permanency plan. The panel shall consist of 3 persons
22 who are either designated by an independent agency that has been approved by the
23 chief judge of the judicial administrative district or designated by the agency that
24 prepared the permanency plan. A voting majority of persons on each panel shall be
25 persons who are not employed by the agency that prepared the permanency plan and

1 who are not responsible for providing services to the juvenile or the parents of the
2 juvenile whose permanency plan is the subject of the review.

3 *b3034/1.7* SECTION 533er. 938.38 (5) (b) of the statutes is amended to read:

4 938.38 (5) (b) The court or the agency shall notify the parents of the juvenile,
5 the juvenile, if he or she is 10 years of age or older, and the juvenile's foster parent,
6 the juvenile's treatment foster parent ~~or~~, the operator of the facility in which the
7 juvenile is living, or the relative with whom the juvenile is living of the date, time,
8 and place of the review, of the issues to be determined as part of the review, and of
9 the fact that they may have an opportunity to be heard at the review by submitting
10 written comments not less than 10 working days before the review or by
11 participating at the review. The court or agency shall notify the person representing
12 the interests of the public, the juvenile's counsel, and the juvenile's guardian ad litem
13 of the date of the review, of the issues to be determined as part of the review, and of
14 the fact that they may submit written comments not less than 10 working days before
15 the review. The notices under this paragraph shall be provided in writing not less
16 than 30 days before the review and copies of the notices shall be filed in the juvenile's
17 case record.

18 *b3034/1.7* SECTION 533et. 938.38 (5) (c) 6. (intro.) of the statutes is amended
19 to read:

20 938.38 (5) (c) 6. (intro.) If the juvenile has been placed outside of his or her
21 home, as described in s. 938.365 (1), for 15 of the most recent 22 months, not including
22 any period during which the juvenile was a runaway from the out-of-home
23 placement or the first 6 months of any period during which the juvenile was returned
24 to his or her home for a trial home visit, the appropriateness of the permanency plan
25 and the circumstances which prevent the juvenile from any of the following:

1 ***b3034/1.7* SECTION 533ev.** 938.38 (5) (c) 6. am. of the statutes is renumbered
2 938.38 (5) (c) 6. cm. and amended to read:

3 938.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the
4 juvenile.

5 ***b3034/1.7* SECTION 533ex.** 938.38 (5) (c) 6. cg. of the statutes is created to
6 read:

7 938.38 (5) (c) 6. cg. Being placed with a guardian.

8 ***b3034/1.7* SECTION 533ez.** 938.38 (5) (c) 6. d. of the statutes is amended to
9 read:

10 938.38 (5) (c) 6. d. Being placed in some other alternative permanent
11 placement, including sustaining care, independent living, or long-term foster care.

12 ***b3034/1.7* SECTION 533f.** 938.38 (5) (c) 7. of the statutes is amended to read:

13 938.38 (5) (c) 7. Whether reasonable efforts were made by the agency to ~~make~~
14 ~~it possible for the juvenile to return safely to his or her home, except that the court~~
15 ~~or panel need not determine whether those reasonable efforts were made with~~
16 ~~respect to a parent of the juvenile if any of the circumstances specified in s. 938.355~~
17 ~~(2d) (b) 1., 2., 3. or 4. apply to that parent~~ achieve the goal of the permanency plan,
18 unless return of the juvenile to the home is the goal of the permanency plan and any
19 of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

20 ***b3034/1.7* SECTION 533fb.** 938.38 (5m) of the statutes is created to read:

21 938.38 (5m) PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to
22 review the permanency plan and to make the determinations specified in sub. (5) (c)
23 no later than 12 months after the date on which the juvenile was first removed from
24 the home and every 12 months after a previous hearing under this subsection for as
25 long as the juvenile is placed outside the home.

1 (b) Not less than 30 days before the date of the hearing, the court shall notify
2 the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster
3 parent or treatment foster parent, the operator of the facility in which the juvenile
4 is living, the juvenile's counsel, and the juvenile's guardian ad litem; or the relative
5 with whom the juvenile is living; the agency that prepared the permanency plan; and
6 the person representing the interests of the public of the date, time, and place of the
7 hearing.

8 (c) Any person who is provided notice of the hearing may have an opportunity
9 to be heard at the hearing by submitting written comments relevant to the
10 determinations specified in sub. (5) (c) not less than 10 working days before the date
11 of the hearing or by participating at the hearing. A foster parent, treatment foster
12 parent, operator of a facility in which a juvenile is living, or relative with whom a
13 juvenile is living who receives notice of a hearing under par. (b) and an opportunity
14 to be heard under this paragraph does not become a party to the proceeding on which
15 the hearing is held solely on the basis of receiving that notice and opportunity to be
16 heard.

17 (d) At least 5 days before the date of the hearing the agency that prepared the
18 permanency plan shall provide a copy of the permanency plan and any written
19 comments submitted under par. (c) to the court, to the juvenile's parent, guardian,
20 and legal custodian, to the person representing the interests of the public, and to the
21 juvenile's counsel or guardian ad litem. Notwithstanding s. 938.78 (2) (a), the person
22 representing the interests of the public and the juvenile's counsel or guardian ad
23 litem may have access to any other records concerning the juvenile for the purpose
24 of participating in the review. A person permitted access to a juvenile's records under

1 this paragraph may not disclose any information from the records to any other
2 person.

3 (e) After the hearing, the court shall make written findings of fact and
4 conclusions of law relating to the determinations under sub. (5) (c) and shall provide
5 a copy of those findings of fact and conclusions of law to the juvenile; the juvenile's
6 parent, guardian, and legal custodian; the juvenile's foster parent or treatment foster
7 parent, the operator of the facility in which the juvenile is living, or the relative with
8 whom the juvenile is living; the agency that prepared the permanency plan; and the
9 person representing the interests of the public. The court shall make the findings
10 specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to
11 the juvenile and shall document or reference the specific information on which those
12 findings are based in the findings of fact and conclusions of law prepared under this
13 paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c)
14 7. without documenting or referencing that specific information in the findings of fact
15 and conclusions of law or amended findings of fact and conclusions of law that
16 retroactively correct earlier findings of fact and conclusions of law that do not comply
17 with this paragraph are not sufficient to comply with this paragraph.

18 (f) If the findings of fact and conclusions of law under par. (e) conflict with the
19 juvenile's dispositional order or provide for any additional services not specified in
20 the dispositional order, the court shall revise the dispositional order under s. 938.363
21 or order a change in placement under s. 938.357, as appropriate.

22 ***b3034/1.7* SECTION 533fd.** 938.78 (2) (a) of the statutes is amended to read:
23 938.78 (2) (a) No agency may make available for inspection or disclose the
24 contents of any record kept or information received about an individual in its care

1 or legal custody, except as provided under sub. (3) or s. 938.371, 938.38 (5) (b) or (d)
2 or (5m) (d), or 938.51 or by order of the court.

3 *~~4548/2.258~~* **SECTION 534.** 938.78 (3) of the statutes is amended to read:

4 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.
5 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,
6 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.
7 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,
8 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,
9 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02,
10 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in
11 ch. 940 has escaped from a secured correctional facility, child caring institution,
12 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention
13 facility or juvenile portion of a county jail, or from the custody of a peace officer or
14 a guard of such a facility, institution or jail, or has been allowed to leave a secured
15 correctional facility, child caring institution, secured group home, inpatient facility,
16 secure detention facility or juvenile portion of a county jail for a specified time period
17 and is absent from the facility, institution, home or jail for more than 12 hours after
18 the expiration of the specified period, the department or county department having
19 supervision over the juvenile may release the juvenile's name and any information
20 about the juvenile that is necessary for the protection of the public or to secure the
21 juvenile's return to the facility, institution, home or jail. The department of
22 corrections shall promulgate rules establishing guidelines for the release of the
23 juvenile's name or information about the juvenile to the public.

24 *~~4548/2.259~~* **SECTION 535.** 939.22 (21) (d) of the statutes is amended to read:

1 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as
2 prohibited in s. 940.19 or 940.195.

3 ***b2369/1.1* SECTION 535m.** 939.24 (2) of the statutes is amended to read:

4 939.24 (2) Except as provided in ss. 940.285, 940.29 and, 940.295, and 943.76,
5 if criminal recklessness is an element of a crime in chs. 939 to 951, the recklessness
6 is indicated by the term “reckless” or “recklessly”.

7 ***-4548/2.260* *-0590/P5.35* SECTION 536.** 939.30 (1) of the statutes is
8 amended to read:

9 939.30 (1) Except as provided in sub. (2) and ss. ~~948.35 and s.~~ 961.455, whoever,
10 with intent that a felony be committed, advises another to commit that crime under
11 circumstances that indicate unequivocally that he or she has the intent is guilty of
12 a Class D H felony.

13 ***-4548/2.261* *-0590/P5.36* SECTION 537.** 939.30 (2) of the statutes is
14 amended to read:

15 939.30 (2) For a solicitation to commit a crime for which the penalty is life
16 imprisonment, the actor is guilty of a Class G F felony. For a solicitation to commit
17 a Class E I felony, the actor is guilty of a Class E I felony.

18 ***-4548/2.262* SECTION 538.** 939.32 (1) (intro.) of the statutes is amended to
19 read:

20 939.32 (1) GENERALLY (intro.) Whoever attempts to commit a felony or a crime
21 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~
22 ~~exceed one half the maximum penalty for the completed crime; as provided under~~
23 sub. (1g), except:

24 ***-4548/2.263* SECTION 539.** 939.32 (1) (b) of the statutes is repealed.

25 ***-4548/2.264* SECTION 540.** 939.32 (1) (bm) of the statutes is created to read:

1 939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one
2 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being
3 applied, is guilty of a Class A misdemeanor.

4 *~~4548/2.265~~* **SECTION 541.** 939.32 (1g) of the statutes is created to read:

5 939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit
6 a crime that is punishable under sub. (1) (intro.) is as follows:

7 (a) The maximum fine is one-half of the maximum fine for the completed crime.

8 (b) 1. If neither s. 939.62 (1) nor 961.48 is being applied, the maximum term
9 of imprisonment is one-half of the maximum term of imprisonment, as increased by
10 any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the
11 completed crime.

12 2. If either s. 939.62 (1) or 961.48 is being applied, the maximum term of
13 imprisonment is determined by the following method:

14 a. Multiplying by one-half the maximum term of imprisonment, as increased
15 by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the
16 completed crime.

17 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

18 *~~4548/2.266~~* **SECTION 542.** 939.32 (1m) of the statutes is created to read:

19 939.32 (1m) **BIFURCATED SENTENCES.** If the court imposes a bifurcated sentence
20 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.
21 (1) (intro.), the following requirements apply:

22 (a) *Maximum term of confinement for attempt to commit classified felony.* 1.
23 Subject to the minimum term of extended supervision required under s. 973.01 (2)
24 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being
25 applied, the maximum term of confinement in prison is one-half of the maximum

1 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any
2 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified
3 felony.

4 2. Subject to the minimum term of extended supervision required under s.
5 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is
6 being applied, the court shall determine the maximum term of confinement in prison
7 by the following method:

8 a. Multiplying by one-half the maximum term of confinement in prison
9 specified in s. 973.01 (2) (b), as increased by any penalty enhancement statutes listed
10 in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

11 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

12 (b) *Maximum term of extended supervision for attempt to commit classified*
13 *felony.* The maximum term of extended supervision for an attempt to commit a
14 classified felony is one-half of the maximum term of extended supervision for the
15 completed crime under s. 973.01 (2) (d).

16 (c) *Maximum term of confinement for attempt to commit unclassified felony or*
17 *misdemeanor.* The court shall determine the maximum term of confinement in
18 prison for an attempt to commit a crime other than a classified felony by applying
19 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)
20 (b).

21 ~~*-4548/2.267*~~ **SECTION 543.** 939.32 (2) (title) of the statutes is created to read:
22 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

23 ~~*-4548/2.268*~~ **SECTION 544.** 939.32 (3) (title) of the statutes is created to read:
24 939.32 (3) (title) REQUIREMENTS.

1 *~~4548/2.269~~* **SECTION 545.** 939.50 (1) (intro.) of the statutes is amended to
2 read:

3 939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~
4 ~~felonies~~ Felonies in ~~chs. 939 to 951~~ the statutes are classified as follows:

5 *~~4548/2.270~~* *~~0590/P5.38~~* **SECTION 546.** 939.50 (1) (bc) of the statutes is
6 repealed.

7 *~~4548/2.271~~* *~~0590/P5.39~~* **SECTION 547.** 939.50 (1) (f) of the statutes is
8 created to read:

9 939.50 (1) (f) Class F felony.

