

ASSEMBLY BILL 3

SECTION 744

1 **SECTION 744.** 961.41 (3g) (e) of the statutes is amended to read:

2 961.41 (3g) (e) Tetrahydrocannabinols. If a person possesses or attempts to
3 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled
4 substance analog of tetrahydrocannabinols, the person may be fined not more than
5 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and
6 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this
7 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the
8 offender's conviction of the offense, the offender has at any time been convicted of any
9 felony or misdemeanor under this chapter or under any statute of the United States
10 or of any state relating to controlled substances, controlled substance analogs,
11 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

12 **SECTION 745.** 961.41 (3g) (f) of the statutes is amended to read:

13 961.41 (3g) (f) Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,
14 or flunitrazepam. If a person possesses or attempts to possess
15 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,
16 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years
17 or both is guilty of a Class H felony.

18 **SECTION 746.** 961.41 (4) (am) 3. of the statutes is amended to read:

19 961.41 (4) (am) 3. A person ~~convicted of violating~~ who violates this paragraph
20 ~~may be fined not more than \$5,000 or imprisoned for not more than 2 years or both~~
21 is guilty of a Class I felony.

22 **SECTION 747.** 961.42 (2) of the statutes is amended to read:

23 961.42 (2) Any person who violates this section ~~may be fined not more than~~
24 ~~\$25,000 or imprisoned not more than 2 years or both~~ is guilty of a Class I felony.

25 **SECTION 748.** 961.43 (2) of the statutes is amended to read:

ASSEMBLY BILL 3

1 961.43 (2) Any person who violates this section ~~may be fined not more than~~
2 \$30,000 ~~or imprisoned not more than 6 years or both~~ is guilty of a Class H felony.

3 **SECTION 749.** 961.437 (4) (a) of the statutes is amended to read:

4 961.437 (4) (a) For a first offense, the person ~~shall be fined not less than \$1,000~~
5 ~~nor more than \$100,000 or imprisoned for not more than 7 years and 6 months or both~~
6 is guilty of a Class H felony.

7 **SECTION 750.** 961.437 (4) (b) of the statutes is amended to read:

8 961.437 (4) (b) For a 2nd or subsequent offense, the person ~~shall be fined not~~
9 ~~less than \$5,000 nor more than \$150,000 or imprisoned for not more than 15 years~~
10 ~~or both~~ is guilty of a Class F felony.

11 **SECTION 751.** 961.438 of the statutes is repealed.

12 **SECTION 752.** 961.455 (1) of the statutes is amended to read:

13 961.455 (1) Any person who has attained the age of 17 years who knowingly
14 solicits, hires, directs, employs or uses a person who is under the age of 17 years of
15 ~~age or under~~ for the purpose of violating s. 961.41 (1) ~~may be fined not more than~~
16 ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

17 **SECTION 753.** 961.455 (3) of the statutes is amended to read:

18 961.455 (3) Solicitation under sub. (1) occurs in the manner described under
19 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.
20 939.30 ~~or 948.35.~~

21 **SECTION 754.** 961.46 (1) of the statutes is renumbered 961.46 and amended to
22 read:

23 **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~
24 ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing
25 or delivering a controlled substance included in schedule I or II which is a narcotic

ASSEMBLY BILL 3**SECTION 754**

1 drug or a controlled substance analog of a controlled substance included in schedule
2 I or II which is a narcotic drug to a person 17 years of age or under who is at least
3 3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or
4 a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the
5 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the
6 offense may be increased by not more than 5 years.

7 **SECTION 755.** 961.46 (2) of the statutes is repealed.

8 **SECTION 756.** 961.46 (3) of the statutes is repealed.

9 **SECTION 757.** 961.465 of the statutes is repealed.

10 **SECTION 758.** 961.472 (2) of the statutes is amended to read:

11 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found
12 guilty of possession or attempted possession of a controlled substance or controlled
13 substance analog under s. 961.41 (3g) (a) 2. (am), (c), or (d) ~~or (dm)~~, the court shall
14 order the person to comply with an assessment of the person's use of controlled
15 substances. The court's order shall designate a facility that is operated by or
16 pursuant to a contract with the county department established under s. 51.42 and
17 that is certified by the department of health and family services to provide
18 assessment services to perform the assessment and, if appropriate, to develop a
19 proposed treatment plan. The court shall notify the person that noncompliance with
20 the order limits the court's ability to determine whether the treatment option under
21 s. 961.475 is appropriate. The court shall also notify the person of the fee provisions
22 under s. 46.03 (18) (fm).

23 **SECTION 759.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and
24 amended to read:

ASSEMBLY BILL 3

1 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who
2 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or
3 subsequent offense as provided under this chapter sub. (3) and the person is
4 convicted of that 2nd or subsequent offense ~~may be fined an amount up to twice that~~
5 ~~otherwise authorized or imprisoned for a term up to twice the term otherwise~~
6 ~~authorized or both.~~ the maximum term of imprisonment for the offense may be
7 increased as follows:

8 **SECTION 760.** 961.48 (1) (a) and (b) of the statutes are created to read:

9 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

10 (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.

11 **SECTION 761.** 961.48 (2) of the statutes is repealed.

12 **SECTION 762.** 961.48 (2m) (a) of the statutes is amended to read:

13 961.48 (2m) (a) Whenever a person charged with ~~an~~ a felony offense under this
14 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is
15 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior
16 convictions are alleged in the complaint, indictment or information or in an amended
17 complaint, indictment or information that is filed under par. (b) 1. A person is not
18 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of
19 applicable prior convictions is withdrawn by an amended complaint filed under par.
20 (b) 2.

21 **SECTION 763.** 961.48 (3) of the statutes is amended to read:

22 961.48 (3) For purposes of this section, an a felony offense under this chapter
23 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
24 offense, the offender has at any time been convicted of any felony or misdemeanor
25 offense under this chapter or under any statute of the United States or of any state

ASSEMBLY BILL 3**SECTION 763**

1 relating to controlled substances or controlled substance analogs, narcotic drugs,
2 marijuana or depressant, stimulant or hallucinogenic drugs.

3 **SECTION 764.** 961.48 (4) of the statutes is repealed.