10 *~~4548/2.272~~* *~~0590/P5.40~~* **SECTION 548.** 939.50 (1) (g) of the statutes is
11 created to read:

12 939.50 (1) (g) Class G felony.

13 *~~4548/2.273~~* *~~0590/P5.41~~* **SECTION 549.** 939.50 (1) (h) of the statutes is
14 created to read:

15 939.50 (1) (h) Class H felony.

16 *~~4548/2.274~~* *~~0590/P5.42~~* **SECTION 550.** 939.50 (1) (i) of the statutes is
17 created to read:

18 939.50 (1) (i) Class I felony.

19 *~~4548/2.275~~* *~~0590/P5.43~~* **SECTION 551.** 939.50 (2) of the statutes is
20 amended to read:

21 939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H, or I felony when it
22 is so specified in ~~chs. 939 to 951~~ the statutes.

23 *~~4548/2.276~~* *~~0590/P5.44~~* **SECTION 552.** 939.50 (3) (bc) of the statutes is
24 repealed.

1 *~~4548/2.277~~* *~~0590/P5.45~~* SECTION 553. 939.50 (3) (c) of the statutes is
2 amended to read:

3 939.50 (3) (c) For a Class C felony, a fine not to exceed ~~\$10,000~~ \$100,000 or
4 imprisonment not to exceed ~~15~~ 40 years, or both.

5 *~~4548/2.278~~* *~~0590/P5.46~~* SECTION 554. 939.50 (3) (d) of the statutes is
6 amended to read:

7 939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or
8 imprisonment not to exceed ~~10~~ 25 years, or both.

9 *~~4548/2.279~~* *~~0590/P5.47~~* SECTION 555. 939.50 (3) (e) of the statutes is
10 amended to read:

11 939.50 (3) (e) For a Class E felony, a fine not to exceed ~~\$10,000~~ \$50,000 or
12 imprisonment not to exceed ~~5~~ 15 years, or both.

13 *~~4548/2.280~~* *~~0590/P5.48~~* SECTION 556. 939.50 (3) (f) of the statutes is
14 created to read:

15 939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment
16 not to exceed 12 years and 6 months, or both.

17 *~~4548/2.281~~* *~~0590/P5.49~~* SECTION 557. 939.50 (3) (g) of the statutes is
18 created to read:

19 939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment
20 not to exceed 10 years, or both.

21 *~~4548/2.282~~* *~~0590/P5.50~~* SECTION 558. 939.50 (3) (h) of the statutes is
22 created to read:

23 939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment
24 not to exceed 6 years, or both.

1 *~~4548/2.283~~* *~~0590/P5.51~~* **SECTION 559.** 939.50 (3) (i) of the statutes is
2 created to read:

3 939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment
4 not to exceed 3 years and 6 months, or both.

5 *~~b2613/1.6~~* **SECTION 559v.** 939.615 (1) (b) 1. of the statutes is amended to read:

6 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to
7 commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025
8 (1), 948.05 (1) or (1m), 948.055 (1), 948.06, 948.07, ~~948.075~~, 948.08, 948.11 (2) (a),
9 948.12, or 948.13.

10 *~~4548/2.284~~* *~~0590/P5.52~~* **SECTION 560.** 939.615 (7) (b) 2. of the statutes
11 is amended to read:

12 939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the
13 same conduct that violates par. (a) also constitutes a crime that is a felony.

14 *~~4548/2.285~~* *~~0590/P5.53~~* **SECTION 561.** 939.615 (7) (c) of the statutes is
15 repealed.

16 *~~4548/2.286~~* *~~0590/P5.54~~* **SECTION 562.** 939.62 (1) (a) of the statutes is
17 amended to read:

18 939.62 (1) (a) A maximum term of imprisonment of one year or less may be
19 increased to not more than ~~3~~ 2 years.

20 *~~4548/2.287~~* *~~0590/P5.55~~* **SECTION 563.** 939.62 (1) (b) of the statutes is
21 amended to read:

22 939.62 (1) (b) A maximum term of imprisonment of more than one year but not
23 more than 10 years may be increased by not more than 2 years if the prior convictions
24 were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for
25 a felony.

1 *~~4548/2.288~~* *~~0590/P5.56~~* SECTION 564. 939.62 (1) (c) of the statutes is
2 amended to read:

3 939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be
4 increased by not more than 2 years if the prior convictions were for misdemeanors
5 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

6 *~~4548/2.289~~* *~~0590/P5.57~~* SECTION 565. 939.62 (2m) (a) 2m. a. of the
7 statutes is amended to read:

8 939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) ~~if the felony~~
9 is that is a Class A, B, or C felony or, if the felony was committed before the effective
10 date of this subd. 2m. a. [revisor inserts date], that is or was punishable by a
11 maximum prison term of 30 years or more.

12 *~~b2613/1.7~~* SECTION 566d. 939.62 (2m) (a) 2m. b. of the statutes is amended
13 to read:

14 939.62 (2m) (a) 2m. b. Any felony under s. 940.01, 940.02, 940.03, 940.05,
15 940.09 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,
16 941.327 (2) (b) 4., 943.02; 943.10 (2), 943.23 (1g), (1m), or (1r), 943.32 (2), 946.43 (1m),
17 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,
18 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

19 *~~b2613/1.7~~* SECTION 566f. 939.62 (2m) (a) 2m. b. of the statutes, as affected
20 by 2001 Wisconsin (this act), is amended to read:

21 939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
22 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
23 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
24 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),

1 ~~(1m), or (1r),~~ 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
2 948.05, 948.06, 948.07, 948.075, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c), or 948.36.~~

3 *~~4548/2.291~~* *~~0590/P5.59~~* **SECTION 567.** 939.622 of the statutes is
4 repealed.

5 *~~4548/2.292~~* **SECTION 568.** 939.623 (2) of the statutes is amended to read:

6 939.623 (2) If a person has one or more prior convictions for a serious sex crime
7 and subsequently commits a serious sex crime, the court shall impose a bifurcated
8 ~~sentence the person to~~ under s. 973.01. The term of confinement in prison portion
9 of a bifurcated sentence imposed under this subsection may not be less than 5 years'
10 ~~imprisonment 3 years and 6 months,~~ but otherwise the penalties for the crime apply,
11 subject to any applicable penalty enhancement. The court shall may not place the
12 defendant on probation.

13 *~~4548/2.293~~* **SECTION 569.** 939.624 (2) of the statutes is amended to read:

14 939.624 (2) If a person has one or more prior convictions for a serious violent
15 crime or a crime punishable by life imprisonment and subsequently commits a
16 serious violent crime, the court shall impose a bifurcated ~~sentence the person to~~
17 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence
18 imposed under this subsection may not be less than 5 years' imprisonment 3 years
19 and 6 months, but otherwise the penalties for the crime apply, subject to any
20 applicable penalty enhancement. The court shall may not place the defendant on
21 probation.

22 *~~4548/2.294~~* *~~0590/P5.62~~* **SECTION 570.** 939.625 of the statutes is
23 repealed.

24 *~~4548/2.295~~* **SECTION 571.** 939.63 (1) of the statutes is renumbered 939.63,
25 and 939.63 (1) (d), (2) and (3), as renumbered, are amended to read:

1 939.63 (1) (d) The maximum term of imprisonment for a felony not specified
2 in ~~subd. 2. or 3.~~ par (b) or (c) may be increased by not more than 3 years.

3 (2) The increased penalty provided in this ~~subsection~~ section does not apply if
4 possessing, using or threatening to use a dangerous weapon is an essential element
5 of the crime charged.

6 (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to
7 951 and 961.

8 ~~*-4548/2.296*~~ **SECTION 572.** 939.63 (2) of the statutes is repealed.

9 ~~*-4548/2.297*~~ ~~*-0590/P5.63*~~ **SECTION 573.** 939.632 (1) (e) 1. of the statutes
10 is amended to read:

11 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1)
12 (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,
13 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or
14 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~
15 ~~(1) (b) or (c) or 948.36.~~

16 ~~*-4548/2.298*~~ **SECTION 574.** 939.632 (2) of the statutes is amended to read:

17 939.632 (2) If a person commits a violent crime in a school zone, the maximum
18 period term of imprisonment is increased as follows:

19 (a) If the violent crime is a felony, the maximum period term of imprisonment
20 is increased by 5 years.

21 (b) If the violent crime is a misdemeanor, the maximum period term of
22 imprisonment is increased by 3 months and the place of imprisonment is the county
23 jail.

24 ~~*-4548/2.299*~~ ~~*-0590/P5.64*~~ **SECTION 575.** 939.635 of the statutes is
25 repealed.

1 *~~4548/2.300~~* *~~0590/P5.65~~* **SECTION 576.** 939.64 of the statutes is repealed.

2 *~~4548/2.301~~* *~~0590/P5.66~~* **SECTION 577.** 939.641 of the statutes is
3 repealed.

4 *~~4548/2.302~~* **SECTION 578.** 939.645 (2) of the statutes is amended to read:

5 939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a
6 misdemeanor other than a Class A misdemeanor, the revised maximum fine is
7 \$10,000 and the revised maximum ~~period~~ term of imprisonment is one year in the
8 county jail.

9 (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,
10 the penalty increase under this section changes the status of the crime to a felony and
11 the revised maximum fine is \$10,000 and the revised maximum ~~period~~ term of
12 imprisonment is 2 years.

13 (c) If the crime committed under sub. (1) is a felony, the maximum fine
14 prescribed by law for the crime may be increased by not more than \$5,000 and the
15 maximum ~~period~~ term of imprisonment prescribed by law for the crime may be
16 increased by not more than 5 years.

17 *~~4548/2.303~~* *~~0590/P5.67~~* **SECTION 579.** 939.646 of the statutes is
18 repealed.

19 *~~4548/2.304~~* *~~0590/P5.68~~* **SECTION 580.** 939.647 of the statutes is
20 repealed.

21 *~~4548/2.305~~* *~~0590/P5.69~~* **SECTION 581.** 939.648 of the statutes is
22 repealed.

23 *~~4548/2.306~~* *~~0590/P5.70~~* **SECTION 582.** 939.72 (1) of the statutes is
24 amended to read:

1 939.72 (1) Section 939.30, ~~948.35~~ or ~~948.36~~ for solicitation and s. 939.05 as a
2 party to a crime which is the objective of the solicitation; or

3 ***b2613/1.8* SECTION 582p.** 939.74 (2) (c) of the statutes, as affected by 2001
4 Wisconsin Act 16, is amended to read:

5 939.74 (2) (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a),
6 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.075, 948.08, or 948.095 shall be
7 commenced before the victim reaches the age of 31 years or be barred, except as
8 provided in sub. (2d) (c).

9 ~~*-4548/2.307*~~ ~~*-0590/P5.71*~~ **SECTION 583.** 939.75 (1) of the statutes is
10 amended to read:

11 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02
12 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)
13 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to
14 (e) ~~and (1b)~~, “unborn child” means any individual of the human species from
15 fertilization until birth that is gestating inside a woman.

16 ~~*-4548/2.308*~~ ~~*-0590/P5.72*~~ **SECTION 584.** 940.02 (2) (intro.) of the statutes
17 is amended to read:

18 940.02 (2) (intro.) Whoever causes the death of another human being under any
19 of the following circumstances is guilty of a Class ~~B~~ C felony:

20 ~~*-4548/2.309*~~ ~~*-0590/P5.73*~~ **SECTION 585.** 940.03 of the statutes is amended
21 to read:

22 **940.03 Felony murder.** Whoever causes the death of another human being
23 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)
24 (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than

1 ~~20~~ 15 years in excess of the maximum period term of imprisonment provided by law
2 for that crime or attempt.

3 *~~4548/2.310~~* *~~0590/P5.74~~* **SECTION 586.** 940.04 (1) of the statutes is
4 amended to read:

5 940.04 (1) Any person, other than the mother, who intentionally destroys the
6 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~
7 ~~than 3 years or both~~ is guilty of a Class H felony.

8 *~~4548/2.311~~* *~~0590/P5.75~~* **SECTION 587.** 940.04 (2) (intro.) of the statutes
9 is amended to read:

10 940.04 (2) (intro.) Any person, other than the mother, who does either of the
11 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

12 *~~4548/2.312~~* *~~0590/P5.76~~* **SECTION 588.** 940.04 (4) of the statutes is
13 amended to read:

14 940.04 (4) Any pregnant woman who intentionally destroys the life of her
15 unborn quick child or who consents to such destruction by another ~~may be~~
16 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

17 *~~4548/2.313~~* *~~0590/P5.77~~* **SECTION 589.** 940.06 (1) of the statutes is
18 amended to read:

19 940.06 (1) Whoever recklessly causes the death of another human being is
20 guilty of a Class C D felony.