4 **SECTION 765.** 961.49 (1) of the statutes is renumbered 961.49, and 961.49
5 (intro.) of the statutes, as renumbered, is amended to read:

6 **961.49 Distribution of or possession with intent to deliver a controlled**
7 **substance on or near certain places.** (intro.) If any person violates s. 961.41 (1)
8 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by delivering or distributing, or violates s. 961.41 (1m)
9 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by possessing with intent to deliver or distribute,
10 cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin,
11 psilocybin, amphetamine, methamphetamine, methcathinone or any form of
12 tetrahydrocannabinols or a controlled substance analog of any of these substances
13 and the delivery, distribution or possession takes place under any of the following
14 circumstances, the maximum term of imprisonment prescribed by law for that crime
15 may be increased by 5 years:

16 **SECTION 766.** 961.49 (2) of the statutes is repealed.

17 **SECTION 767.** 961.49 (3) of the statutes is repealed.

18 **SECTION 768.** 961.492 of the statutes is repealed.

19 **SECTION 769.** 961.55 (1) (d) 3. of the statutes is amended to read:

20 961.55 (1) (d) 3. A vehicle is not subject to forfeiture for a violation of s. 961.41
21 (3g) (b), (c), (d), ~~(dm)~~, (e) or (f); and

22 **SECTION 770.** 961.573 (3) of the statutes is amended to read:

23 961.573 (3) No person may use, or possess with the primary intent to use, drug
24 paraphernalia to manufacture, compound, convert, produce, process, prepare, test,
25 analyze, pack, repack or store methamphetamine or a controlled substance analog

ASSEMBLY BILL 3

1 of methamphetamine in violation of this chapter. Any person who violates this
2 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~
3 ~~years or both~~ is guilty of a Class H felony.

4 **SECTION 771.** 961.574 (3) of the statutes is amended to read:

5 961.574 (3) No person may deliver, possess with intent to deliver, or
6 manufacture with intent to deliver, drug paraphernalia, knowing that it will be
7 primarily used to manufacture, compound, convert, produce, process, prepare, test,
8 analyze, pack, repack or store methamphetamine or a controlled substance analog
9 of methamphetamine in violation of this chapter. Any person who violates this
10 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~
11 ~~years or both~~ is guilty of a Class H felony.

12 **SECTION 772.** 961.575 (3) of the statutes is amended to read:

13 961.575 (3) Any person 17 years of age or over who violates s. 961.574 (3) by
14 delivering drug paraphernalia to a person 17 years of age or under ~~may be fined not~~
15 ~~more than \$50,000 or imprisoned for not more than 10 years or both~~ is guilty of a
16 Class G felony.

17 **SECTION 773.** 967.04 (9) of the statutes is amended to read:

18 967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under
19 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken
20 under subs. (7) and (8) without an additional hearing under s. 908.08. In any
21 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the
22 hearing examiner may order and preside at the taking of a videotaped deposition
23 using the procedure provided in subs. (7) and (8) and may admit the videotaped
24 deposition into evidence without an additional hearing under s. 908.08.

25 **SECTION 774.** 968.255 (1) (a) 2. of the statutes is amended to read:

ASSEMBLY BILL 3

1 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20
2 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

3 **SECTION 775.** 968.31 (1) (intro.) of the statutes is amended to read:

4 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
5 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~
6 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
7 ~~or both~~ is guilty of a Class H felony:

8 **SECTION 776.** 968.34 (3) of the statutes is amended to read:

9 968.34 (3) Whoever knowingly violates sub. (1) ~~shall~~ may be fined not more
10 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

11 **SECTION 777.** 968.43 (3) of the statutes is amended to read:

12 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
13 ~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H
14 felony.

15 **SECTION 778.** 969.08 (10) (a) of the statutes is amended to read:

16 969.08 (10) (a) “Commission of a serious crime” includes a solicitation,
17 conspiracy or attempt, under s. 948.35, 1999 stats., or s. 939.30, 939.31, or 939.32 ~~or~~
18 ~~948.35~~, to commit a serious crime.

19 **SECTION 779.** 969.08 (10) (b) of the statutes is amended to read:

20 969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),
21 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,
22 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,
23 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,
24 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c),
25 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), (1m) or (1r),

ASSEMBLY BILL 3

1 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,
2 948.04, 948.05, 948.06, 948.07 or 948.30.

3 **SECTION 780.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and
4 amended to read:

5 971.17 (1) (a) *Felonies committed before the effective date of this paragraph*
6 *[revisor inserts date].* ~~When~~ Except as provided in par. (c), when a defendant is found
7 not guilty by reason of mental disease or mental defect of a felony committed before
8 the effective date of this paragraph [revisor inserts date], the court shall commit
9 the person to the department of health and family services for a specified period not
10 exceeding two-thirds of the maximum term of imprisonment that could be imposed
11 ~~under s. 973.15 (2) (a) against an offender convicted of the same crime or crimes~~
12 felony, including imprisonment authorized by ss. 346.65 (2) (f), (2j) (d) or (3m),
13 939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)
14 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, as applicable,
15 subject to the credit provisions of s. 973.155.

16 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~
17 imprisonment is a defendant is found not guilty by reason of mental disease or
18 mental defect of a felony that is punishable by life imprisonment, the commitment
19 period specified by the court may be life, subject to termination under sub. (5).

20 **SECTION 781.** 971.17 (1) (b) of the statutes is created to read:

21 971.17 (1) (b) *Felonies committed on or after the effective date of this paragraph*
22 *.... [revisor inserts date].* Except as provided in par. (c), when a defendant is found
23 not guilty by reason of mental disease or mental defect of a felony committed on or
24 after the effective date of this paragraph [revisor inserts date], the court shall
25 commit the person to the department of health and family services for a specified

ASSEMBLY BILL 3

1 period not exceeding the maximum term of confinement in prison that could be
2 imposed on an offender convicted of the same felony, plus imprisonment authorized
3 by any applicable penalty enhancement statutes, subject to the credit provisions of
4 s. 973.155.

5 **SECTION 782.** 971.17 (1) (d) of the statutes is created to read:

6 971.17 (1) (d) *Misdemeanors.* When a defendant is found not guilty by reason
7 of mental disease or mental defect of a misdemeanor, the court shall commit the
8 person to the department of health and family services for a specified period not
9 exceeding two-thirds of the maximum term of imprisonment that could be imposed
10 against an offender convicted of the same misdemeanor, including imprisonment
11 authorized by any applicable penalty enhancement statutes, subject to the credit
12 provisions of s. 973.155.

13 **SECTION 783.** 971.365 (1) (a) of the statutes is amended to read:

14 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
15 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations may
16 be prosecuted as a single crime if the violations were pursuant to a single intent and
17 design.

18 **SECTION 784.** 971.365 (1) (b) of the statutes is amended to read:

19 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
20 (1m) (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations
21 may be prosecuted as a single crime if the violations were pursuant to a single intent
22 and design.

23 **SECTION 785.** 971.365 (1) (c) of the statutes is amended to read:

24 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
25 (3g) (dm), 1999 stats., or s. 961.41 (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) involving more

ASSEMBLY BILL 3

1 than one violation, all violations may be prosecuted as a single crime if the violations
2 were pursuant to a single intent and design.

3 **SECTION 786.** 971.365 (2) of the statutes is amended to read:

4 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
5 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
6 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
7 or s. 961.41 (1) (cm), (d), (e), ~~(em)~~, (f), (g), or (h), (1m) (cm), (d), (e), ~~(em)~~, (f), (g), or (h)
8 or (3g) (a) 2. ~~(am)~~, (c), (d), ~~(dm)~~ or (e) on which no evidence was received at the trial
9 on the original charge.

10 **SECTION 787.** 972.15 (2c) of the statutes is amended to read:

11 972.15 (2c) If the defendant is subject to being sentenced under s. 973.01 and
12 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing
13 the presentence investigation report shall include in the report a recommendation
14 as to whether the defendant should be eligible for the challenge incarceration
15 program under s. 302.045.

16 **SECTION 788.** 973.01 (1) of the statutes is amended to read:

17 973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),
18 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
19 for a felony committed on or after December 31, 1999, or a misdemeanor committed
20 on or after the effective date of this subsection ... [revisor inserts date], the court
21 shall impose a bifurcated sentence that consists of a term of confinement in prison
22 followed by a term of extended supervision under s. 302.113 this section.

23 **SECTION 789.** 973.01 (2) (intro.) of the statutes is amended to read:

24 973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~
25 that a A bifurcated sentence is a sentence that consists of a term of confinement in

ASSEMBLY BILL 3

SECTION 789

1 prison followed by a term of extended supervision under s. 302.113. The total length
2 of a bifurcated sentence equals the length of the term of confinement in prison plus
3 the length of the term of extended supervision. An order imposing a bifurcated
4 sentence imposed under sub. (1) complies this section shall comply with all of the
5 following:

6 **SECTION 790.** 973.01 (2) (a) of the statutes is amended to read:

7 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
8 the total length of the bifurcated sentence may not exceed the maximum period of
9 imprisonment for the specified in s. 939.50 (3), if the crime is a classified felony, or
10 the maximum term of imprisonment provided by statute for the crime, if the crime
11 is not a classified felony, plus additional imprisonment authorized by any applicable
12 penalty enhancement statutes.

13 **SECTION 791.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

14 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*
15 (intro.) The portion of the bifurcated sentence that imposes a term of confinement
16 in prison may not be less than one year, ~~subject to any minimum sentence prescribed~~
17 ~~for the felony,~~ and, except as provided in par. (c), ~~may not exceed~~ is subject to
18 whichever of the following limits is applicable:

19 **SECTION 792.** 973.01 (2) (b) 2. of the statutes is repealed.

20 **SECTION 793.** 973.01 (2) (b) 3. of the statutes is amended to read:

21 973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may
22 not exceed ~~10~~ 25 years.

23 **SECTION 794.** 973.01 (2) (b) 4. of the statutes is amended to read:

24 973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may
25 not exceed ~~5~~ 15 years.

ASSEMBLY BILL 3

1 **SECTION 795.** 973.01 (2) (b) 5. of the statutes is amended to read:

2 973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may
3 not exceed 2 10 years.

4 **SECTION 796.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.
5 (intro.) and amended to read:

6 973.01 (2) (b) 10. (intro.) For any felony crime other than a felony specified in
7 subds. 1. to 5. one of the following, the term of confinement in prison may not exceed
8 75% of the total length of the bifurcated sentence.;

9 **SECTION 797.** 973.01 (2) (b) 6m. of the statutes is created to read:

10 973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may
11 not exceed 7 years and 6 months.

12 **SECTION 798.** 973.01 (2) (b) 7. of the statutes is created to read:

13 973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may
14 not exceed 5 years.

15 **SECTION 799.** 973.01 (2) (b) 8. of the statutes is created to read:

16 973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may
17 not exceed 3 years.

18 **SECTION 800.** 973.01 (2) (b) 9. of the statutes is created to read:

19 973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not
20 exceed one year and 6 months.

21 **SECTION 801.** 973.01 (2) (b) 10. a. and b. of the statutes are created to read:

22 973.01 (2) (b) 10. a. A felony specified in subds. 1. to 9.

23 b. An attempt to commit a classified felony if the attempt is punishable under
24 s. 939.32 (1) (intro.).

ASSEMBLY BILL 3

SECTION 802

1 **SECTION 802.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and
2 amended to read:

3 973.01 (2) (c) 1. The Subject to the minimum period of extended supervision
4 required under par. (d), the maximum term of confinement in prison specified in par.
5 (b) may be increased by any applicable penalty enhancement statute. If the
6 maximum term of confinement in prison specified in par. (b) is increased under this
7 paragraph, the total length of the bifurcated sentence that may be imposed is
8 increased by the same amount.

9 **SECTION 803.** 973.01 (2) (c) 2. of the statutes is created to read:

10 973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes
11 apply to a crime, the court shall apply them in the order listed in calculating the
12 maximum term of imprisonment for that crime:

- 13 a. Sections 939.621, 939.632, 939.645, 961.46, and 961.49.
14 b. Section 939.63.
15 c. Section 939.62 (1) or 961.48.