21 *~~4548/2.314~~* *~~0590/P5.78~~* **SECTION 590.** 940.06 (2) of the statutes is
22 amended to read:

23 940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of
24 a Class C D felony.

1 *~~4548/2.315~~* *~~0590/P5.79~~* **SECTION 591.** 940.07 of the statutes is amended
2 to read:

3 **940.07 Homicide resulting from negligent control of vicious animal.**

4 Whoever knowing the vicious propensities of any animal intentionally allows it to go
5 at large or keeps it without ordinary care, if such animal, while so at large or not
6 confined, kills any human being who has taken all the precautions which the
7 circumstances may permit to avoid such animal, is guilty of a Class ~~C~~ G felony.

8 *~~4548/2.316~~* *~~0590/P5.80~~* **SECTION 592.** 940.08 (1) of the statutes is
9 amended to read:

10 940.08 (1) Whoever causes the death of another human being by the negligent
11 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class
12 ~~D~~ G felony.

13 *~~4548/2.317~~* *~~0590/P5.81~~* **SECTION 593.** 940.08 (2) of the statutes is
14 amended to read:

15 940.08 (2) Whoever causes the death of an unborn child by the negligent
16 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~D~~
17 G felony.

18 *~~4548/2.318~~* *~~0590/P5.82~~* **SECTION 594.** 940.09 (1) (intro.) of the statutes
19 is amended to read:

20 940.09 (1) (intro.) Any person who does any of the following ~~is guilty of a Class~~
21 ~~B~~ felony may be penalized as provided in sub. (1c):

22 *~~4548/2.319~~* *~~0590/P5.83~~* **SECTION 595.** 940.09 (1b) of the statutes is
23 repealed.

24 *~~4548/2.320~~* *~~0590/P5.84~~* **SECTION 596.** 940.09 (1c) of the statutes is
25 created to read:

1 940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is
2 guilty of a Class D felony.

3 (b) A person who violates sub. (1) is guilty of a Class C felony if the person has
4 one or more prior convictions, suspensions, or revocations, as counted under s.
5 343.307 (2).

6 *~~4548/2.321~~* *~~0590/P5.85~~* **SECTION 597.** 940.10 (1) of the statutes is
7 amended to read:

8 940.10 (1) Whoever causes the death of another human being by the negligent
9 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

10 *~~4548/2.322~~* *~~0590/P5.86~~* **SECTION 598.** 940.10 (2) of the statutes is
11 amended to read:

12 940.10 (2) Whoever causes the death of an unborn child by the negligent
13 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

14 *~~4548/2.323~~* *~~0590/P5.87~~* **SECTION 599.** 940.11 (1) of the statutes is
15 amended to read:

16 940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent
17 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is
18 guilty of a Class ~~C~~ F felony.

19 *~~4548/2.324~~* *~~0590/P5.88~~* **SECTION 600.** 940.11 (2) of the statutes is
20 amended to read:

21 940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or
22 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G
23 felony.

24 *~~4548/2.325~~* *~~0590/P5.89~~* **SECTION 601.** 940.12 of the statutes is amended
25 to read:

1 **940.12 Assisting suicide.** Whoever with intent that another take his or her
2 own life assists such person to commit suicide is guilty of a Class D H felony.

3 *~~4548/2.326~~* *~~0590/P5.90~~* **SECTION 602.** 940.15 (2) of the statutes is
4 amended to read:

5 940.15 (2) Whoever intentionally performs an abortion after the fetus or
6 unborn child reaches viability, as determined by reasonable medical judgment of the
7 woman's attending physician, is guilty of a Class E I felony.

8 *~~4548/2.327~~* *~~0590/P5.91~~* **SECTION 603.** 940.15 (5) of the statutes is
9 amended to read:

10 940.15 (5) Whoever intentionally performs an abortion and who is not a
11 physician is guilty of a Class E I felony.

12 *~~4548/2.328~~* *~~0590/P5.92~~* **SECTION 604.** 940.15 (6) of the statutes is
13 amended to read:

14 940.15 (6) Any physician who intentionally performs an abortion under sub.
15 (3) shall use that method of abortion which, of those he or she knows to be available,
16 is in his or her medical judgment most likely to preserve the life and health of the
17 fetus or unborn child. Nothing in this subsection requires a physician performing
18 an abortion to employ a method of abortion which, in his or her medical judgment
19 based on the particular facts of the case before him or her, would increase the risk
20 to the woman. Any physician violating this subsection is guilty of a Class E I felony.

21 *~~4548/2.329~~* *~~0590/P5.93~~* **SECTION 605.** 940.19 (2) of the statutes is
22 amended to read:

23 940.19 (2) Whoever causes substantial bodily harm to another by an act done
24 with intent to cause bodily harm to that person or another is guilty of a Class E I
25 felony.

1 *~~4548/2.330~~* *~~0590/P5.94~~* **SECTION 606.** 940.19 (3) of the statutes is
2 repealed.

3 *~~4548/2.331~~* *~~0590/P5.95~~* **SECTION 607.** 940.19 (4) of the statutes is
4 amended to read:

5 940.19 (4) Whoever causes great bodily harm to another by an act done with
6 intent to cause bodily harm to that person or another is guilty of a Class ~~D~~ H felony.

7 *~~4548/2.332~~* *~~0590/P5.96~~* **SECTION 608.** 940.19 (5) of the statutes is
8 amended to read:

9 940.19 (5) Whoever causes great bodily harm to another by an act done with
10 intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person
11 or another is guilty of a Class ~~C~~ E felony.

12 *~~4548/2.333~~* *~~0590/P5.97~~* **SECTION 609.** 940.19 (6) (intro.) of the statutes
13 is amended to read:

14 940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by
15 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H
16 felony. A rebuttable presumption of conduct creating a substantial risk of great
17 bodily harm arises:

18 *~~4548/2.334~~* *~~0590/P5.98~~* **SECTION 610.** 940.195 (2) of the statutes is
19 amended to read:

20 940.195 (2) Whoever causes substantial bodily harm to an unborn child by an
21 act done with intent to cause bodily harm to that unborn child, to the woman who is
22 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

23 *~~4548/2.335~~* *~~0590/P5.99~~* **SECTION 611.** 940.195 (3) of the statutes is
24 repealed.

1 *~~4548/2.336~~* *~~0590/P5.100~~* **SECTION 612.** 940.195 (4) of the statutes is
2 amended to read:

3 940.195 (4) Whoever causes great bodily harm to an unborn child by an act
4 done with intent to cause bodily harm to that unborn child, to the woman who is
5 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

6 *~~4548/2.337~~* *~~0590/P5.101~~* **SECTION 613.** 940.195 (5) of the statutes is
7 amended to read:

8 940.195 (5) Whoever causes great bodily harm to an unborn child by an act
9 done with intent to cause ~~either substantial bodily harm or great bodily harm~~ to that
10 unborn child, to the woman who is pregnant with that unborn child or another is
11 guilty of a Class ~~C~~ E felony.

12 *~~4548/2.338~~* **SECTION 614.** 940.195 (6) of the statutes is amended to read:

13 940.195 (6) Whoever intentionally causes bodily harm to an unborn child by
14 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H
15 felony.

16 *~~4548/2.339~~* *~~0590/P5.103~~* **SECTION 615.** 940.20 (1) of the statutes is
17 amended to read:

18 940.20 (1) **BATTERY BY PRISONERS.** Any prisoner confined to a state prison or
19 other state, county or municipal detention facility who intentionally causes bodily
20 harm to an officer, employee, visitor or another inmate of such prison or institution,
21 without his or her consent, is guilty of a Class ~~D~~ H felony.

22 *~~4548/2.340~~* *~~0590/P5.104~~* **SECTION 616.** 940.20 (1m) of the statutes is
23 amended to read:

24 940.20 (1m) **BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS.** (a) Any
25 person who is subject to an injunction under s. 813.12 or a tribal injunction filed

1 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who
2 sought the injunction by an act done without the consent of the petitioner is guilty
3 of a Class ~~E~~ I felony.

4 (b) Any person who is subject to an injunction under s. 813.125 and who
5 intentionally causes bodily harm to the petitioner who sought the injunction by an
6 act done without the consent of the petitioner is guilty of a Class ~~E~~ I felony.

7 *~~4548/2.341~~* *~~0590/P5.105~~* **SECTION 617.** 940.20 (2) of the statutes is
8 amended to read:

9 940.20 (2) **BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS.** Whoever
10 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those
11 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the
12 person knows or has reason to know that the victim is a law enforcement officer or
13 fire fighter, by an act done without the consent of the person so injured, is guilty of
14 a Class ~~D~~ H felony.

15 *~~4548/2.342~~* *~~0590/P5.106~~* **SECTION 618.** 940.20 (2m) (b) of the statutes is
16 amended to read:

17 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,
18 extended supervision and parole agent or an aftercare agent, acting in an official
19 capacity and the person knows or has reason to know that the victim is a probation,
20 extended supervision and parole agent or an aftercare agent, by an act done without
21 the consent of the person so injured, is guilty of a Class ~~D~~ H felony.

22 *~~4548/2.343~~* *~~0590/P5.107~~* **SECTION 619.** 940.20 (3) of the statutes is
23 amended to read:

24 940.20 (3) **BATTERY TO JURORS.** Whoever intentionally causes bodily harm to a
25 person who he or she knows or has reason to know is or was a grand or petit juror,

1 and by reason of any verdict or indictment assented to by the person, without the
2 consent of the person injured, is guilty of a Class D H felony.

3 ***-4548/2.344* *-0590/P5.108* SECTION 620.** 940.20 (4) of the statutes is
4 amended to read:

5 940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily
6 harm to a public officer in order to influence the action of such officer or as a result
7 of any action taken within an official capacity, without the consent of the person
8 injured, is guilty of a Class E I felony.

9 ***-4548/2.345* *-0590/P5.109* SECTION 621.** 940.20 (5) (b) of the statutes is
10 amended to read:

11 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college
12 district or school district officer or employee acting in that capacity, and the person
13 knows or has reason to know that the victim is a technical college district or school
14 district officer or employee, without the consent of the person so injured, is guilty of
15 a Class E I felony.

16 ***-4548/2.346* *-0590/P5.110* SECTION 622.** 940.20 (6) (b) (intro.) of the
17 statutes is amended to read:

18 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another
19 under any of the following circumstances is guilty of a Class E I felony:

20 ***-4572/4.17* SECTION 623.** 940.20 (7) (a) 1e. of the statutes is amended to read:

21 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) (~~a~~) (am).

22 ***-4548/2.317* *-0590/P5.111* SECTION 624.** 940.20 (7) (b) of the statutes is
23 amended to read:

24 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency
25 department worker, an emergency medical technician, a first responder or an

1 ambulance driver who is acting in an official capacity and who the person knows or
2 has reason to know is an emergency department worker, an emergency medical
3 technician, a first responder or an ambulance driver, by an act done without the
4 consent of the person so injured, is guilty of a Class D H felony.

5 *~~4548/2.348~~* *~~0590/P5.112~~* **SECTION 625.** 940.201 (2) (intro.) of the
6 statutes is amended to read:

7 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H
8 felony:

9 *~~4548/2.349~~* *~~0590/P5.113~~* **SECTION 626.** 940.203 (2) (intro.) of the
10 statutes is amended to read:

11 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
12 cause bodily harm to the person or family member of any judge under all of the
13 following circumstances is guilty of a Class D H felony:

14 *~~4548/2.350~~* *~~0590/P5.114~~* **SECTION 627.** 940.205 (2) (intro.) of the
15 statutes is amended to read:

16 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
17 cause bodily harm to the person or family member of any department of revenue
18 official, employee or agent under all of the following circumstances is guilty of a Class
19 D H felony:

20 *~~4548/2.351~~* *~~0590/P5.115~~* **SECTION 628.** 940.207 (2) (intro.) of the
21 statutes is amended to read:

22 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
23 cause bodily harm to the person or family member of any department of commerce
24 or department of workforce development official, employee or agent under all of the
25 following circumstances is guilty of a Class D H felony:

1 *~~4548/2.352~~* *~~0590/P5.116~~* **SECTION 629.** 940.21 of the statutes is
2 amended to read:

3 **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or
4 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is
5 guilty of a Class B C felony.

6 *~~4548/2.353~~* *~~0590/P5.117~~* **SECTION 630.** 940.22 (2) of the statutes is
7 amended to read:

8 940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself
9 or herself out to be a therapist and who intentionally has sexual contact with a
10 patient or client during any ongoing therapist–patient or therapist–client
11 relationship, regardless of whether it occurs during any treatment, consultation,
12 interview or examination, is guilty of a Class C F felony. Consent is not an issue in
13 an action under this subsection.