16 **SECTION 804.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)
17 and amended to read:

18 973.01 (2) (d) *Minimum and maximum term of extended supervision.* (intro.)
19 The term of extended supervision ~~that follows the term of confinement in prison~~ may
20 not be less than 25% of the length of the term of confinement in prison imposed under
21 par. (b)- and, for a classified felony, is subject to whichever of the following limits is
22 applicable:

23 **SECTION 805.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

24 973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not
25 exceed 20 years.

ASSEMBLY BILL 3

1 2. For a Class C felony, the term of extended supervision may not exceed 15
2 years.

3 3. For a Class D felony, the term of extended supervision may not exceed 10
4 years.

5 4. For a Class E, F, or G felony, the term of extended supervision may not exceed
6 5 years.

7 5. For a Class H felony, the term of extended supervision may not exceed 3
8 years.

9 6. For a Class I felony, the term of extended supervision may not exceed 2 years.

10 **SECTION 806.** 973.01 (4) of the statutes is amended to read:

11 973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
12 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
13 confinement in prison portion of the sentence without reduction for good behavior.
14 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
15 and, if applicable, to reduction under s. 302.045 (3m), or 302.113 (9g).

16 **SECTION 807.** 973.01 (6) of the statutes is amended to read:

17 973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under
18 sub. (1) is not eligible for release on parole under that sentence.

19 **SECTION 808.** 973.0135 (1) (b) 2. of the statutes is amended to read:

20 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
21 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
22 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
23 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
24 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
25 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

ASSEMBLY BILL 3

1 SECTION 809. 973.017 of the statutes is created to read:

2 973.017 Bifurcated sentences; use of guidelines; consideration of
3 aggravating and mitigating factors. (1) DEFINITION. In this section, "sentencing
4 decision" means a decision as to whether to impose a bifurcated sentence under s.
5 973.01 or place a person on probation and a decision as to the length of a bifurcated
6 sentence, including the length of each component of the bifurcated sentence, the
7 amount of a fine, and the length of a term of probation.

8 (2) GENERAL REQUIREMENT. When a court makes a sentencing decision
9 concerning a person convicted of a criminal offense committed on or after the
10 effective date of this subsection [revisor inserts date], the court shall consider all
11 of the following:

12 (a) If the offense is a felony, the sentencing guidelines adopted by the
13 sentencing commission under s. 973.30 or, if the sentencing commission has not
14 adopted a guideline for the offense, any applicable temporary sentencing guideline
15 adopted by the criminal penalties study committee created under 1997 Wisconsin
16 Act 283.

17 (b) Any applicable mitigating factors and any applicable aggravating factors,
18 including the aggravating factors specified in subs. (3) to (8).

19 (3) AGGRAVATING FACTORS; GENERALLY. When making a sentencing decision for
20 any crime, the court shall consider all of the following as aggravating factors:

21 (a) The fact that the person committed the crime while his or her usual
22 appearance was concealed, disguised, or altered, with the intent to make it less likely
23 that he or she would be identified with the crime.

24 (b) The fact that the person committed the crime using information that was
25 disclosed to him or her under s. 301.46.

INS cm
17 1/9/16

ASSEMBLY BILL 3

1 (c) The fact that the person committed the crime for the benefit of, at the
2 direction of, or in association with any criminal gang, as defined in s. 939.22 (9), with
3 the specific intent to promote, further, or assist in any criminal conduct by criminal
4 gang members, as defined in s. 939.22 (9g).

5 (d) The fact that the person committed the felony while wearing a vest or other
6 garment designed, redesigned, or adapted to prevent bullets from penetrating the
7 garment.

8 (e) 1. Subject to subd. 2., the fact that the person committed the felony with the
9 intent to influence the policy of a governmental unit or to punish a governmental unit
10 for a prior policy decision, if any of the following circumstances also applies to the
11 felony committed by the person:

12 a. The person caused bodily harm, great bodily harm, or death to another.

13 b. The person caused damage to the property of another and the total property
14 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.
15 b., property is reduced in value by the amount that it would cost either to repair or
16 to replace it, whichever is less.

17 c. The person used force or violence or the threat of force or violence.

18 2. a. In this subdivision, "labor dispute" includes any controversy concerning
19 terms, tenure, or conditions of employment or concerning the association or
20 representation of persons in negotiating, fixing, maintaining, changing, or seeking
21 to arrange terms or conditions of employment, regardless of whether the disputants
22 stand in the proximate relation of employer and employee.

23 b. Subdivision 1. does not apply to conduct arising out of or in connection with
24 a labor dispute.

ASSEMBLY BILL 3

1 (4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH
2 CERTAIN DISEASES. (a) In this subsection:

3 1. "HIV" means any strain of human immunodeficiency virus, which causes
4 acquired immunodeficiency syndrome.

5 2. "Serious sex crime" means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2),
6 or 948.025.

7 3. "Sexually transmitted disease" means syphilis, gonorrhea, hepatitis B,
8 hepatitis C, or chlamydia.

9 4. "Significantly exposed" means sustaining a contact which carries a potential
10 for transmission of a sexually transmitted disease or HIV by one or more of the
11 following:

12 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;
13 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
14 amniotic fluid; or other body fluid that is visibly contaminated with blood.

15 b. Exchange, during the accidental or intentional infliction of a penetrating
16 wound, including a needle puncture, of blood; semen; vaginal secretions;
17 cerebrospinal, synovial, pleural, peritoneal, pericardial, or amniotic fluid; or other
18 body fluid that is visibly contaminated with blood.

19 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where
20 a significant breakdown in the epidermal barrier has occurred, of blood; semen;
21 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
22 amniotic fluid; or other body fluid that is visibly contaminated with blood.

23 (b) When making a sentencing decision concerning a person convicted of a
24 serious sex crime, the court shall consider as an aggravating factor the fact that the
25 serious sex crime was committed under all of the following circumstances:

ASSEMBLY BILL 3

1 1. At the time that he or she committed the serious sex crime, the person
2 convicted of committing the serious sex crime had a sexually transmitted disease or
3 acquired immunodeficiency syndrome or had had a positive test for the presence of
4 HIV, antigen, or nonantigenic products of HIV or an antibody to HIV.