14 *~~4548/2.354~~* *~~0590/P5.118~~* **SECTION 631.** 940.225 (2) (intro.) of the
15 statutes is amended to read:

16 940.225 (2) **SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the
17 following is guilty of a Class BC C felony:

18 *~~4548/2.355~~* *~~0590/P5.119~~* **SECTION 632.** 940.225 (3) of the statutes is
19 amended to read:

20 940.225 (3) **THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse
21 with a person without the consent of that person is guilty of a Class D G felony.
22 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person
23 without the consent of that person is guilty of a Class D G felony.

24 *~~4548/2.356~~* *~~0590/P5.120~~* **SECTION 633.** 940.23 (1) (a) of the statutes is
25 amended to read:

1 940.23 (1) (a) Whoever recklessly causes great bodily harm to another human
2 being under circumstances which show utter disregard for human life is guilty of a
3 Class C D felony.

4 *~~4548/2.357~~* *~~0590/P5.121~~* **SECTION 634.** 940.23 (1) (b) of the statutes is
5 amended to read:

6 940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child
7 under circumstances that show utter disregard for the life of that unborn child, the
8 woman who is pregnant with that unborn child or another is guilty of a Class C D
9 felony.

10 *~~4548/2.358~~* *~~0590/P5.122~~* **SECTION 635.** 940.23 (2) (a) of the statutes is
11 amended to read:

12 940.23 (2) (a) Whoever recklessly causes great bodily harm to another human
13 being is guilty of a Class D F felony.

14 *~~4548/2.359~~* *~~0590/P5.123~~* **SECTION 636.** 940.23 (2) (b) of the statutes is
15 amended to read:

16 940.23 (2) (b) Whoever rocklessly causes great bodily harm to an unborn child
17 is guilty of a Class D F felony.

18 *~~4548/2.360~~* *~~0590/P5.124~~* **SECTION 637.** 940.24 (1) of the statutes is
19 amended to read:

20 940.24 (1) Whoever causes bodily harm to another by the negligent operation
21 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

22 *~~4548/2.361~~* *~~0590/P5.125~~* **SECTION 638.** 940.24 (2) of the statutes is
23 amended to read:

1 940.24 (2) Whoever causes bodily harm to an unborn child by the negligent
2 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~
3 I felony.

4 *~~4548/2.362~~* *~~0590/P5.126~~* **SECTION 639.** 940.25 (1) (intro.) of the statutes
5 is amended to read:

6 940.25 (1) (intro.) Any person who does any of the following is guilty of a Class
7 ~~D~~ F felony:

8 *~~4548/2.363~~* *~~0590/P5.127~~* **SECTION 640.** 940.25 (1b) of the statutes is
9 repealed.

10 *~~4548/2.364~~* *~~0590/P5.128~~* **SECTION 641.** 940.285 (2) (b) 1g. of the statutes
11 is amended to read:

12 940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
13 that cause death is guilty of a Class ~~B~~ C felony. Any person violating par. (a) 3. under
14 circumstances that cause death is guilty of a Class D felony.

15 *~~4548/2.365~~* *~~0590/P5.129~~* **SECTION 642.** 940.285 (2) (b) 1m. of the statutes
16 is amended to read:

17 940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that
18 cause great bodily harm is guilty of a Class ~~C~~ F felony.

19 *~~4548/2.366~~* *~~0590/P5.130~~* **SECTION 643.** 940.285 (2) (b) 1r. of the statutes
20 is amended to read:

21 940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are
22 likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating
23 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is
24 guilty of a Class I felony.

1 *~~4548/2.367~~* *~~0590/P5.131~~* **SECTION 644.** 940.285 (2) (b) 2. of the statutes
2 is amended to read:

3 940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that
4 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person
5 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
6 of a Class I felony.

7 *~~4548/2.368~~* *~~0590/P5.132~~* **SECTION 645.** 940.285 (2) (b) 3. of the statutes
8 is repealed.

9 *~~4548/2.369~~* *~~0590/P5.133~~* **SECTION 646.** 940.29 of the statutes is
10 amended to read:

11 **940.29 Abuse of residents of penal facilities.** Any person in charge of or
12 employed in a penal or correctional institution or other place of confinement who
13 abuses, neglects or ill-treats any person confined in or a resident of any such
14 institution or place or who knowingly permits another person to do so is guilty of a
15 Class ~~E~~ I felony.

16 *~~4548/2.370~~* *~~0590/P5.134~~* **SECTION 647.** 940.295 (3) (b) 1g. of the statutes
17 is amended to read:

18 940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
19 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person
20 violating par. (a) 3. under circumstances that cause death to a vulnerable person is
21 guilty of a Class D felony.

22 *~~4548/2.371~~* *~~0590/P5.135~~* **SECTION 648.** 940.295 (3) (b) 1m. of the statutes
23 is amended to read:

24 940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that
25 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

1 *~~4548/2.372~~* *~~0590/P5.136~~* **SECTION 649.** 940.295 (3) (b) 1r. of the statutes
2 is amended to read:

3 940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.
4 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty
5 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are
6 likely to cause great bodily harm is guilty of a Class G felony.

7 *~~4548/2.373~~* *~~0590/P5.137~~* **SECTION 650.** 940.295 (3) (b) 2. of the statutes
8 is amended to read:

9 940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that
10 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person
11 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
12 of a Class I felony.

13 *~~4548/2.374~~* *~~0590/P5.138~~* **SECTION 651.** 940.295 (3) (b) 3. of the statutes
14 is amended to read:

15 940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)
16 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is
17 guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances
18 that are likely to cause great bodily harm is guilty of a Class I felony.

19 *~~4548/2.375~~* *~~0590/P5.139~~* **SECTION 652.** 940.30 of the statutes is
20 amended to read:

21 **940.30 False imprisonment.** Whoever intentionally confines or restrains
22 another without the person's consent and with knowledge that he or she has no
23 lawful authority to do so is guilty of a Class ~~E~~ H felony.

24 *~~4548/2.376~~* *~~0590/P5.140~~* **SECTION 653.** 940.305 (1) of the statutes is
25 amended to read:

1 940.305 (1) Except as provided in sub. (2), whoever by force or threat of
2 imminent force seizes, confines or restrains a person without the person's consent
3 and with the intent to use the person as a hostage in order to influence a person to
4 perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~
5 B felony.

6 *~~4548/2.377~~* *~~0590/P5.141~~* **SECTION 654.** 940.305 (2) of the statutes is
7 amended to read:

8 940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of
9 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as
10 a hostage is released without bodily harm.

11 *~~4548/2.378~~* *~~0590/P5.142~~* **SECTION 655.** 940.31 (1) (intro.) of the statutes
12 is amended to read:

13 940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C
14 felony:

15 *~~4548/2.379~~* *~~0590/P5.143~~* **SECTION 656.** 940.31 (2) (a) of the statutes is
16 amended to read:

17 940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with
18 intent to cause another to transfer property in order to obtain the release of the victim
19 is guilty of a Class ~~A~~ B felony.

20 *~~4548/2.380~~* *~~0590/P5.144~~* **SECTION 657.** 940.31 (2) (b) of the statutes is
21 amended to read:

22 940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer
23 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if
24 the victim is released without permanent physical injury prior to the time the first
25 witness is sworn at the trial.

1 ***b2892/3.5* SECTION 657b.** 940.32 (1) (a) of the statutes is renumbered 940.32
2 (1) (a) (intro.) and amended to read:

3 940.32 (1) (a) (intro.) “Course of conduct” means ~~repeatedly maintaining a~~
4 ~~visual or physical proximity to a person.~~ a series of 2 or more acts carried out over
5 time, however short or long, that show a continuity of purpose, including any of the
6 following:

7 ***b2892/3.5* SECTION 657c.** 940.32 (1) (a) 1. of the statutes is created to read:
8 940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

9 ***b2892/3.5* SECTION 657d.** 940.32 (1) (a) 2. of the statutes is created to read:
10 940.32 (1) (a) 2. Approaching or confronting the victim.

11 ***b2892/3.5* SECTION 657e.** 940.32 (1) (a) 3. of the statutes is created to read:
12 940.32 (1) (a) 3. Appearing at the victim’s workplace or contacting the victim’s
13 employer or coworkers.

14 ***b2892/3.5* SECTION 657f.** 940.32 (1) (a) 4. of the statutes is created to read:
15 940.32 (1) (a) 4. Appearing at the victim’s home or contacting the victim’s
16 neighbors.

17 ***b2892/3.5* SECTION 657g.** 940.32 (1) (a) 5. of the statutes is created to read:
18 940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.

19 ***b2892/3.5* SECTION 657h.** 940.32 (1) (a) 6. of the statutes is created to read:
20 940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim’s
21 telephone or any other person’s telephone to ring repeatedly or continuously,
22 regardless of whether a conversation ensues.

23 ***b2892/3.5* SECTION 657i.** 940.32 (1) (a) 7. of the statutes is created to read:
24 940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose
25 of obtaining information about, disseminating information about, or communicating

1 with the victim, to a member of the victim's family or household or an employer,
2 coworker, or friend of the victim.

3 ***b2892/3.5* SECTION 657j.** 940.32 (1) (a) 8. of the statutes is created to read:

4 940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,
5 leased, or occupied by the victim.

6 ***b2892/3.5* SECTION 657k.** 940.32 (1) (a) 9. of the statutes is created to read:

7 940.32 (1) (a) 9. Delivering an object to a member of the victim's family or
8 household or an employer, coworker, or friend of the victim or placing an object on,
9 or delivering an object to, property owned, leased, or occupied by such a person with
10 the intent that the object be delivered to the victim.

11 ***b2892/3.5* SECTION 657m.** 940.32 (1) (a) 10. of the statutes is created to read:

12 940.32 (1) (a) 10. Causing a person to engage in any of the acts described in
13 subds. 7. to 9.

14 ***b2892/3.5* SECTION 657n.** 940.32 (1) (am) of the statutes is created to read:

15 940.32 (1) (am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).

16 ***b2892/3.5* SECTION 657no.** 940.32 (1) (ap) of the statutes is created to read:

17 940.32 (1) (ap) "Domestic abuse offense" means an act of domestic abuse that
18 constitutes a crime.

19 ***b2892/3.5* SECTION 657p.** 940.32 (1) (b) of the statutes is renumbered 940.32

20 (1) (cb) and amended to read:

21 940.32 (1) (cb) "Immediate family" "Member of a family" means a spouse,
22 parent, child, sibling, or any other person who regularly resides in the household or
23 who within the prior 6 months regularly resided in the household who is related by
24 blood or adoption to another.

25 ***b2892/3.5* SECTION 657q.** 940.32 (1) (cd) of the statutes is created to read:

1 940.32 (1) (cd) "Member of a household" means a person who regularly resides
2 in the household of another or who within the previous 6 months regularly resided
3 in the household of another.

4 *b2892/3.5* SECTION 657r. 940.32 (1) (d) of the statutes is repealed.

5 *b2892/3.5* SECTION 657s. 940.32 (2) (intro.) of the statutes is amended to
6 read:

7 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
8 ~~A misdemeanor~~ E felony:

9 *b2892/3.6* SECTION 658b. 940.32 (2) (intro.) of the statutes, as affected by
10 2001 Wisconsin Act ... (this act), is amended to read:

11 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
12 E I felony:

13 *b2892/3.6* SECTION 658c. 940.32 (2) (a) of the statutes is amended to read:

14 940.32 (2) (a) The actor intentionally engages in a course of conduct directed
15 at a specific person that would cause a reasonable person under the same
16 circumstances to fear bodily injury to ~~himself or herself or a member of his or her~~
17 ~~immediate family or to fear the death of himself or herself or a member of his or her~~
18 ~~immediate family~~ or household.

19 *b2892/3.6* SECTION 658d. 940.32 (2) (b) of the statutes is amended to read:

20 940.32 (2) (b) The actor ~~has knowledge or should have knowledge~~ intends that
21 at least one of the acts that constitute the course of conduct will place the specific
22 ~~person will be placed~~ in reasonable fear of bodily injury to ~~himself or herself or a~~
23 ~~member of his or her immediate family or will be placed in reasonable fear of the~~
24 death of himself or herself or a member of his or her ~~immediate family~~ or household.

25 *b2892/3.6* SECTION 658e. 940.32 (2) (c) of the statutes is amended to read:

1 940.32 (2) (c) The actor's acts induce fear in the specific person of bodily injury
2 to ~~himself or herself or a member of his or her immediate family~~ or induce fear in the
3 ~~specific person~~ of the death of himself or herself or a member of his or her immediate
4 family or household.