5 2. At the time that he or she committed the serious sex crime, the person
6 convicted of committing the serious sex crime knew that he or she had a sexually
7 transmitted disease or acquired immunodeficiency syndrome or that he or she had
8 had a positive test for the presence of HIV, antigen, or nonantigenic products of HIV
9 or an antibody to HIV.

10 3. The victim of the serious sex crime was significantly exposed to HIV or to the
11 sexually transmitted disease, whichever is applicable, by the acts constituting the
12 serious sex crime.

13 **(5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON.** (a)
14 In this subsection:

15 1. "Elder person" means any individual who is 62 years of age or older.

16 2. "Violent felony" means any felony under s. 940.19 (2), (4), (5), or (6), 940.225
17 (1), (2), or (3), 940.23, or 943.32.

18 (b) When making a sentencing decision concerning a person convicted of a
19 violent felony, the court shall consider as an aggravating factor the fact that the
20 victim of the violent felony was an elder person. This paragraph applies even if the
21 person mistakenly believed that the victim had not attained the age of 62 years.

22 **(6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN**
23 **PERSONS.** (a) In this subsection, "person responsible for the welfare the child"
24 includes the child's parent, stepparent, guardian, foster parent, or treatment foster
25 parent; an employee of a public or private residential home, institution, or agency;

ASSEMBLY BILL 3

1 any other person legally responsible for the child's welfare in a residential setting;
2 or a person employed by one who is legally responsible for the child's welfare to
3 exercise temporary control or care for the child.

4 (b) When making a sentencing decision concerning a person convicted of a
5 violation of s. 948.02 (1) or (2), 948.025 (1), or 948.03 (2) or (3), the court shall consider
6 as an aggravating factor the fact that the person was a person responsible for the
7 welfare of the child who was the victim of the violation.

8 (7) **AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.**
9 When making a sentencing decision concerning a person convicted of a violation of
10 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact
11 that, at the time of the violation, there was a minor passenger under 16 years of age
12 or an unborn child in the person's motor vehicle.

13 (8) **AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES.** (a) *Distribution*
14 *or delivery to prisoners.* 1. In this paragraph, "precinct" means a place where any
15 activity is conducted by a prison, jail, or house of correction.

16 2. When making a sentencing decision concerning a person convicted of
17 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the
18 fact that the violation involved delivering, distributing, or possessing with intent to
19 deliver or distribute a controlled substance or controlled substance analog to a
20 prisoner within the precincts of any prison, jail, or house of correction.

21 (b) *Distribution or delivery on public transit vehicles.* When making a
22 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m),
23 the court shall consider as an aggravating factor the fact that the violation involved
24 delivering, distributing, or possessing with intent to deliver or distribute a controlled
25 substance included in schedule I or II or a controlled substance analog of any

1 controlled substance included in schedule I or II and that the person knowingly used
2 a public transit vehicle during the violation.

3 (9) AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME. The aggravating factors
4 listed in this section are not elements of any crime. A prosecutor is not required to
5 charge any aggravating factor or otherwise allege the existence of an aggravating
6 factor in any pleading for a court to consider the aggravating factor when making a
7 sentencing decision.

8 (10) USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL. The requirement
9 under sub. (2) (a) that a court consider sentencing guidelines adopted by the
10 sentencing commission or the criminal penalties study committee does not require
11 a court to make a sentencing decision that is within any range or consistent with a
12 recommendation specified in the guidelines, and there is no right to appeal a court's
13 sentencing decision based on the court's decision to depart in any way from any
14 guideline. In any appeal from a court's sentencing decision, the appellate court may
✓ 15 reverse the sentencing decision only if it determines that the sentencing court
erroneously exercised its discretion in making the sentencing decision.

NSCM 16
95-16 17

18 SECTION 810. 973.03 (3) (e) 1. and 2. of the statutes are amended to read:
19 973.03 (3) (e) 1. A crime which is a Class A ~~or~~ B, or C felony.
20 2. A crime which is a Class ~~C~~ D, E, F, or G felony listed in s. 969.08 (10) (b), but
not including any crime specified in s. 943.10.

21 SECTION 811. 973.03 (3) (e) 3. of the statutes is repealed.

22 SECTION 812. 973.032 (4) (c) 2. of the statutes is amended to read:
23 973.032 (4) (c) 2. The person is sentenced for the escape under ~~s. 946.42 (4) (b)~~
24 to a sentence of imprisonment concurrent with the sentence to the intensive
✓ 25 sanctions program.

INSERT 195-25 →

ASSEMBLY BILL 3**SECTION 813**

1 **SECTION 813.** 973.09 (2) (b) 1. of the statutes is amended to read:

2 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one
3 year nor more than either the statutory maximum term of imprisonment
4 confinement in prison for the crime or 3 years, whichever is greater.

5 **SECTION 814.** 973.15 (2m) of the statutes is created to read:

6 973.15 (2m) (a) *Definitions.* In this subsection:

7 1. “Determinate sentence” means a bifurcated sentence imposed under s.
8 973.01 or a life sentence under which a person is eligible for release to extended
9 supervision under s. 973.014 (1g) (a) 1. or 2.

10 2. “Indeterminate sentence” means a sentence to the Wisconsin state prisons
11 other than one of the following:

12 a. A determinate sentence.

13 b. A sentence under which the person is not eligible for release on parole under
14 s. 939.62 (2m) (c) or 973.014 (1) (c).

15 3. “Period of confinement in prison,” with respect to any sentence to the
16 Wisconsin state prisons, means any time during which a person is incarcerated
17 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113
18 (3), or 302.114 (3) and any period of confinement in prison required to be served under
19 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

20 (b) *Determinate sentences imposed to run concurrent with or consecutive to*
21 *determinate sentences.* 1. If a court provides that a determinate sentence is to run
22 concurrent with another determinate sentence, the person sentenced shall serve the
23 periods of confinement in prison under the sentences concurrently and the terms of
24 extended supervision under the sentences concurrently.

ASSEMBLY BILL 3

1 2. If a court provides that a determinate sentence is to run consecutive to
2 another determinate sentence, the person sentenced shall serve the periods of
3 confinement in prison under the sentences consecutively and the terms of extended
4 supervision under the sentences consecutively and in the order in which the
5 sentences have been pronounced.

6 (c) *Determinate sentences imposed to run concurrent with or consecutive to*
7 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run
8 concurrent with an indeterminate sentence, the person sentenced shall serve the
9 period of confinement in prison under the determinate sentence concurrent with the
10 period of confinement in prison under the indeterminate sentence and the term of
11 extended supervision under the determinate sentence concurrent with the parole
12 portion of the indeterminate sentence.

13 2. If a court provides that a determinate sentence is to run consecutive to an
14 indeterminate sentence, the person sentenced shall serve the period of confinement
15 in prison under the determinate sentence consecutive to the period of confinement
16 in prison under the indeterminate sentence and the parole portion of the
17 indeterminate sentence consecutive to the term of extended supervision under the
18 determinate sentence.

19 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*
20 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run
21 concurrent with a determinate sentence, the person sentenced shall serve the period
22 of confinement in prison under the indeterminate sentence concurrent with the
23 period of confinement in prison under the determinate sentence and the parole
24 portion of the indeterminate sentence concurrent with the term of extended
25 supervision required under the determinate sentence.

ASSEMBLY BILL 3

1 2. If a court provides that an indeterminate sentence is to run consecutive to
2 a determinate sentence, the person sentenced shall serve the period of confinement
3 in prison under the indeterminate sentence consecutive to the period of confinement
4 in prison under the determinate sentence and the parole portion of the
5 indeterminate sentence consecutive to the term of extended supervision under the
6 determinate sentence.

7 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent
8 determinate sentences and extended supervision is revoked in each case, or if a
9 person is serving a determinate sentence concurrent with an indeterminate sentence
10 and both extended supervision and parole are revoked, the person shall concurrently
11 serve any periods of confinement in prison required under those sentences under s.
12 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

13 **SECTION 815.** 973.155 (1) (b) of the statutes is amended to read:

14 973.155 (1) (b). The categories in par. (a) include custody of the convicted
15 offender which is in whole or in part the result of a probation, extended supervision
16 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed
17 upon the person for the same course of conduct as that resulting in the new
18 conviction.

19 **SECTION 816.** 973.30 of the statutes is created to read:

20 **973.30 Sentencing commission. (1) DUTIES.** The sentencing commission
21 shall do all of the following:

22 (a) Select an executive director having appropriate training and experience to
23 study sentencing practices and prepare proposed sentencing guidelines.

24 (b) Monitor and compile data regarding sentencing practices in the state.

ASSEMBLY BILL 3

1 (c) Adopt advisory sentencing guidelines for felonies committed on or after the
2 effective date of this paragraph [revisor inserts date], to promote public safety, to
3 reflect changes in sentencing practices and to preserve the integrity of the criminal
4 justice and correctional systems.

5 (d) Provide information to the legislature, state agencies, and the public
6 regarding the costs to and other needs of the department which result from
7 sentencing practices.

8 (e) Provide information to judges and lawyers about the sentencing guidelines.

9 (f) Publish and distribute to all circuit judges hearing criminal cases an annual
10 report regarding its work, which shall include all sentencing guidelines and all
11 changes in existing sentencing guidelines adopted during the 12 months preceding
12 the report.

13 (g) Study whether race is a basis for imposing sentences in criminal cases and
14 submit a report and recommendations on this issue to the governor, to each house
15 of the legislature under s. 13.172 (2), and to the supreme court.

16 (h) Assist the legislature in assessing the cost of enacting new or revising
17 existing statutes affecting criminal sentencing.

18 (i) At least semiannually, submit reports to all circuit judges, and to the chief
19 clerk of each house of the legislature for distribution to the appropriate standing
20 committees under s. 13.172 (3), containing statistics regarding criminal sentences
21 imposed in this state. Each report shall have a different focus and need not contain
22 statistics regarding every crime. Each report shall contain information regarding
23 sentences imposed statewide and in each of the following geographic areas:

24 1. Milwaukee County.

25 2. Dane and Rock counties.

- 1 3. Brown, Outagamie, Calumet, and Winnebago counties.
- 2 4. Racine and Kenosha counties.
- 3 5. All other counties.
- 4 (j) Study how sentencing options affect various types of offenders and offenses.
- 5 (2) STAFF. Subject to authorization under s. 16.505, the sentencing commission
- 6 may hire staff to assist it in the performance of its duties.
- 7 (3) SUNSET. This section does not apply after December 31, 2006. ✓ (7)

8 **SECTION 817.** 977.05 (4) (jm) of the statutes is created to read:
9 977.05 (4) (jm) At the request of an inmate determined by the state public
10 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent
11 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113
12 (9g) before a program review committee and the sentencing court, if the state public
13 defender determines the case should be pursued.

14 **SECTION 818.** 977.06 (2) (b) of the statutes is amended to read:
15 977.06 (2) (b) A person who makes a false representation that he or she does
16 not believe is true for purposes of qualifying for assignment of counsel ~~shall be fined~~
17 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
18 is guilty of a Class I felony.

NS
200/18
19

19 **SECTION 819.** 978.13 (1) (c) of the statutes is amended to read:
20 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
21 fringe benefit costs of clerk positions in the district attorney's office necessary for the
22 prosecution of violent crime cases primarily involving felony violations under s.
23 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
24 940.06, 940.225, 943.23 (1g), ~~(1m)~~ and ~~(1r)~~ and 943.32 (2). The state treasurer shall
25 pay the amount authorized under this paragraph to the county treasurer pursuant

Subsection ✓

1 to a voucher submitted by the district attorney to the secretary of administration
2 from the appropriation under s. 20.475 (1) (i). ~~The amount paid under this paragraph~~
3 ~~may not exceed \$94,400 in the 1999-2000 fiscal year and \$97,200 in the 2000-01~~
4 ~~fiscal year.~~ (strike)

(NS
201/4

5 SECTION 820. 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:
6 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~
7 The committee shall submit a report of its findings and recommendations to the
8 legislature in the manner provided under section 13.172 (2) of the statutes and to the
9 governor. The report shall include any proposed legislation that is necessary to
10 implement the recommendations made by the committee in its report.

11 SECTION 9101. Nonstatutory provisions; administration.

12 (1) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (27)
13 (c) 1. of the statutes, as created by this act, the initial members of the sentencing
14 commission shall be appointed for the following terms:

15 (a) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
16 created by this act, one of whom is not employed by any unit of federal, state, or local
17 government, one circuit judge, and one district attorney, for terms expiring on
18 January 1, 2004. (4)

19 (b) Three members appointed under section 15.105 (27) (a) 3. of the statutes,
20 as created by this act, one of whom is not employed by any unit of federal, state, or
21 local government, and one circuit judge, for terms expiring on January 1, 2004. (5)

22 (c) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
23 created by this act, ~~the member appointed under section 15.105 (27) (a) 5. of the~~
24 ~~statutes, as created by this act,~~ one representative of crime victims, and one attorney
25 in private practice, for terms expiring on January 1, 2004. (6)

ASSEMBLY BILL 3

1 and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025
 2 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1),
 3 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes;
 4 the amendment of sections 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69
 5 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971
 6 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03
 7 (3) (d), ^{49.795}49.127 (8) (a) 2., ^{49.795}49.127 (8) (b) 2., ⁷⁹⁵49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b),
 8 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1)
 9 (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), ^{49.688(9)(c)}51.15 (12),
 10 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83
 11 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2),
 12 100.26 (5), 100.26 (7), ^{101.10(4)(b)}101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),
 13 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 114.20 (18) (c), 125.085 (3) (a) 2.,
 14 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1),
 15 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1),
 16 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3),
 17 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b),
 18 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93,
 19 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.),
 20 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b)
 21 (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.45 (6) (a) 2., 302.095 (2), 341.605
 22 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32
 23 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1)
 24 (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.),
 25 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d),

49.688(9)(b),

ASSEMBLY BILL 3**SECTION 9359**

1 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19
2 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4),
3 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.),
4 767.242 (8), 768.07, 783.07, 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355
5 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32
6 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e),
7 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.623 (2), 939.624 (2),
8 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.),
9 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08
10 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12,
11 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.),
12 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2),
13 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7)
14 (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.),
15 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b),
16 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b)
17 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b)
18 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30,
19 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2)
20 (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45
21 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21,
22 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g),
23 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2)
24 (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3)
25 (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3.,

ASSEMBLY BILL 3

LRB-1428/2
MGD:all:kjf
SECTION 9359

961.41 (i) (hm) (intro.)
961.41 (1) (hm) 1.,
961.41 (1) (hm) 2.,
961.41 (1) (hm) 3.,
961.41 (1) (hm) 4.,

961.41 (1) (im) (intro.),
961.41 (1) (im) 1.,
961.41 (1) (im) 2.,
961.41 (1) (im) 3.,
961.41 (1) (im) 4.,

1 (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1), 946.85 (1),
 2 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03
 3 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03
 4 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05
 5 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2)
 6 (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21 (1),
 7 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1)
 8 (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60
 9 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a),
 10 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41
 11 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2.,
 12 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41
 13 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1.,
 14 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f)
 15 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1)
 16 (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41
 17 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m)
 18 (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m)
 19 (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d)
 20 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2.,
 21 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41
 22 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m)
 23 (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h)
 24 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2)
 25 (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d), 961.41 (3g) (b),

961.41 (1m) (hm) (intro.),
961.41 (1m) (hm) 1.,
961.41 (1m) (hm) 2.,
961.41 (1m) (hm) 3.,
961.41 (1m) (hm) 4.,

961.41 (1m) (im) (intro.),
961.41 (1m) (im) 1.,
961.41 (1m) (im) 2.,
961.41 (1m) (im) 3.,
961.41 (1m) (im) 4.,

ASSEMBLY BILL 3

1 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42
 2 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2),
 3 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3),
 4 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)
 5 (b), 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01
 6 (2) (b) 4., 973.01 (2) (b) 5., 973.03 (3) (e) 1. and 2., 973.09 (2) (b) 1., and 977.06 (2) (b)
 7 of the statutes; the repeal and recreation of sections 944.15 (title) ~~961.41 (1) (m) and~~
 8 ~~961.41 (1m) (m)~~ of the statutes; and the creation of sections 49.95 (1) (e) and (f),
 9 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32
 10 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h),
 11 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c),
 12 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), ~~943.61 (5) (bf), 943.62 (4) (bf)~~,
 13 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm),
 14 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m)
 15 (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7.,
 16 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01
 17 (2) (d) 1. to 6., and 973.017 of the statutes first apply to offenses committed on the
 18 effective date of this subsection.

19 (2) RETURNING PERSONS TO PRISON UPON REVOCATION. The treatment of sections
 20 302.113 (9) (a), (at), (b), (c), and (g) and 302.114 (9) (a), (b), (bm), and (f) of the statutes
 21 first applies to persons who are the subjects of extended supervision revocation
 22 proceedings that are commenced by the department of corrections on the effective
 23 date of this subsection.

ASSEMBLY BILL 3

1 (3) CONCURRENT AND CONSECUTIVE SENTENCES. The treatment of section 973.15
2 (2m) of the statutes first applies to persons sentenced for crimes committed on the
3 effective date of this subsection.

4 ~~SECTION 9400. Effective dates; general. Except as otherwise provided in~~
5 ~~SECTIONS 9432 and 9459 of this act, this act takes effect on the day after publication.~~

6 SECTION 9432. Effective dates; legislature. ✓

7 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. (The treatment of section
8 13.525 (5) and (5m) ✓ of the statutes and SECTION 9332 (1) of this act take effect on January 1,

2002. (3)

9 SECTION 9459. Effective dates; other.

10 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32

11 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),

12 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195

13 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),

14 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605

15 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1)

16 (e) 6., 961.41 (1) (em), 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41

17 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41

18 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2),

19 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3. of the

20 statutes; the renumbering of section 351.07 (2) (a) of the statutes; the renumbering

21 and amendment of sections 49.95 (1), 125.075 (2), 302.113 (9) (a), 302.114 (9) (a),

22 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m)

23 (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01

24 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections 6.18, 11.61 (1) (a),

961.41 (1) (hm) 5.,
961.41 (1) (hm) 6.,
961.41 (1) (im) 5.,
961.41 (1) (im) 6.,

961.41 (1m) (hm) 5.,
961.41 (1m) (hm) 6.,
961.41 (1m) (im) 5.,
961.41 (1m) (im) 6.,

INSERT
A/2001/9
A/10

a.s.

943.70 (2) (b) 3.

ASSEMBLY BILL 3

- 1 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971
- 2 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c),
- 3 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m)
- 4 (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2., 48.685 (5) (bm)
- 5 3., 48.685 (5) (bm) 4., ~~49.127~~^{49.795} (8) (a) 2., ~~49.127~~^{49.795} (8) (b) 2., ~~49.127~~⁷⁹⁵ (8) (c), 49.141 (7) (a),
- 6 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n)
- 7 (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), ~~49.688~~^{49.688} (9) (c), 49.49 (4) (b),
- 8 50.065 (1) (e) 1., 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1)
- 9 (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b),
- 10 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), ~~101.10~~^{101.10} (4) (b), 101.143 (10) (b), 101.9204 (2),
- 11 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07
- 12 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b),
- 13 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05
- 14 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),
- 15 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9)
- 16 (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3),
- 17 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21
- 18 (2), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004
- 19 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53
- 20 (4) (c) 2., 301.048 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11
- 21 (1g) (a) 2., 302.11 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b),
- 22 302.114 (9) (bm), 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b),
- 23 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a),
- 24 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175
- 25 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2)

49.688
(9)(b),

5

49.795 49.795 795
~~49.127~~ (8) (a) 2., ~~49.127~~ (8) (b) 2., ~~49.127~~ (8) (c),
~~49.688~~ (9) (c),

101.10 (4) (b),

ASSEMBLY BILL 3**SECTION 9459**

1 (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,
2 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),
3 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),
4 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07,
5 908.08 (1), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3.,
6 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.),
7 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7)
8 (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m)
9 (a) 2m. b., 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72
10 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4),
11 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1),
12 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2),
13 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195
14 (6), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20
15 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.),
16 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.),
17 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1),
18 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b)
19 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b)
20 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1)
21 (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3)
22 (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1),
23 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2)
24 (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3),
25 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2),

1 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1.,
2 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37
3 (4), 941.38 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2g) (intro.), 943.011 (2)
4 (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017
5 (2) (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2),
6 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, ~~943.20 (3) (c), 943.20 (3) (d)~~
7 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d)
8 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208
9 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (b), 943.23 (1g), 943.23
10 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25 (1), 943.25 (2) (intro.),
11 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3),
12 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), ~~943.33, 943.34~~
13 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.),
14 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4)
15 (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., ~~943.50 (4) (c), 943.60 (1), 943.61 (5) (c), 943.62 (4)~~
16 ~~943.50 (4) (c), 943.60 (1), 943.61 (5) (c), 943.62 (4)~~
17 (c), 943.70 (2) (b) 2., ~~943.70 (2) (b) 2., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b)~~
18 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06, 944.16 (intro.),
19 ~~944.205 (2) (intro.)~~ 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.),
20 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1)
21 (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.),
22 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.),
23 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m)
24 (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.),
25 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2),

943.70(2)(b)39, 943.70(2)(b)39,

3

6

12

15

16

17

18

19

943.01(2)(intro.),

943.01(2a)(b)(intro.),

943.20(3)(c), 943.20(3)(d)

943.33, 943.34

943.50(4)(c), 943.60(1), 943.61(5)(c), 943.62(4)

943.70(2)(c)1.,

943.76(2)(a), 943.76(2)(b),

ASSEMBLY BILL 3

961.41 (1) (hm) (intro.) - 212
 961.41 (1) (hm) 1.,
 961.41 (1) (hm) 2.,
 961.41 (1) (hm) 3.,
 961.41 (1) (hm) 4.,
 961.41 (1) (im) (intro.)
 961.41 (1) (im) 1.,
 961.41 (1) (im) 2.,
 961.41 (1) (im) 3.,
 961.41 (1) (im) 4.

1 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r)
 2 (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82
 3 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015,
 4 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03
 5 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1)
 6 (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07
 7 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.),
 8 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.),
 9 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40
 10 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a),
 11 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1),
 12 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm)
 13 (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.),
 14 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e)
 15 (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1)
 16 (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.),
 17 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1)
 18 (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m)
 19 (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm)
 20 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d)
 21 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.),
 22 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m)
 23 (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g)
 24 (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h)
 25 (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i),

948.12 (2m) (intro.)

961.41 (1m) (hm) (intro.)
 961.41 (1m) (hm) 1.
 961.41 (1m) (hm) 2.
 961.41 (1m) (hm) 3.
 961.41 (1m) (hm) 4.

ASSEMBLY BILL 3

- 213 -

961.41 (1m)(im)(intro.),
961.41 (1m)(im) 1.,
961.41 (1m)(im) 2-3
961.41 (1m)(im) 3-1
961.41 (1m)(im) 4-1

LRB-1428/2
MGD:all:kjf
SECTION 9459

1 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2)
2 (a), 961.41 (2) (b), 961.41 (2) (cm) ^(title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c), 961.41
3 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43 (2),
4 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a),
5 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 967.04 (9), 968.255
6 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b),
7 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2)
8 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01
9 (2) (b) 5., 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.09 (2) (b)
10 1., 977.06 (2) (b) ^{978.13 (1) (intro.), 978.13 (1) (b),} and 978.13 (1) (c) of the statutes; the repeal and recreation of sections
11 944.15 (title) ^{and 978.13 (1) (d)} 961.41 (1) (im) and 961.41 (1m) (im) of the statutes; the creation of
12 sections 49.95 (1) (e) and (f), 125.075 (2) (b), 302.113 (7m), 302.113 (9) (ag), 302.113
13 (9) (at), 302.113 (9) (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114 (9) (ag),
14 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17 (2t),
15 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50
16 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50
17 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50
18 (4) (bm), ^{(bf) and} 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2)
19 (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h)
20 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48
21 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9.,
22 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.017, ^{and 978.13 (1m)} 973.15
23 (2m) ^{a.s.} of the statutes; and SECTION 9359 (1), (2), and (3) of this act take effect on the
24 first day of the 7th month beginning after publication.