5 ***b2892/3.6* SECTION 658g.** 940.32 (2e) (intro.) of the statutes, as created by
6 2001 Wisconsin Act (this act), is amended to read:

7 940.32 (2e) (intro.) Whoever meets all of the following criteria is guilty of a
8 Class E I felony:

9 ***b2892/3.6* SECTION 658i.** 940.32 (2e) of the statutes is created to read:

10 940.32 (2e) Whoever meets all of the following criteria is guilty of a Class E
11 felony:

12 (a) After having been convicted of sexual assault under s. 940.225, 948.02, or
13 948.025 or a domestic abuse offense, the actor engages in any of the acts listed in sub.
14 (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic
15 abuse offense.

16 (b) The actor intends that the act will place the specific person in reasonable
17 fear of bodily injury to or the death of himself or herself or a member of his or her
18 family or household.

19 (c) The actor's act induces fear in the specific person of bodily injury to or the
20 death of himself or herself or a member of his or her family or household.

21 ***b2892/3.7* SECTION 659b.** 940.32 (2m) (intro.) of the statutes, as affected by
22 2001 Wisconsin Act (this act), is amended to read:

23 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D H felony if
24 any of the following applies:

1 ***b2892/3.6* SECTION 659bm.** 940.32 (2m) of the statutes is renumbered
2 940.32 (2m) (intro.) and amended to read:

3 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if he
4 ~~or she~~ any of the following applies:

5 (c) The actor intentionally gains access or causes another person to gain access
6 to a record in electronic format that contains personally identifiable information
7 regarding the victim in order to facilitate the violation ~~under sub. (2).~~

8 ***b2892/3.7* SECTION 659c.** 940.32 (2m) (a) of the statutes is created to read:
9 940.32 (2m) (a) The actor has a previous conviction for a violent crime, as
10 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013
11 (1r), (1t), (1v), or (1x).

12 ***b2892/3.7* SECTION 659d.** 940.32 (2m) (b) of the statutes is created to read:
13 940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of
14 that crime is the victim of the present violation of sub. (2), and the present violation
15 occurs within 7 years after the prior conviction.

16 ***b2892/3.7* SECTION 659e.** 940.32 (2m) (d) of the statutes is created to read:
17 940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to
18 facilitate the violation.

19 ***b2892/3.7* SECTION 659f.** 940.32 (2m) (e) of the statutes is created to read:
20 940.32 (2m) (e) The victim is under the age of 18 years at the time of the
21 violation.

22 ***b2892/3.7* SECTION 659g.** 940.32 (3) (intro.) of the statutes is amended to
23 read:

24 940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following~~
25 circumstances is guilty of a Class ~~E C~~ E felony if any of the following applies:

1 ***b2892/3.8* SECTION 660b.** 940.32 (3) (intro.) of the statutes, as affected by
2 2001 Wisconsin Act (this act), is amended to read:

3 940.32 (3) (intro.) Whoever violates sub. (2) is guilty of a Class C F felony if any
4 of the following applies:

5 ***b2892/3.8* SECTION 660c.** 940.32 (3) (a) of the statutes is amended to read:

6 940.32 (3) (a) The act results in bodily harm to the victim or a member of the
7 victim's family or household.

8 ***b2892/3.8* SECTION 660d.** 940.32 (3) (b) of the statutes is amended to read:

9 940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined
10 in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r),
11 (1t), (1v) or (1x) for a violation against, the same victim of that crime is the victim of
12 the present violation of sub. (2), and the present violation occurs within 7 years after
13 the prior conviction.

14 ***b2892/3.8* SECTION 660e.** 940.32 (3) (c) of the statutes is created to read:

15 940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts
16 listed in sub. (1) (a) 1. to 9.

17 ***b2892/3.9* SECTION 661b.** 940.32 (3m) of the statutes is repealed.

18 ***-4548/2.385* *-0590/P5.149* SECTION 662.** 940.43 (intro.) of the statutes is
19 amended to read:

20 **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.
21 940.42 under any of the following circumstances is guilty of a Class D G felony:

22 ***-4548/2.386* *-0590/P5.150* SECTION 663.** 940.45 (intro.) of the statutes is
23 amended to read:

24 **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44
25 under any of the following circumstances is guilty of a Class D G felony:

1 *~~4548/2.387~~* *~~0590/P5.151~~* **SECTION 664.** 941.11 (intro.) of the statutes is
2 amended to read:

3 **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the
4 following is guilty of a Class ~~D~~ H felony:

5 *~~4548/2.388~~* *~~0590/P5.152~~* **SECTION 665.** 941.12 (1) of the statutes is
6 amended to read:

7 941.12 (1) Whoever intentionally interferes with the proper functioning of a
8 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of
9 a Class ~~E~~ I felony.

10 *~~4548/2.389~~* *~~0590/P5.153~~* **SECTION 666.** 941.20 (2) (intro.) of the statutes
11 is amended to read:

12 941.20 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ G
13 felony:

14 *~~4548/2.390~~* *~~0590/P5.154~~* **SECTION 667.** 941.20 (3) (a) (intro.) of the
15 statutes is amended to read:

16 941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a
17 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot
18 that is open to the public under any of the following circumstances is guilty of a Class
19 ~~C~~ F felony:

20 *~~4548/2.391~~* *~~0590/P5.155~~* **SECTION 668.** 941.21 of the statutes is
21 amended to read:

22 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace
23 officer who is acting in his or her official capacity by taking a dangerous weapon or
24 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer
25 without his or her consent is guilty of a Class ~~E~~ H felony. This section applies to any

1 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)
2 (a) that the officer is carrying or that is in an area within the officer's immediate
3 presence.

4 *~~4548/2.392~~* *~~0590/P5.156~~* **SECTION 669.** 941.235 (1) of the statutes is
5 amended to read:

6 941.235 (1) Any person who goes armed with a firearm in any building owned
7 or leased by the state or any political subdivision of the state is guilty of a Class B
8 A misdemeanor.

9 *~~4548/2.393~~* *~~0590/P5.157~~* **SECTION 670.** 941.26 (2) (a) of the statutes is
10 amended to read:

11 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

12 *~~4548/2.394~~* *~~0590/P5.158~~* **SECTION 671.** 941.26 (2) (b) of the statutes is
13 amended to read:

14 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class C F felony.

15 *~~4548/2.395~~* *~~0590/P5.159~~* **SECTION 672.** 941.26 (2) (e) of the statutes is
16 amended to read:

17 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or
18 commercial transportation of the bomb, grenade, projectile, shell or container under
19 sub. (1) (b) is guilty of a Class E H felony.

20 *~~4548/2.396~~* *~~0590/P5.160~~* **SECTION 673.** 941.26 (2) (f) of the statutes is
21 amended to read:

22 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,
23 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily
24 discomfort to a person who the actor knows, or has reason to know, is a peace officer
25 who is acting in an official capacity is guilty of a Class D H felony.

1 *~~4548/2.397~~* *~~0590/P5.161~~* **SECTION 674.** 941.26 (2) (g) of the statutes is
2 amended to read:

3 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,
4 grenade, projectile, shell or container under sub. (1) (b) during his or her commission
5 of another crime to cause bodily harm or bodily discomfort to another or who
6 threatens to use the bomb, grenade, projectile, shell or container during his or her
7 commission of another crime to incapacitate another person is guilty of a Class ~~E~~ H
8 felony.

9 *~~4548/2.398~~* *~~0590/P5.162~~* **SECTION 675.** 941.26 (4) (d) of the statutes is
10 amended to read:

11 941.26 (4) (d) Whoever intentionally uses a device or container described under
12 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,
13 or has reason to know, is a peace officer who is acting in an official capacity is guilty
14 of a Class ~~D~~ H felony.

15 *~~4548/2.399~~* *~~0590/P5.163~~* **SECTION 676.** 941.26 (4) (e) of the statutes is
16 amended to read:

17 941.26 (4) (e) Whoever uses a device or container described under par. (a)
18 during his or her commission of another crime to cause bodily harm or bodily
19 discomfort to another or who threatens to use the device or container during his or
20 her commission of another crime to incapacitate another person is guilty of a Class
21 ~~E~~ H felony.

22 *~~4548/2.400~~* *~~0590/P5.164~~* **SECTION 677.** 941.28 (3) of the statutes is
23 amended to read:

24 941.28 (3) Any person violating this section is guilty of a Class ~~E~~ H felony.

1 *~~4548/2.401~~* *~~0590/P5.165~~* **SECTION 678.** 941.29 (2) (intro.) of the statutes
2 is amended to read:

3 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class ~~E~~ G felony
4 if he or she possesses a firearm under any of the following circumstances:

5 *~~4548/2.402~~* *~~0590/P5.166~~* **SECTION 679.** 941.29 (2m) of the statutes is
6 repealed.

7 *~~4548/2.403~~* *~~0590/P5.167~~* **SECTION 680.** 941.295 (1) of the statutes is
8 amended to read:

9 941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed
10 with any electric weapon is guilty of a Class ~~E~~ H felony.

11 *~~4548/2.404~~* *~~0590/P5.168~~* **SECTION 681.** 941.296 (2) (intro.) of the
12 statutes is amended to read:

13 941.296 (2) (intro.) Whoever uses or possesses a handgun during the
14 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class ~~E~~ H felony
15 under any of the following circumstances.

16 *~~4548/2.405~~* *~~0590/P5.169~~* **SECTION 682.** 941.296 (3) of the statutes is
17 repealed.

18 *~~4548/2.406~~* *~~0590/P5.170~~* **SECTION 683.** 941.298 (2) of the statutes is
19 amended to read:

20 941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of
21 a Class ~~E~~ H felony.

22 *~~4548/2.407~~* *~~0590/P5.171~~* **SECTION 684.** 941.30 (1) of the statutes is
23 amended to read:

1 941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly
2 endangers another's safety under circumstances which show utter disregard for
3 human life is guilty of a Class **D F** felony.

4 *~~4548/2.408~~* *~~0590/P5.172~~* **SECTION 685.** 941.30 (2) of the statutes is
5 amended to read:

6 941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever
7 recklessly endangers another's safety is guilty of a Class **E G** felony.

8 *~~4548/2.409~~* *~~0590/P5.173~~* **SECTION 686.** 941.31 (1) of the statutes is
9 amended to read:

10 941.31 (1) Whoever makes, buys, transports, possesses, or transfers any
11 explosive compound or offers to do the same, either with intent to use such explosive
12 to commit a crime or knowing that another intends to use it to commit a crime, is
13 guilty of a Class **C F** felony.

14 *~~4548/2.410~~* *~~0590/P5.174~~* **SECTION 687.** 941.31 (2) (b) of the statutes is
15 amended to read:

16 941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or
17 transfers any improvised explosive device, or possesses materials or components
18 with intent to assemble any improvised explosive device, is guilty of a Class **E H**
19 felony.

20 *~~4548/2.411~~* **SECTION 688.** 941.315 (3) (intro.) of the statutes is amended to
21 read:

22 941.315 (3) (intro.) Whoever does any of the following is guilty of a Class **D H**
23 felony:

24 *~~4548/2.412~~* *~~0590/P5.175~~* **SECTION 689.** 941.32 of the statutes is
25 amended to read:

1 **941.32 Administering dangerous or stupefying drug.** Whoever
2 administers to another or causes another to take any poisonous, stupefying,
3 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the
4 commission of a crime is guilty of a Class C F felony.

5 *~~4548/2.413~~* *~~0590/P5.176~~* **SECTION 690.** 941.325 of the statutes is
6 amended to read:

7 **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs
8 or other substances in candy or other liquid or solid edibles with the intent to cause
9 bodily harm to another person is guilty of a Class E I felony.

10 *~~4548/2.414~~* *~~0590/P5.178~~* **SECTION 691.** 941.327 (2) (b) 1. of the statutes
11 is amended to read:

12 941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.
13 (a) is guilty of a Class E I felony.

14 *~~4548/2.415~~* *~~0590/P5.179~~* **SECTION 692.** 941.327 (2) (b) 2. of the statutes
15 is amended to read:

16 941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great
17 bodily harm to another, a person violating par. (a) is guilty of a Class D H felony.

18 *~~4548/2.416~~* *~~0590/P5.180~~* **SECTION 693.** 941.327 (2) (b) 3. of the statutes
19 is amended to read:

20 941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,
21 a person violating par. (a) is guilty of a Class C F felony.

22 *~~4548/2.417~~* *~~0590/P5.181~~* **SECTION 694.** 941.327 (2) (b) 4. of the statutes
23 is amended to read:

24 941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is
25 guilty of a Class ~~A~~ C felony.

1 *~~4548/2.418~~* *~~0590/P5.182~~* **SECTION 695.** 941.327 (3) of the statutes is
2 amended to read:

3 941.327 (3) Whoever intentionally imparts or conveys false information,
4 knowing the information to be false, concerning an act or attempted act which, if
5 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

6 *~~4572/4.18~~* **SECTION 696.** 941.37 (1) (a) of the statutes is amended to read:

7 941.37 (1) (a) “Ambulance” has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

8 *~~4548/2.419~~* *~~0590/P5.183~~* **SECTION 697.** 941.37 (3) of the statutes is
9 amended to read:

10 941.37 (3) Any person who intentionally interferes with any emergency
11 medical personnel in the performance of duties relating to an emergency or rescue
12 and who has reasonable grounds to believe that the interference may endanger
13 another’s safety is guilty of a Class ~~E~~ I felony.

14 *~~4548/2.420~~* *~~0590/P5.184~~* **SECTION 698.** 941.37 (4) of the statutes is
15 amended to read:

16 941.37 (4) Any person who violates sub. (3) and thereby contributes to the
17 death of another is guilty of a Class ~~C~~ E felony.

18 *~~4548/2.421~~* **SECTION 699.** 941.38 (1) (b) 4. of the statutes is amended to read:

19 941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as
20 prohibited in s. 940.19 or 940.195.

21 *~~4548/2.422~~* *~~0590/P5.185~~* **SECTION 700.** 941.38 (2) of the statutes is
22 amended to read:

23 941.38 (2) Whoever intentionally solicits a child to participate in criminal gang
24 activity is guilty of a Class ~~E~~ I felony.

1 *~~4548/2.423~~* *~~0590/P5.282~~* **SECTION 701.** 942.09 (2) (intro.) of the statutes,
2 as affected by 2001 Wisconsin Act 33, is amended to read:

3 942.09 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I
4 felony:

5 *~~4548/2.424~~* *~~0590/P5.186~~* **SECTION 702.** 943.01 (2) (intro.) of the statutes
6 is amended to read:

7 943.01 (2) (intro.) Any person violating sub. (1) under any of the following
8 circumstances is guilty of a Class ~~D~~ I felony:

9 *~~4548/2.426~~* **SECTION 704.** 943.01 (2d) (b) (intro.) of the statutes, as created
10 by 2001 Wisconsin Act 16, is amended to read:

11 943.01 (2d) (b) (intro.) Any person violating sub. (1) under all of the following
12 circumstances is guilty of a Class ~~E~~ I felony:

13 *~~4548/2.427~~* **SECTION 705.** 943.01 (2g) (intro.) of the statutes is amended to
14 read:

15 943.01 (2g) (intro.) Any person violating sub. (1) under all of the following
16 circumstances is guilty of a Class ~~E~~ I felony:

17 *~~4548/2.429~~* *~~0590/P5.189~~* **SECTION 707.** 943.011 (2) (intro.) of the
18 statutes is amended to read:

19 943.011 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ I
20 felony:

21 *~~4548/2.430~~* *~~0590/P5.190~~* **SECTION 708.** 943.012 (intro.) of the statutes
22 is amended to read:

23 **943.012 Criminal damage to or graffiti on religious and other property.**
24 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or
25 writes with ink or another substance on or intentionally etches into any physical

1 property of another, without the person's consent and with knowledge of the
2 character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one
3 or more of the following:

4 *~~4548/2.431~~* *~~0590/P5.191~~* **SECTION 709.** 943.013 (2) (intro.) of the
5 statutes is amended to read:

6 943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage
7 to any physical property that belongs to a judge or his or her family member under
8 all of the following circumstances is guilty of a Class ~~D~~ I felony:

9 *~~4548/2.432~~* *~~0590/P5.192~~* **SECTION 710.** 943.014 (2) of the statutes is
10 amended to read:

11 943.014 (2) Whoever intentionally demolishes a historic building without a
12 permit issued by a city, village, town or county or without an order issued under s.
13 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~
14 ~~building and the land upon which the building is located immediately prior to~~
15 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A
16 misdemeanor.

17 *~~4548/2.433~~* *~~0590/P5.193~~* **SECTION 711.** 943.015 (2) (intro.) of the
18 statutes is amended to read:

19 943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage
20 to any physical property which belongs to a department of revenue official, employee
21 or agent or his or her family member under all of the following circumstances is guilty
22 of a Class ~~D~~ I felony:

23 *~~4548/2.434~~* *~~0590/P5.194~~* **SECTION 712.** 943.017 (2) (intro.) of the
24 statutes is amended to read:

1 943.017 (2) (intro.) Any person violating sub. (1) under any of the following
2 circumstances is guilty of a Class D I felony:

3 *~~4548/2.436~~* *~~0590/P5.196~~* **SECTION 713.** 943.017 (2m) (b) (intro.) of the
4 statutes is amended to read:

5 943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class D
6 I felony:

7 *~~4548/2.437~~* *~~0590/P5.197~~* **SECTION 715.** 943.02 (1) (intro.) of the statutes
8 is amended to read:

9 943.02 (1) (intro.) Whoever does any of the following is guilty of a Class B C
10 felony:

11 *~~4548/2.438~~* *~~0590/P5.198~~* **SECTION 716.** 943.03 of the statutes is
12 amended to read:

13 **943.03 Arson of property other than building.** Whoever, by means of fire,
14 intentionally damages any property of another without the person's consent, if the
15 property is not a building and has a value of \$100 or more, is guilty of a Class E I
16 felony.

17 *~~4548/2.439~~* *~~0590/P5.199~~* **SECTION 717.** 943.04 of the statutes is
18 amended to read:

19 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages
20 any property, other than a building, with intent to defraud an insurer of that property
21 is guilty of a Class D H felony. Proof that the actor recovered or attempted to recover
22 on a policy of insurance by reason of the fire is relevant but not essential to establish
23 the actor's intent to defraud the insurer.

24 *~~4548/2.440~~* *~~0590/P5.200~~* **SECTION 718.** 943.06 (2) of the statutes is
25 amended to read:

1 943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or
2 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

3 *~~4548/2.441~~* *~~0590/P5.201~~* **SECTION 719.** 943.07 (1) of the statutes is
4 amended to read:

5 943.07 (1) Whoever intentionally causes damage or who causes another person
6 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,
7 tunnel or signal or any railroad property used in providing rail services, which could
8 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

9 *~~4548/2.442~~* *~~0590/P5.202~~* **SECTION 720.** 943.07 (2) of the statutes is
10 amended to read:

11 943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad
12 train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

13 *~~4548/2.443~~* *~~0590/P5.203~~* **SECTION 721.** 943.10 (1) (intro.) of the statutes
14 is amended to read:

15 943.10 (1) (intro.) Whoever intentionally enters any of the following places
16 without the consent of the person in lawful possession and with intent to steal or
17 commit a felony in such place is guilty of a Class ~~C~~ F felony:

18 *~~4548/2.444~~* *~~0590/P5.204~~* **SECTION 722.** 943.10 (2) (intro.) of the statutes
19 is amended to read:

20 943.10 (2) (intro.) Whoever violates sub. (1) under any of the following
21 circumstances is guilty of a Class ~~B~~ E felony:

22 *~~4548/2.445~~* *~~0590/P5.205~~* **SECTION 723.** 943.12 of the statutes is
23 amended to read:

24 **943.12 Possession of burglarious tools.** Whoever has in personal
25 possession any device or instrumentality intended, designed or adapted for use in

1 breaking into any depository designed for the safekeeping of any valuables or into
2 any building or room, with intent to use such device or instrumentality to break into
3 a depository, building or room, and to steal therefrom, is guilty of a Class ~~E~~ I felony.

4 *~~4548/2.447~~* **SECTION 725.** 943.20 (3) (bf) of the statutes is created to read:

5 943.20 (3) (bf) If the value of the property exceeds \$2,500 but does not exceed
6 \$5,000, is guilty of a Class I felony.

7 *~~4548/2.448~~* *~~0590/P5.208~~* **SECTION 726.** 943.20 (3) (bm) of the statutes is
8 created to read:

9 943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed
10 \$10,000, is guilty of a Class H felony.

11 *~~4548/2.449~~* *~~0590/P5.209~~* **SECTION 727.** 943.20 (3) (c) of the statutes is
12 amended to read:

13 943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of
14 a Class ~~C~~ G felony.

15 *~~4548/2.450~~* *~~0590/P5.210~~* **SECTION 728.** 943.20 (3) (d) (intro.) of the
16 statutes is amended to read:

17 943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~
18 ~~any of the following circumstances exist~~ exists, is guilty of a Class ~~D~~ H felony:

19 *~~4548/2.451~~* *~~0590/P5.211~~* **SECTION 729.** 943.20 (3) (d) 1. of the statutes
20 is amended to read:

21 943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

22 *~~4548/2.452~~* *~~0590/P5.212~~* **SECTION 730.** 943.20 (3) (d) 2. of the statutes
23 is renumbered 943.20 (3) (e) and amended to read:

24 943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from
25 a corpse; ~~or,~~ is guilty of a Class G felony.

1 *~~4548/2.453~~* *~~0590/P5.213~~* SECTION 731. 943.20 (3) (d) 3. of the statutes
2 is amended to read:

3 943.20 (3) (d) 3. The property is taken from a building which has been destroyed
4 or left unoccupied because of physical disaster, riot, bombing or the proximity of
5 battle;~~or~~

6 *~~4548/2.454~~* *~~0590/P5.214~~* SECTION 732. 943.20 (3) (d) 4. of the statutes
7 is amended to read:

8 943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or
9 the proximity of battle has necessitated its removal from a building;~~or~~

10 *~~4548/2.455~~* *~~0590/P5.215~~* SECTION 733. 943.201 (2) of the statutes is
11 amended to read:

12 943.201 (2) Whoever intentionally uses or attempts to use any personal
13 identifying information or personal identification document of an individual to
14 obtain credit, money, goods, services or anything else of value without the
15 authorization or consent of the individual and by representing that he or she is the
16 individual or is acting with the authorization or consent of the individual is guilty
17 of a Class D H felony.

18 *~~4548/2.456~~* *~~0590/P5.216~~* SECTION 734. 943.205 (3) of the statutes is
19 amended to read:

20 943.205 (3) Anyone who violates this section is guilty of a Class E I felony.

21 *~~4548/2.457~~* SECTION 735. 943.207 (3m) (b) (intro.) of the statutes is
22 amended to read:

23 943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class D I
24 felony under any of the following circumstances:

1 *~~4548/2.458~~* **SECTION 736.** 943.207 (3m) (c) (intro.) of the statutes is amended
2 to read:

3 943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class ~~C~~ H
4 felony under any of the following circumstances:

5 *~~4548/2.459~~* **SECTION 737.** 943.208 (2) (b) of the statutes is amended to read:

6 943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the
7 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
8 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual
9 recordings in violation of sub. (1) during a 180-day period, and the value of the
10 recordings exceeds \$2,500.

11 *~~4548/2.460~~* **SECTION 738.** 943.208 (2) (c) of the statutes is amended to read:

12 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class ~~C~~ H felony if the
13 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
14 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in
15 violation of sub. (1) during a 180-day period or if the violation occurs after the person
16 has been convicted under this section.

17 *~~4548/2.461~~* **SECTION 739.** 943.209 (2) (b) of the statutes is amended to read:

18 943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the
19 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer
20 than 100 recordings in violation of sub. (1) during a 180-day period, and the value
21 of the recordings exceeds \$2,500.

22 *~~4548/2.462~~* **SECTION 740.** 943.209 (2) (c) of the statutes is amended to read:

23 943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class ~~C~~ H felony if the
24 person advertises, offers for sale or rent, sells, rents, transports or possesses at least

1 100 recordings in violation of sub. (1) during a 180-day period or if the violation
2 occurs after the person has been convicted under this section.

3 *~~4548/2.464~~* *~~0590/P5.218~~* **SECTION 742.** 943.21 (3) (b) of the statutes, as
4 affected by 2001 Wisconsin Act 16, is amended to read:

5 943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,
6 food, lodging, accommodation, transportation or other service exceeds \$2,500.

7 *~~4548/2.465~~* *~~0590/P5.219~~* **SECTION 743.** 943.23 (1g) of the statutes is
8 amended to read:

9 943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of,
10 or the threat of the use of, force or the weapon against another, intentionally takes
11 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

12 *~~4548/2.466~~* *~~0590/P5.220~~* **SECTION 744.** 943.23 (1m) of the statutes is
13 repealed.

14 *~~4548/2.467~~* *~~0590/P5.221~~* **SECTION 745.** 943.23 (1r) of the statutes is
15 repealed.

16 *~~4548/2.468~~* *~~0590/P5.222~~* **SECTION 746.** 943.23 (2) of the statutes is
17 amended to read:

18 943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
19 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~
20 H felony.

21 *~~4548/2.469~~* *~~0590/P5.223~~* **SECTION 747.** 943.23 (3) of the statutes is
22 amended to read:

23 943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
24 drives or operates any vehicle without the consent of the owner is guilty of a Class
25 ~~E~~ I felony.

1 *~~4548/2.470~~* *~~0590/P5.224~~* **SECTION 748.** 943.23 (3m) of the statutes is
2 created to read:

3 943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.
4 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours
5 after the vehicle was taken from the possession of the owner. An affirmative defense
6 under this subsection mitigates the offense to a Class A misdemeanor. A defendant
7 who raises this affirmative defense has the burden of proving the defense by a
8 preponderance of the evidence.

9 *~~4548/2.471~~* *~~0590/P5.225~~* **SECTION 749.** 943.23 (4m) of the statutes is
10 amended to read:

11 943.23 (4m) Whoever knows that the owner does not consent to the driving or
12 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,
13 a person while he or she violates sub. (1g), ~~(1m)~~, ~~(1r)~~, (2) or (3), or (3m) is guilty of
14 a Class A misdemeanor.

15 *~~4548/2.472~~* *~~0590/P5.226~~* **SECTION 750.** 943.23 (5) of the statutes is
16 amended to read:

17 943.23 (5) Whoever intentionally removes a major part of a vehicle without the
18 consent of the owner is guilty of a Class E I felony. Whoever intentionally removes
19 any other part or component of a vehicle without the consent of the owner is guilty
20 of a Class A misdemeanor.

21 *~~4548/2.474~~* **SECTION 752.** 943.24 (2) of the statutes, as affected by 2001
22 Wisconsin Act 16, is amended to read:

23 943.24 (2) Whoever issues any single check or other order for the payment of
24 more than \$2,500 or whoever within a 15-day period issues more than one check or

1 other order amounting in the aggregate to more than \$2,500 which, at the time of
2 issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I felony.

3 *~~4548/2.475~~* *~~0590/P5.229~~* **SECTION 753.** 943.25 (1) of the statutes is
4 amended to read:

5 943.25 (1) Whoever, with intent to defraud, conveys real property which he or
6 she knows is encumbered, without informing the grantee of the existence of the
7 encumbrance is guilty of a Class ~~E~~ I felony.

8 *~~4548/2.476~~* *~~0590/P5.230~~* **SECTION 754.** 943.25 (2) (intro.) of the statutes
9 is amended to read:

10 943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following
11 is guilty of a Class ~~E~~ I felony:

12 *~~4548/2.477~~* *~~0590/P5.231~~* **SECTION 755.** 943.26 (2) of the statutes is
13 amended to read:

14 943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or
15 vendee is guilty of a Class ~~E~~ I felony.

16 *~~4548/2.478~~* *~~0590/P5.232~~* **SECTION 756.** 943.27 of the statutes is
17 amended to read:

18 **943.27 Possession of records of certain usurious loans.** Any person who
19 knowingly possesses any writing representing or constituting a record of a charge of,
20 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20
21 upon \$100 for one year computed upon the declining principal balance of the loan,
22 use or forbearance of money, goods or things in action or upon the loan, use or sale
23 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class
24 ~~E~~ I felony.

1 *~~4548/2.479~~* *~~0590/P5.233~~* **SECTION 757.** 943.28 (2) of the statutes is
2 amended to read:

3 943.28 (2) Whoever makes any extortionate extension of credit, or conspires to
4 do so, if one or more of the parties to the conspiracy does an act to effect its object,
5 is guilty of a Class C F felony.

6 *~~4548/2.480~~* *~~0590/P5.234~~* **SECTION 758.** 943.28 (3) of the statutes is
7 amended to read:

8 943.28 (3) Whoever advances money or property, whether as a gift, as a loan,
9 as an investment, pursuant to a partnership or profit-sharing agreement, or
10 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a
11 Class C F felony.

12 *~~4548/2.481~~* *~~0590/P5.235~~* **SECTION 759.** 943.28 (4) of the statutes is
13 amended to read:

14 943.28 (4) Whoever knowingly participates in any way in the use of any
15 extortionate means to collect or attempt to collect any extension of credit, or to punish
16 any person for the nonrepayment thereof, is guilty of a Class C F felony.

17 *~~4548/2.482~~* *~~0590/P5.236~~* **SECTION 760.** 943.30 (1) of the statutes is
18 amended to read:

19 943.30 (1) Whoever, either verbally or by any written or printed
20 communication, maliciously threatens to accuse or accuses another of any crime or
21 offense, or threatens or commits any injury to the person, property, business,
22 profession, calling or trade, or the profits and income of any business, profession,
23 calling or trade of another, with intent thereby to extort money or any pecuniary
24 advantage whatever, or with intent to compel the person so threatened to do any act
25 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

1 *~~4548/2.483~~* *~~0590/P5.237~~* **SECTION 761.** 943.30 (2) of the statutes is
2 amended to read:

3 943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting
4 commerce or business or the movement of any article or commodity in commerce or
5 business is guilty of a Class D H felony.

6 *~~4548/2.484~~* *~~0590/P5.238~~* **SECTION 762.** 943.30 (3) of the statutes is
7 amended to read:

8 943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or
9 grand juror, in the performance of his or her functions as such, is guilty of a Class D
10 H felony.

11 *~~4548/2.485~~* *~~0590/P5.239~~* **SECTION 763.** 943.30 (4) of the statutes is
12 amended to read:

13 943.30 (4) Whoever violates sub. (1) by attempting to influence the official
14 action of any public officer is guilty of a Class D H felony.

15 *~~4548/2.486~~* *~~0590/P5.240~~* **SECTION 764.** 943.30 (5) (b) of the statutes is
16 amended to read:

17 943.30 (5) (b) Whoever, orally or by any written or printed communication,
18 maliciously uses, or threatens to use, the patient health care records of another
19 person, with intent thereby to extort money or any pecuniary advantage, or with
20 intent to compel the person so threatened to do any act against the person's will or
21 omit to do any lawful act, is guilty of a Class D H felony.

22 *~~4548/2.487~~* *~~0590/P5.241~~* **SECTION 765.** 943.31 of the statutes is
23 amended to read:

24 **943.31 Threats to communicate derogatory information.** Whoever
25 threatens to communicate to anyone information, whether true or false, which would

1 injure the reputation of the threatened person or another unless the threatened
2 person transfers property to a person known not to be entitled to it is guilty of a Class
3 E I felony.

4 *~~4548/2.488~~* *~~0590/P5.242~~* **SECTION 766.** 943.32 (1) (intro.) of the statutes
5 is amended to read:

6 943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person
7 or presence of the owner by either of the following means is guilty of a Class C E
8 felony:

9 *~~4548/2.489~~* *~~0590/P5.243~~* **SECTION 767.** 943.32 (2) of the statutes is
10 amended to read:

11 943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous
12 weapon, a device or container described under s. 941.26 (4) (a) or any article used or
13 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous
14 weapon or such a device or container is guilty of a Class B C felony.

15 *~~4548/2.491~~* **SECTION 769.** 943.34 (1) (bf) of the statutes is created to read:
16 943.34 (1) (bf) A Class I felony, if the value of the property exceeds \$2,500 but
17 does not exceed \$5,000.

18 *~~4548/2.492~~* *~~0590/P5.246~~* **SECTION 770.** 943.34 (1) (bm) of the statutes is
19 created to read:

20 943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but
21 does not exceed \$10,000.

22 *~~4548/2.493~~* *~~0590/P5.247~~* **SECTION 771.** 943.34 (1) (c) of the statutes is
23 amended to read:

24 943.34 (1) (c) A Class C G felony, if the value of the property exceeds ~~\$2,500~~
25 \$10,000.

1 *~~4548/2.494~~* *~~0590/P5.248~~* **SECTION 772.** 943.38 (1) (intro.) of the statutes
2 is amended to read:

3 943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a
4 writing or object of any of the following kinds so that it purports to have been made
5 by another, or at another time, or with different provisions, or by authority of one who
6 did not give such authority, is guilty of a Class C H felony:

7 *~~4548/2.495~~* *~~0590/P5.249~~* **SECTION 773.** 943.38 (2) of the statutes is
8 amended to read:

9 943.38 (2) Whoever utters as genuine or possesses with intent to utter as false
10 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have
11 been thus falsely made or altered, is guilty of a Class C H felony.

12 *~~4548/2.496~~* *~~0590/P5.250~~* **SECTION 774.** 943.39 (intro.) of the statutes is
13 amended to read:

14 **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or
15 defraud, does any of the following is guilty of a Class D H felony:

16 *~~4548/2.498~~* *~~0590/P5.252~~* **SECTION 776.** 943.395 (2) (b) of the statutes, as
17 affected by 2001 Wisconsin Act 16, is amended to read:

18 943.395 (2) (b) Is guilty of a Class E I felony if the value of the claim or benefit
19 exceeds \$2,500.

20 *~~4548/2.499~~* *~~0590/P5.253~~* **SECTION 777.** 943.40 (intro.) of the statutes is
21 amended to read:

22 **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with
23 intent to defraud does either of the following is guilty of a Class D H felony:

24 *~~4548/2.500~~* *~~0590/P5.254~~* **SECTION 778.** 943.41 (8) (b) of the statutes is
25 amended to read:

1 943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)
2 or (6m) is guilty of a Class E I felony.

3 *~~4548/2.501~~* SECTION 779. 943.41 (8) (c) of the statutes, as affected by 2001
4 Wisconsin Act 16, is amended to read:

5 943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b), or (d),
6 if the value of the money, goods, services, or property illegally obtained does not
7 exceed \$2,500 is guilty of a Class A misdemeanor. ~~If, if~~ if the value of the money, goods,
8 services, or property exceeds \$2,500 but does not exceed \$5,000, in a single
9 transaction or in separate transactions within a period not exceeding 6 months, the
10 person is guilty of a Class C I felony; if the value of the money, goods, services, or
11 property exceeds \$5,000 but does not exceed \$10,000, in a single transaction or in
12 separate transactions within a period not exceeding 6 months, the person is guilty
13 of a Class H felony; or if the value of money, goods, services, or property exceeds
14 \$10,000, in a single transaction or in separate transactions within a period not
15 exceeding 6 months, the person is guilty of a Class G felony.

16 *~~4548/2.502~~* *~~0590/P5.256~~* SECTION 780. 943.45 (3) (c) of the statutes is
17 amended to read:

18 943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)
19 for direct or indirect commercial advantage or private financial gain is guilty of a
20 Class E felony A misdemeanor.

21 *~~4548/2.503~~* *~~0590/P5.257~~* SECTION 781. 943.45 (3) (d) of the statutes is
22 amended to read:

23 943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial
24 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
25 D I felony.

1 *~~4548/2.504~~* *~~0590/P5.258~~* **SECTION 782.** 943.455 (4) (c) of the statutes is
2 amended to read:

3 943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)
4 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty
5 of a Class ~~E~~ felony A misdemeanor.

6 *~~4548/2.505~~* *~~0590/P5.259~~* **SECTION 783.** 943.455 (4) (d) of the statutes is
7 amended to read:

8 943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect
9 commercial advantage or private financial gain as a 2nd or subsequent offense is
10 guilty of a Class ~~D I~~ felony.

11 *~~4548/2.506~~* *~~0590/P5.260~~* **SECTION 784.** 943.46 (4) (c) of the statutes is
12 amended to read:

13 943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)
14 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty
15 of a Class ~~E~~ felony A misdemeanor.

16 *~~4548/2.507~~* *~~0590/P5.261~~* **SECTION 785.** 943.46 (4) (d) of the statutes is
17 amended to read:

18 943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect
19 commercial advantage or private financial gain as a 2nd or subsequent offense is
20 guilty of a Class ~~D I~~ felony.

21 *~~4548/2.508~~* *~~0590/P5.262~~* **SECTION 786.** 943.47 (3) (c) of the statutes is
22 amended to read:

23 943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)
24 for direct or indirect commercial advantage or private financial gain is guilty of a
25 Class ~~E~~ felony A misdemeanor.

1 *~~4548/2.509~~* *~~0590/P5.263~~* **SECTION 787.** 943.47 (3) (d) of the statutes is
2 amended to read:

3 943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial
4 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
5 D I felony.

6 *~~4548/2.510~~* **SECTION 788.** 943.49 (2) (b) 2. of the statutes is amended to read:

7 943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class D I felony if
8 the violation occurs after the person has been convicted under this subsection.

9 *~~4548/2.512~~* **SECTION 790.** 943.50 (4) (bf) of the statutes is created to read:

10 943.50 (4) (bf) A Class I felony, if the value of the merchandise exceeds \$2,500
11 but does not exceed \$5,000.

12 *~~4548/2.513~~* *~~0590/P5.266~~* **SECTION 791.** 943.50 (4) (bm) of the statutes is
13 created to read:

14 943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000
15 but does not exceed \$10,000.

16 *~~4548/2.514~~* *~~0590/P5.267~~* **SECTION 792.** 943.50 (4) (c) of the statutes is
17 amended to read:

18 943.50 (4) (c) A Class C G felony, if the value of the merchandise exceeds ~~\$2,500~~
19 \$10,000.

20 *~~4548/2.515~~* *~~0590/P5.268~~* **SECTION 793.** 943.60 (1) of the statutes is
21 amended to read:

22 943.60 (1) Any person who submits for filing, entering or recording any lien,
23 claim of lien, lis pendens, writ of attachment, financing statement or any other
24 instrument relating to a security interest in or title to real or personal property, and

1 who knows or should have known that the contents or any part of the contents of the
2 instrument are false, a sham or frivolous, is guilty of a Class D H felony.

3 ~~*-4548/2.518*~~ ~~*-0590/P5.270*~~ **SECTION 796.** 943.61 (5) (c) of the statutes is
4 amended to read:

5 943.61 (5) (c) A Class C H felony, if the value of the library materials exceeds
6 \$2,500.

7 ~~*-4548/2.521*~~ ~~*-0590/P5.272*~~ **SECTION 799.** 943.62 (4) (c) of the statutes is
8 amended to read:

9 943.62 (4) (c) A Class C F felony, if the value of the advance payment or required
10 refund, as applicable, exceeds \$2,500.

11 ~~*-4548/2.522*~~ ~~*-0590/P5.273*~~ **SECTION 800.** 943.70 (2) (b) 2. of the statutes
12 is amended to read:

13 943.70 (2) (b) 2. A Class E I felony if the offense is committed to defraud or to
14 obtain property.

15 ~~*-4548/2.523*~~ ~~*-0590/P5.274*~~ **SECTION 801.** 943.70 (2) (b) 3. of the statutes
16 is repealed.

17 ~~*-4548/2.524*~~ **SECTION 802.** 943.70 (2) (b) 3g. of the statutes, as created by
18 2001 Wisconsin Act 16, is amended to read:

19 943.70 (2) (b) 3g. A Class C F felony if the offense results in damage valued at
20 more than \$2,500.

21 ~~*-4548/2.525*~~ **SECTION 803.** 943.70 (2) (b) 3r. of the statutes, as created by 2001
22 Wisconsin Act 16, is amended to read:

23 943.70 (2) (b) 3r. A Class C F felony if the offense causes an interruption or
24 impairment of governmental operations or public communication, of transportation,
25 or of a supply of water, gas, or other public service.

1 *~~4548/2.526~~* *~~0590/P5.275~~* **SECTION 804.** 943.70 (2) (b) 4. of the statutes
2 is amended to read:

3 943.70 (2) (b) 4. A Class ~~C~~ F felony if the offense creates a substantial and
4 unreasonable risk of death or great bodily harm to another.

5 *~~4548/2.527~~* **SECTION 805.** 943.70 (2) (c) 1. of the statutes, as created by 2001
6 Wisconsin Act 16, is amended to read:

7 943.70 (2) (c) 1. In the case of a misdemeanor, the maximum fine prescribed by
8 law for the crime may be increased by not more than \$1,000 and the maximum term
9 of imprisonment prescribed by law for the crime may be increased so that the revised
10 maximum term of imprisonment is ~~12 months~~ one year in the county jail.

11 *~~4548/2.528~~* *~~0590/P5.276~~* **SECTION 806.** 943.70 (3) (b) 2. of the statutes
12 is amended to read:

13 943.70 (3) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or
14 obtain property.

15 *~~4548/2.529~~* *~~0590/P5.277~~* **SECTION 807.** 943.70 (3) (b) 3. of the statutes
16 is amended to read:

17 943.70 (3) (b) 3. A Class ~~D~~ H felony if the damage to the computer, computer
18 system, computer network, equipment or supplies is greater than \$2,500.

19 *~~4548/2.530~~* **SECTION 808.** 943.70 (3) (b) 4. of the statutes is amended to read:

20 943.70 (3) (b) 4. A Class ~~C~~ F felony if the offense creates a substantial and
21 unreasonable risk of death or great bodily harm to another.

22 *~~4548/2.531~~* *~~0590/P5.278~~* **SECTION 809.** 943.75 (2) of the statutes is
23 amended to read:

24 943.75 (2) Whoever intentionally releases an animal that is lawfully confined
25 for companionship or protection of persons or property, recreation, exhibition, or

1 educational purposes, acting without the consent of the owner or custodian of the
2 animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a
3 person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection
4 by a person is a Class ~~E~~ I felony.

5 *~~4548/2.532~~* **SECTION 810.** 943.75 (2m) of the statutes is amended to read:

6 943.75 (2m) Whoever intentionally releases an animal that is lawfully
7 confined for scientific, farming, restocking, research or commercial purposes, acting
8 without the consent of the owner or custodian of the animal, is guilty of a Class ~~C~~ H
9 felony.

10 ***b2369/1.2*** **SECTION 810g.** 943.76 (1) of the statutes, as created by 2001
11 Wisconsin Act 16, is renumbered 943.76 (1) (intro.) and amended to read:

12 943.76 (1) (intro.) In this section, “livestock”:

13 (a) “Livestock” means cattle, horses, swine, sheep, goats, farm-raised deer, as
14 defined in s. 95.001 (1) (a), poultry, and other animals used or to be used in the
15 production of food, fiber, or other commercial products.

16 ***b2369/1.2*** **SECTION 810k.** 943.76 (1) (b) of the statutes is created to read:

17 943.76 (1) (b) “Paratuberculosis” has the meaning given in s. 95.001 (1) (c).

18 ***b2369/1.2*** **SECTION 810n.** 943.76 (1) (c) of the statutes is created to read:

19 943.76 (1) (c) “Reckless conduct” means conduct which creates a substantial
20 risk of an animal’s death or a substantial risk of bodily harm to an animal if the actor
21 is aware of that risk.

22 *~~4548/2.533~~* **SECTION 811.** 943.76 (2) (a) of the statutes, as created by 2001
23 Wisconsin Act 16, is amended to read:

1 943.76 (2) (a) Whoever intentionally introduces a contagious or infectious
2 disease into livestock without the consent of the owner of the livestock is guilty of a
3 Class C F felony.

4 *~~4548/2.534~~* **SECTION 812.** 943.76 (2) (b) of the statutes, as created by 2001
5 Wisconsin Act 16, is amended to read:

6 943.76 (2) (b) Whoever intentionally introduces a contagious or infectious
7 disease into wild deer without the consent of the department of natural resources is
8 guilty of a Class C F felony.

9 ***b2369/1.3*** **SECTION 812m.** 943.76 (3) of the statutes is created to read:

10 943.76 (3) (a) Whoever, through reckless conduct, introduces a contagious or
11 infectious disease other than paratuberculosis into livestock without the consent of
12 the owner of the livestock is guilty of a Class A misdemeanor.

13 (b) Whoever, through reckless conduct, introduces a contagious or infectious
14 disease other than paratuberculosis into wild deer without the consent of the
15 department of natural resources is guilty of a Class A misdemeanor.

16 (c) This subsection does not apply if the actor's conduct is undertaken pursuant
17 to a directive issued by the department of agriculture, trade and consumer protection
18 or an agreement between the actor and the department of agriculture, trade and
19 consumer protection, if the purpose of the directive or the agreement is to prevent
20 or control the spread of the disease.

21 ***b3072/1.1*** **SECTION 812t.** 943.76 (4) of the statutes is created to read:

22 943.76 (4) (a) Whoever intentionally threatens to introduce a contagious or
23 infectious disease into livestock located in this state without the consent of the owner
24 of the livestock is guilty of a Class D felony if one of the following applies:

1 1. The owner of the livestock is aware of the threat and reasonably believes that
2 the actor will attempt to carry out the threat.

3 2. The owner of the livestock is unaware of the threat, but if the owner were
4 apprised of the threat, it would be reasonable for the owner to believe that the actor
5 would attempt to carry out the threat.

6 (b) Whoever intentionally threatens to introduce a contagious or infectious
7 disease into wild deer located in this state without the consent of the department of
8 natural resources is guilty of a Class D felony if one of the following applies:

9 1. The department of natural resources is aware of the threat and reasonably
10 believes that the actor will attempt to carry out the threat.

11 2. The department of natural resources is unaware of the threat, but if the
12 department were apprised of the threat, it would be reasonable for the department
13 to believe that the actor would attempt to carry out the threat.

14 ***b3072/1.1* SECTION 812u.** 943.76 (4) (a) (intro.) of the statutes, as created by
15 2001 Wisconsin Act (this act), is amended to read:

16 943.76 (4) (a) (intro.) Whoever intentionally threatens to introduce a
17 contagious or infectious disease into livestock located in this state without the
18 consent of the owner of the livestock is guilty of a Class D H felony if one of the
19 following applies:

20 ***b3072/1.1* SECTION 812v.** 943.76 (4) (b) (intro.) of the statutes, as created by
21 2001 Wisconsin Act (this act), is amended to read:

22 943.76 (4) (b) (intro.) Whoever intentionally threatens to introduce a
23 contagious or infectious disease into wild deer located in this state without the
24 consent of the department of natural resources is guilty of a Class D H felony if one
25 of the following applies:

1 *~~4548/2.535~~* *~~0590/P5.279~~* **SECTION 813.** 944.05 (1) (intro.) of the statutes
2 is amended to read:

3 944.05 (1) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I
4 felony:

5 *~~4548/2.536~~* **SECTION 814.** 944.06 of the statutes is amended to read:

6 **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with
7 a person he or she knows is a blood relative and such relative is in fact related in a
8 degree within which the marriage of the parties is prohibited by the law of this state
9 is guilty of a Class ~~C~~ F felony.

10 *~~4548/2.537~~* *~~0590/P5.280~~* **SECTION 815.** 944.15 (title) of the statutes is
11 repealed and recreated to read:

12 **944.15 (title) Public fornication.**

13 *~~4548/2.538~~* *~~0590/P5.281~~* **SECTION 816.** 944.16 (intro.) of the statutes is
14 amended to read:

15 **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a
16 Class ~~E~~ I felony:

17 *~~4548/2.539~~* *~~0590/P5.283~~* **SECTION 817.** 944.21 (5) (c) of the statutes is
18 amended to read:

19 944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior
20 convictions under this section, the person is guilty of a Class ~~D~~ H felony.

21 *~~4548/2.540~~* *~~0590/P5.284~~* **SECTION 818.** 944.21 (5) (e) of the statutes is
22 amended to read:

23 944.21 (5) (e) Regardless of the number of prior convictions, if the violation
24 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,
25 the person is guilty of a Class ~~D~~ H felony.

1 *~~4548/2.541~~* *~~0590/P5.285~~* **SECTION 819.** 944.32 of the statutes is
2 amended to read:

3 **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever
4 intentionally solicits or causes any person to practice prostitution or establishes any
5 person in a place of prostitution is guilty of a Class D H felony.

6 *~~4548/2.542~~* *~~0590/P5.286~~* **SECTION 820.** 944.33 (2) of the statutes is
7 amended to read:

8 944.33 (2) If the person received compensation from the earnings of the
9 prostitute, such person is guilty of a Class C F felony.

10 *~~4548/2.543~~* *~~0590/P5.287~~* **SECTION 821.** 944.34 (intro.) of the statutes is
11 amended to read:

12 **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does
13 any of the following is guilty of a Class D H felony:

14 *~~4548/2.544~~* **SECTION 822.** 945.03 (1m) (intro.) of the statutes is amended to
15 read:

16 945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged
17 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E
18 I felony:

19 *~~4548/2.545~~* **SECTION 823.** 945.05 (1) (intro.) of the statutes, as affected by
20 2001 Wisconsin Act 16, is amended to read:

21 945.05 (1) (intro.) Except as provided in subs. (1e) (b) and (1m), whoever
22 manufactures, transfers commercially or possesses with intent to transfer
23 commercially either of the following is guilty of a Class E I felony:

24 *~~4548/2.546~~* *~~0590/P5.290~~* **SECTION 824.** 945.08 (1) of the statutes is
25 amended to read: