

1 (c) The court may conduct a hearing to consider the petition. The court may  
2 grant the petition in full or in part if it determines that the modification would meet  
3 the needs of the department and the public and would be consistent with the  
4 objectives of the person's sentence.

5 (d) A person subject to this section or the department may appeal an order  
6 entered by the court under this subsection. The appellate court may reverse the  
7 order only if it determines that the sentencing court erroneously exercised its  
8 discretion in granting or denying the petition.

9 (e) 1. An inmate may not petition the court to modify the conditions of extended  
10 supervision earlier than one year before the date of the inmate's scheduled date of  
11 release to extended supervision or more than once before the inmate's release to  
12 extended supervision.

13 2. A person subject to this section may not petition the court to modify the  
14 conditions of extended supervision within one year after the inmate's release to  
15 extended supervision. If a person subject to this section files a petition authorized  
16 by this subsection after his or her release from confinement, the person may not file  
17 another petition until one year after the date of filing the former petition.

18 **SECTION 396.** 302.113 (8m) of the statutes is created to read:

19 302.113 (8m) (a) Every person released to extended supervision under this  
20 section remains in the legal custody of the department. If the department alleges  
21 that any condition or rule of extended supervision has been violated by the person,  
22 the department may take physical custody of the person for the investigation of the  
23 alleged violation.

24 (b) If a person released to extended supervision under this section signs a  
25 statement admitting a violation of a condition or rule of extended supervision, the

1 department may, as a sanction for the violation, confine the person for up to 90 days  
2 in a regional detention facility or, with the approval of the sheriff, in a county jail.

3 If the department confines the person in a county jail under this paragraph, the  
4 department shall reimburse the county for its actual costs in confining the person  
5 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
6 the person is not eligible to earn good time credit on any period of confinement  
7 imposed under this subsection.

8 **SECTION 397.** 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and  
9 amended to read:

10 302.113 (9) (am) If a person released to extended supervision under this section  
11 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
12 ~~the department of administration, upon proper notice and hearing, or the~~  
13 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
14 reviewing authority may revoke the extended supervision of the person and return  
15 the person to prison. If the extended supervision of the person is revoked, the person  
16 shall be returned to the circuit court for the county in which the person was convicted  
17 of the offense for which he or she was on extended supervision, and the court shall  
18 order the person to be returned to prison, he or she shall be returned to prison for any  
19 specified period of time that does not exceed the time remaining on the bifurcated  
20 sentence. The time remaining on the bifurcated sentence is the total length of the  
21 bifurcated sentence, less time served by the person in custody confinement under the  
22 sentence before release to extended supervision under sub. (2) and less all time  
23 served in confinement for previous revocations of extended supervision under the  
24 sentence. The ~~revocation~~ court order returning a person to prison under this

1 paragraph shall provide the person ~~on~~ whose extended supervision was revoked with  
2 credit in accordance with ss. 304.072 and 973.155.

3 **SECTION 398.** 302.113 (9) (ag) of the statutes is created to read:

4 302.113 (9) (ag) In this subsection “reviewing authority” means the division of  
5 hearings and appeals in the department of administration, upon proper notice and  
6 hearing, or the department of corrections, if the person on extended supervision  
7 waives a hearing.

8 **SECTION 399.** 302.113 (9) (at) of the statutes is created to read:

9 302.113 (9) (at) When a person is returned to court under par. (am) after  
10 revocation of extended supervision, the reviewing authority shall make a  
11 recommendation to the court concerning the period of time for which the person  
12 should be returned to prison. The recommended time period may not exceed the time  
13 remaining on the bifurcated sentence, as calculated under par. (am).

14 **SECTION 400.** 302.113 (9) (b) of the statutes is amended to read:

15 302.113 (9) (b) A person who is returned to prison after revocation of extended  
16 supervision shall be incarcerated for the entire period of time specified by the  
17 ~~department of corrections in the case of a waiver or by the division of hearings and~~  
18 ~~appeals in the department of administration in the case of a hearing court~~ under par.  
19 (a) (am). The period of time specified under par. (a) (am) may be extended in  
20 accordance with sub. (3). If a person is returned to prison under par. (am) for a period  
21 of time that is less than the time remaining on the bifurcated sentence, the person  
22 shall be released to extended supervision after he or she has served the period of time  
23 specified by the court under par. (am) and any periods of extension imposed in  
24 accordance with sub. (3).

25 **SECTION 401.** 302.113 (9) (c) of the statutes is amended to read:

1           302.113 (9) (c) A person who is subsequently released to extended supervision  
2 after service of the period of time specified by the ~~department of corrections in the~~  
3 ~~case of a waiver or by the division of hearings and appeals in the department of~~  
4 ~~administration in the case of a hearing court~~ under par. (a) (am) is subject to all  
5 conditions and rules under sub. ~~subs. (7) and, if applicable, (7m)~~ until the expiration  
6 of the ~~term of remaining~~ extended supervision portion of the bifurcated sentence.  
7 The remaining extended supervision portion of the bifurcated sentence is the total  
8 length of the bifurcated sentence, less the time served by the person in confinement  
9 under the bifurcated sentence before release to extended supervision under sub. (2)  
10 and less all time served in confinement for previous revocations of extended  
11 supervision under the bifurcated sentence.

12           **SECTION 402.** 302.113 (9) (d) of the statutes is created to read:

13           302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a  
14 person has served in confinement before release to extended supervision and the  
15 amount of time a person has served in confinement for a revocation of extended  
16 supervision includes any extensions imposed under sub. (3).

17           **SECTION 403.** 302.113 (9) (e) of the statutes is created to read:

18           302.113 (9) (e) If a hearing is to be held under par. (am) before the division of  
19 hearings and appeals in the department of administration, the hearing examiner  
20 may order the taking and allow the use of a videotaped deposition under s. 967.04  
21 (7) to (10).

22           **SECTION 404.** 302.113 (9) (f) of the statutes is created to read:

23           302.113 (9) (f) A reviewing authority may consolidate proceedings before it  
24 under par. (am) with other proceedings before that reviewing authority under par.

1 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
2 parole or extended supervision of the same person.

3 **SECTION 405.** 302.113 (9) (g) of the statutes is created to read:

4 302.113 (9) (g) In any case in which there is a hearing before the division of  
5 hearings and appeals in the department of administration concerning whether to  
6 revoke a person's extended supervision, the person on extended supervision may  
7 seek review of a decision to revoke extended supervision and the department of  
8 corrections may seek review of a decision to not revoke extended supervision. Review  
9 of a decision under this paragraph may be sought only by an action for certiorari.

10 **SECTION 406.** 302.113 (9g) of the statutes is created to read:

11 302.113 (9g) (a) In this subsection:

12 1. "Program review committee" means the committee at a correctional  
13 institution that reviews the security classifications, institution assignments, and  
14 correctional programming assignments of inmates confined in the institution.

15 2. "Terminal condition" means an incurable condition afflicting a person,  
16 caused by injury, disease, or illness, as a result of which the person has a medical  
17 prognosis that his or her life expectancy is 6 months or less, even with available  
18 life-sustaining treatment provided in accordance with the prevailing standard of  
19 medical care.

20 (b) An inmate who is serving a bifurcated sentence for a crime other than a  
21 Class B felony may seek modification of the bifurcated sentence in the manner  
22 specified in par. (f) if he or she meets one of the following criteria:

23 1. The inmate is 65 years of age or older and has served at least 5 years of the  
24 term of confinement in prison portion of the bifurcated sentence.

1           2. The inmate is 60 years of age or older and has served at least 10 years of the  
2 term of confinement in prison portion of the bifurcated sentence.

3           3. The inmate has a terminal condition.

4           (c) An inmate who meets the criteria under par. (b) may submit a petition to  
5 the program review committee at the correctional institution in which the inmate is  
6 confined requesting a modification of the inmate's bifurcated sentence in the manner  
7 specified in par. (f). If the inmate alleges in the petition that he or she has a terminal  
8 condition, the inmate shall attach to the petition affidavits from 2 physicians setting  
9 forth a diagnosis that the inmate has a terminal condition.

10          (cm) If, after receiving the petition under par. (c), the program review  
11 committee determines that the public interest would be served by a modification of  
12 the inmate's bifurcated sentence in the manner provided under par. (f), the  
13 committee shall approve the petition for referral to the sentencing court and notify  
14 the department of its approval. The department shall then refer the inmate's  
15 petition to the sentencing court and request the court to conduct a hearing on the  
16 petition. If the program review committee determines that the public interest would  
17 not be served by a modification of the inmate's bifurcated sentence in the manner  
18 specified in par. (f), the committee shall deny the inmate's petition.

19          (d) When a court is notified by the department that it is referring to the court  
20 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
21 shall set a hearing to determine whether the public interest would be served by a  
22 modification of the inmate's bifurcated sentence in the manner specified in par. (f).  
23 The inmate and the district attorney have the right to be present at the hearing, and  
24 any victim of the inmate's crime has the right to be present at the hearing and to  
25 provide a statement concerning the modification of the inmate's bifurcated sentence.

1 The court shall order such notice of the hearing date as it considers adequate to be  
2 given to the department, the inmate, the attorney representing the inmate, if  
3 applicable, and the district attorney. Victim notification shall be provided as  
4 specified under par. (g).

5 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving  
6 by the greater weight of the credible evidence that a modification of the bifurcated  
7 sentence in the manner specified in par. (f) would serve the public interest. If the  
8 inmate proves that a modification of the bifurcated sentence in the manner specified  
9 in par. (f) would serve the public interest, the court shall modify the inmate's  
10 bifurcated sentence in that manner. If the inmate does not prove that a modification  
11 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
12 interest, the court shall deny the inmate's petition for modification of the bifurcated  
13 sentence.

14 (f) A court may modify an inmate's bifurcated sentence under this section only  
15 as follows:

16 1. The court shall reduce the term of confinement in prison portion of the  
17 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
18 to extended supervision within 30 days after the date on which the court issues its  
19 order modifying the bifurcated sentence.

20 2. The court shall lengthen the term of extended supervision imposed so that  
21 the total length of the bifurcated sentence originally imposed does not change.

22 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

23 2. When a court sets a hearing date under par. (d), the clerk of the circuit court  
24 shall send a notice of hearing to the victim of the crime committed by the inmate, if  
25 the victim has submitted a card under subd. 3. requesting notification. The notice

1 shall inform the victim that he or she may appear at the hearing scheduled under  
2 par. (d) and shall inform the victim of the manner in which he or she may provide a  
3 statement concerning the modification of the inmate's bifurcated sentence in the  
4 manner provided in par. (f). The clerk of the circuit court shall make a reasonable  
5 attempt to send the notice of hearing to the last-known address of the inmate's  
6 victim, postmarked at least 10 days before the date of the hearing.

7 3. The director of state courts shall design and prepare cards for a victim to send  
8 to the clerk of the circuit court for the county in which the inmate was convicted and  
9 sentenced. The cards shall have space for a victim to provide his or her name and  
10 address, the name of the applicable inmate, and any other information that the  
11 director of state courts determines is necessary. The director of state courts shall  
12 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
13 shall provide the cards, without charge, to victims. Victims may send completed  
14 cards to the clerk of the circuit court for the county in which the inmate was convicted  
15 and sentenced. All court records or portions of records that relate to mailing  
16 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

17 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
18 modification of his or her bifurcated sentence. The state may appeal a court's  
19 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
20 sentence. In an appeal under this paragraph, the appellate court may reverse a  
21 decision granting or denying a petition for modification of a bifurcated sentence only  
22 if it determines that the sentencing court erroneously exercised its discretion in  
23 granting or denying the petition.

24 (i) If the program review committee denies an inmate's petition under par. (cm),  
25 the inmate may not file another petition within one year after the date of the program

1 review committee's denial. If the program review committee approves an inmate's  
2 petition for referral to the sentencing court under par. (cm) but the sentencing court  
3 denies the petition, the inmate may not file another petition under par. (cm) within  
4 one year after the date of the court's decision.

5 (j) An inmate eligible to seek modification of his or her bifurcated sentence  
6 under this subsection has a right to be represented by counsel in proceedings under  
7 this subsection. An inmate, or the department on the inmate's behalf, may apply to  
8 the state public defender for determination of indigency and appointment of counsel  
9 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review  
10 committee under par. (c). If an inmate whose petition has been referred to the court  
11 under par. (cm) is without counsel, the court shall refer the matter to the state public  
12 defender for determination of indigency and appointment of counsel under s. 977.05  
13 (4) (jm).

14 **SECTION 407.** 302.114 (4) of the statutes is amended to read:

15 302.114 (4) All consecutive sentences imposed for crimes committed on or after  
16 December 31, 1999, shall be computed as one continuous sentence. An inmate  
17 subject to this section shall serve any term of extended supervision after serving all  
18 terms of confinement in prison.

19 **SECTION 408.** 302.114 (5) (f) of the statutes is amended to read:

20 302.114 (5) (f) An inmate may appeal an order denying his or her petition for  
21 release to extended supervision. In an appeal under this paragraph, the appellate  
22 court may reverse an order denying a petition for release to extended supervision  
23 only if it determines that the sentencing court improperly erroneously exercised its  
24 discretion in denying the petition for release to extended supervision.

25 **SECTION 409.** 302.114 (6) (b) of the statutes is amended to read:

1           302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) (~~b~~) (bm) for  
2 release to extended supervision under this section, the clerk of the circuit court in  
3 which the petition is filed shall send a copy of the petition and, if a hearing is  
4 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
5 the victim has submitted a card under par. (e) requesting notification.

6           **SECTION 410.** 302.114 (6) (c) of the statutes is amended to read:

7           302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she  
8 may appear at the hearing under sub. (5) or (9) (~~b~~) (bm), if a hearing is scheduled,  
9 and shall inform the victim of the manner in which he or she may provide written  
10 statements concerning the inmate's petition for release to extended supervision.

11           **SECTION 411.** 302.114 (8m) of the statutes is created to read:

12           302.114 (8m) (a) Every person released to extended supervision under this  
13 section remains in the legal custody of the department. If the department alleges  
14 that any condition or rule of extended supervision has been violated by the person,  
15 the department may take physical custody of the person for the investigation of the  
16 alleged violation.

17           (b) If a person released to extended supervision under this section signs a  
18 statement admitting a violation of a condition or rule of extended supervision, the  
19 department may, as a sanction for the violation, confine the person for up to 90 days  
20 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
21 If the department confines the person in a county jail under this paragraph, the  
22 department shall reimburse the county for its actual costs in confining the person  
23 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
24 the person is not eligible to earn good time credit on any period of confinement  
25 imposed under this subsection.

1           **SECTION 412.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and  
2 amended to read:

3           302.114 (9) (am) If a person released to extended supervision under this section  
4 violates a condition of extended supervision, the ~~division of hearings and appeals in~~  
5 ~~the department of administration, upon proper notice and hearing, or the~~  
6 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
7 reviewing authority may revoke the extended supervision of the person and return  
8 ~~the person to prison. If the extended supervision of the person is revoked, the person~~  
9 shall be returned to the circuit court for the county in which the person was convicted  
10 of the offense for which he or she was on extended supervision, and the court shall  
11 order the person to be returned to prison, he or she shall be returned to prison for a  
12 specified period of time, as provided under par. (b) before he or she is eligible for being  
13 released again to extended supervision. The period of time specified under this  
14 paragraph may not be less than 5 years and may be extended in accordance with sub.  
15 (3).

16           **SECTION 413.** 302.114 (9) (ag) of the statutes is created to read:

17           302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given  
18 in s. 302.113 (9) (ag).

19           **SECTION 414.** 302.114 (9) (b) of the statutes is amended to read:

20           302.114 (9) (b) ~~If~~ When a person is returned to prison court under par. (a) (am)  
21 after revocation of extended supervision, the ~~department of corrections in the case~~  
22 ~~of a waiver or the division of hearings and appeals in the department of~~  
23 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall  
24 ~~specify a~~ make a recommendation to the court concerning the period of time for  
25 which the person shall be incarcerated should be returned to prison before being

1 eligible for release to extended supervision. The period of time specified  
2 recommended under this paragraph may not be less than 5 years and ~~may be~~  
3 ~~extended in accordance with sub. (3).~~

4 **SECTION 415.** 302.114 (9) (bm) of the statutes is amended to read:

5 302.114 (9) (bm) A person who is returned to prison under par. (a) (am) after  
6 revocation of extended supervision may, upon petition to the sentencing court, be  
7 released to extended supervision after he or she has served the entire period of time  
8 specified ~~in~~ by the court under par. (b) (am), including any periods of extension  
9 imposed under sub. (3). A person may not file a petition under this paragraph earlier  
10 than 90 days before the date on which he or she is eligible to be released to extended  
11 supervision. If a person files a petition for release to extended supervision under this  
12 paragraph at any time earlier than 90 days before the date on which he or she is  
13 eligible to be released to extended supervision, the court shall deny the petition  
14 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition  
15 filed under this paragraph.

16 **SECTION 416.** 302.114 (9) (c) of the statutes is amended to read:

17 302.114 (9) (c) A person who is subsequently released to extended supervision  
18 under par. (b) (bm) is subject to all conditions and rules under sub. (8) until the  
19 expiration of the sentence.

20 **SECTION 417.** 302.114 (9) (d) of the statutes is created to read:

21 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of  
22 hearings and appeals in the department of administration, the hearing examiner  
23 may order the taking and allow the use of a videotaped deposition under s. 967.04  
24 (7) to (10).

25 **SECTION 418.** 302.114 (9) (e) of the statutes is created to read:

1           302.114 (9) (e) A reviewing authority may consolidate proceedings before it  
2 under par. (am) with other proceedings before that reviewing authority under par.  
3 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the  
4 parole or extended supervision of the same person.

5           **SECTION 419.** 302.114 (9) (f) of the statutes is created to read:

6           302.114 (9) (f) In any case in which there is a hearing before the division of  
7 hearings and appeals in the department of administration concerning whether to  
8 revoke a person's extended supervision, the person on extended supervision may  
9 seek review of a decision to revoke extended supervision and the department of  
10 corrections may seek review of a decision to not revoke extended supervision. Review  
11 of a decision under this paragraph may be sought only by an action for certiorari.

12           **SECTION 420.** 302.33 (1) of the statutes is amended to read:

13           302.33 (1) The maintenance of persons who have been sentenced to the state  
14 penal institutions; persons in the custody of the department, except as provided in  
15 sub. (2), and ~~s. ss.~~ ss. 301.048 (7), 302.113 (8m), and 302.114 (8m); persons accused of  
16 crime and committed for trial; persons committed for the nonpayment of fines and  
17 expenses; and persons sentenced to imprisonment therein, while in the county jail,  
18 shall be paid out of the county treasury. No claim may be allowed to any sheriff for  
19 keeping or boarding any person in the county jail unless the person was lawfully  
20 detained therein.

21           **SECTION 421.** 303.063 of the statutes is repealed.

22           **SECTION 422.** 303.065 (1) (b) 1. of the statutes is amended to read:

23           303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
24 specified in subd. 2., may be considered for work release only after he or she has  
25 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever

1 is applicable, or he or she has reached his or her extended supervision eligibility date  
2 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

3 **SECTION 423.** 303.08 (1) (intro.) of the statutes is amended to read:

4 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
5 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
6 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
7 necessary and reasonable hours for any of the following purposes:

8 **SECTION 424.** 303.08 (2) of the statutes is amended to read:

9 303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
10 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
11 the department, the prisoner person is sentenced to ordinary confinement. The A  
12 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
13 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
14 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
15 court may withdraw the privilege at any time by order entered with or without notice.

16 **SECTION 425.** 303.08 (5) (intro.) of the statutes is amended to read:

17 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
18 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the  
19 wages, salary and unemployment insurance and employment training benefits  
20 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
21 the order stated:

22 **SECTION 426.** 303.08 (6) of the statutes is amended to read:

23 303.08 (6) The department, for a person subject to a confinement sanction  
24 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may  
25 authorize the sheriff to whom the prisoner is committed to arrange with another

1 sheriff for the employment or employment training of the prisoner in the other's  
2 county, and while so employed or trained to be in the other's custody but in other  
3 respects to be and continue subject to the commitment.

4 **SECTION 427.** 303.08 (12) of the statutes is amended to read:

5 303.08 (12) In counties having a house of correction, any person violating the  
6 privilege granted under sub. (1) may be transferred by the county jailer to the house  
7 of correction for the remainder of the term of the person's sentence or, if applicable,  
8 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
9 (8m).

10 **SECTION 428.** 303.21 (1) (b) of the statutes is amended to read:

11 303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
12 a structured work program away from the institution grounds under s. 302.15 ~~or a~~  
13 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if  
14 they are employed in a prison industry under s. 303.06 (2), participating in a work  
15 release program under s. 303.065 (2), participating in employment with a private  
16 business under s. 303.01 (2) (em) or participating in the transitional employment  
17 program, but they are eligible for worker's compensation benefits under ch. 102.  
18 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are  
19 eligible for worker's compensation benefits under ch. 102.

20 **SECTION 429.** 304.06 (1) (b) of the statutes is amended to read:

21 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
22 302.045 (3), ~~961.49 (2),~~ 973.01 (6) or 973.0135, the parole commission may parole an  
23 inmate of the Wisconsin state prisons or any felon or any person serving at least one  
24 year or more in a county house of correction or a county reforestation camp organized  
25 under s. 303.07, when he or she has served 25% of the sentence imposed for the

1 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)  
2 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate  
3 serving a life term when he or she has served 20 years, as modified by the formula  
4 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.  
5 The person serving the life term shall be given credit for time served prior to  
6 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary  
7 may grant special action parole releases under s. 304.02. The department or the  
8 parole commission shall not provide any convicted offender or other person  
9 sentenced to the department's custody any parole eligibility or evaluation until the  
10 person has been confined at least 60 days following sentencing.

11 **SECTION 430.** 304.06 (1q) of the statutes is repealed.

12 **SECTION 431.** 304.071 (2) of the statutes is amended to read:

13 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,  
14 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
15 or she is not eligible for parole under this section.

16 **SECTION 432.** 304.11 (3) of the statutes is amended to read:

17 304.11 (3) If upon inquiry it further appears to the governor that the convicted  
18 person has violated or failed to comply with any of those conditions, the governor may  
19 issue his or her warrant remanding the person to the institution from which  
20 discharged, and the person shall be confined and treated as though no pardon had  
21 been granted, except that the person loses any applicable good time which he or she  
22 had earned. If the person is returned to prison, the person is subject to the same  
23 limitations as a revoked parolee under s. 302.11 (7). The department shall determine  
24 the period of incarceration under s. 302.11 (7) (a) (am). If the governor determines

1 the person has not violated or failed to comply with the conditions, the person shall  
2 be discharged subject to the conditional pardon.

3 **SECTION 433.** 341.605 (3) of the statutes is amended to read:

4 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
5 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
6 guilty of a Class H felony.

7 **SECTION 434.** 342.06 (2) of the statutes is amended to read:

8 342.06 (2) Any person who knowingly makes a false statement in an  
9 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
10 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

11 **SECTION 435.** 342.065 (4) (b) of the statutes is amended to read:

12 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
13 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
14 ~~or both is guilty of a Class H felony.~~

15 **SECTION 436.** 342.155 (4) (b) of the statutes is amended to read:

16 342.155 (4) (b) Any person who violates this section with intent to defraud may  
17 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
18 or both is guilty of Class H felony.

19 **SECTION 437.** 342.156 (6) (b) of the statutes is amended to read:

20 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
21 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
22 ~~or both is guilty of a Class H felony.~~

23 **SECTION 438.** 342.30 (3) (a) of the statutes is amended to read:

1           342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~  
2           \$5,000 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
3           Class H felony.

4           **SECTION 439.** 342.32 (3) of the statutes is amended to read:

5           342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
6           ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation~~ is  
7           guilty of a Class H felony.

8           **SECTION 440.** 343.31 (1) (i) of the statutes is amended to read:

9           343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under  
10          s. 346.04 (3).

11          **SECTION 441.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

12          343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting  
13          to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege  
14          revoked as follows:

15          **SECTION 442.** 344.48 (2) of the statutes is amended to read:

16          344.48 (2) Any person violating this section may be fined not more than \$1,000  
17          \$10,000 or imprisoned for not more than 2 years 9 months or both.

18          **SECTION 443.** 346.04 (2t) of the statutes is created to read:

19          346.04 (2t) No operator of a vehicle, after having received a visible or audible  
20          signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall  
21          knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as  
22          safety reasonably permits.

23          **SECTION 444.** 346.04 (4) of the statutes is created to read:

1           346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may  
2 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same  
3 incident or occurrence.

4           **SECTION 445.** 346.17 (2t) of the statutes is created to read:

5           346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
6 \$10,000 or imprisoned for not more than 9 months or both.

7           **SECTION 446.** 346.17 (3) (a) of the statutes is amended to read:

8           346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
9 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~  
10 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

11           **SECTION 447.** 346.17 (3) (b) of the statutes is amended to read:

12           346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
13 to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
14 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~  
15 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

16           **SECTION 448.** 346.17 (3) (c) of the statutes is amended to read:

17           346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
18 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~  
19 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

20           **SECTION 449.** 346.17 (3) (d) of the statutes is amended to read:

21           346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~  
22 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~  
23 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

24           **SECTION 450.** 346.175 (1) (a) of the statutes is amended to read:

1           346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
2 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
3 the violation as provided in this section.

4           **SECTION 451.** 346.175 (1) (b) of the statutes is amended to read:

5           346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
6 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
7 section if the person operating the vehicle or having the vehicle under his or her  
8 control at the time of the violation has been convicted for the violation under this  
9 section or under s. 346.04 (2t) or (3).

10          **SECTION 452.** 346.175 (4) (b) of the statutes is amended to read:

11          346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by  
12 the authority issuing the citation with the name and address of the person operating  
13 the vehicle or having the vehicle under his or her control at the time of the violation  
14 and sufficient information for the officer to determine that probable cause does not  
15 exist to believe that the owner of the vehicle was operating the vehicle at the time  
16 of the violation, then the owner of the vehicle shall not be liable under this section  
17 or under s. 346.04 (2t) or (3).

18          **SECTION 453.** 346.175 (4) (c) of the statutes is amended to read:

19          346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of  
20 the violation the vehicle was in the possession of a lessee, and the lessor provides a  
21 traffic officer employed by the authority issuing the citation with the information  
22 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under  
23 this section or under s. 346.04 (2t) or (3).

24          **SECTION 454.** 346.175 (4) (d) of the statutes is amended to read:

1           346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)  
2 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time  
3 of the violation the vehicle was being operated by or was under the control of any  
4 person on a trial run, and if the dealer provides a traffic officer employed by the  
5 authority issuing the citation with the name, address and operator's license number  
6 of the person operating the vehicle, then that person, and not the dealer, shall be  
7 liable under this section or under s. 346.04 (2t) or (3).

8           **SECTION 455.** 346.175 (5) (intro.) of the statutes is amended to read:

9           346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
10 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

11           **SECTION 456.** 346.175 (5) (a) of the statutes is amended to read:

12           346.175 (5) (a) A vehicle owner or other person found liable under this section  
13 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
14 more than \$1,000.

15           **SECTION 457.** 346.65 (2) (e) of the statutes is amended to read:

16           346.65 (2) (c) Except as provided in pars. (f) and (g), is guilty of a Class H felony  
17 and shall be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not  
18 less than 6 months ~~nor more than 5 years~~ if the number of convictions under ss.  
19 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
20 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,  
21 except that suspensions, revocations or convictions arising out of the same incident  
22 or occurrence shall be counted as one.

23           **SECTION 458.** 346.65 (5) of the statutes is amended to read:

1           346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)  
2 ~~shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for~~  
3 ~~not less than 90 days nor more than 2 years and 3 months~~ is guilty of a Class I felony.

4           **SECTION 459.** 346.74 (5) (b) of the statutes is amended to read:

5           346.74 (5) (b) ~~Shall~~ May be fined not less than ~~\$300~~ nor more than ~~\$5,000~~  
6 ~~\$10,000~~ or imprisoned for not less than ~~10 days~~ nor more than ~~2 years~~ 9 months or  
7 both if the accident involved injury to a person but the person did not suffer great  
8 bodily harm.

9           **SECTION 460.** 346.74 (5) (c) of the statutes is amended to read:

10          346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
11 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person  
12 and the person suffered great bodily harm.

13          **SECTION 461.** 346.74 (5) (d) of the statutes is amended to read:

14          346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
15 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
16 death to a person.

17          **SECTION 462.** 350.11 (2m) of the statutes is amended to read:

18          350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~  
19 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
20 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
21 person.

22          **SECTION 463.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

23          **SECTION 464.** 351.07 (2) (b) of the statutes is repealed.

24          **SECTION 465.** 446.07 of the statutes is amended to read:

1           **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100  
2   nor more than ~~\$500~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
3   both.

4           **SECTION 466.** 447.09 of the statutes is amended to read:

5           **447.09 Penalties.** Any person who violates this chapter may be fined not more  
6   than \$1,000 or imprisoned for not more than one year in the county jail or both for  
7   the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~  
8   ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction  
9   within 5 years.

10          **SECTION 467.** 450.11 (9) (b) of the statutes is amended to read:

11          450.11 (9) (b) Any person who delivers, or who possesses with intent to  
12   manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~  
13   ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
14   is guilty of a Class H felony.

15          **SECTION 468.** 450.14 (5) of the statutes is amended to read:

16          450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~  
17   ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
18   ~~and 6 months or both~~ is guilty of a Class H felony.

19          **SECTION 469.** 450.15 (2) of the statutes is amended to read:

20          450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~  
21   ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
22   ~~and 6 months or both~~ is guilty of a Class H felony.

23          **SECTION 470.** 551.58 (1) of the statutes is amended to read:

24          551.58 (1) Any person who wilfully violates any provision of this chapter except  
25   s. 551.54, or any rule under this chapter, or any order of which the person has notice,

1 or who violates s. 551.54 knowing or having reasonable cause to believe that the  
2 statement made was false or misleading in any material respect, ~~may be fined not~~  
3 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
4 guilty of a Class H felony. Each of the acts specified shall constitute a separate  
5 offense and a prosecution or conviction for any one of such offenses shall not bar  
6 prosecution or conviction for any other offense.

7 **SECTION 471.** 552.19 (1) of the statutes is amended to read:

8 552.19 (1) Any person, including a controlling person of an offeror or target  
9 company, who wilfully violates this chapter or any rule under this chapter, or any  
10 order of which the person has notice, ~~may be fined not more than \$5,000 or~~  
11 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
12 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
13 conviction for any one of the offenses does not bar prosecution or conviction for any  
14 other offense.

15 **SECTION 472.** 553.52 (1) of the statutes is amended to read:

16 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
17 which the person has notice, or who violates s. 553.41 (1) knowing or having  
18 reasonable cause to believe either that the statement made was false or misleading  
19 in any material respect or that the failure to report a material event under s. 553.31  
20 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
21 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
22 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
23 conviction for any one of those offenses does not bar prosecution or conviction for any  
24 other offense.

25 **SECTION 473.** 553.52 (2) of the statutes is amended to read:

1           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
2 or artifice to defraud in connection with the offer or sale of any franchise or engages,  
3 directly or indirectly, in any act, practice, or course of business which operates or  
4 would operate as a fraud or deceit upon any person in connection with the offer or  
5 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
6 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

7           **SECTION 474.** 560.01 (4) of the statutes is created to read:

8           560.01 (4) GRANTS MANAGEMENT OFFICE. (a) The department shall establish and  
9 operate a grants management office for all of the following purposes:

10           1. To identify public and private sources of grants.

11           2. To serve as a clearinghouse for federal and state grants and privately funded  
12 grants.

13           3. To offer to governmental agencies, nonprofit organizations, school boards,  
14 operators of charter schools, and governing bodies of private schools training and  
15 assistance in pursuing grants.

16           (b) The grants management office shall be staffed by a grants management  
17 specialist.

18           **SECTION 475.** 560.17 (5c) (a) 3. of the statutes is amended to read:

19           560.17 (5c) (a) 3. The grant proceeds will be used to pay for services related to  
20 the start-up, modernization, or expansion of the dairy farm or other agricultural  
21 business, or for management assistance, ~~as defined in s. 560.20 (1) (ef),~~ continuing  
22 after the completion of the start-up, modernization, or expansion of the dairy farm  
23 or other agricultural business.

24           **SECTION 476.** 560.18 (1) of the statutes is renumbered 560.18 (1m) and  
25 amended to read:

1           560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department  
2 may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d)~~, to  
3 develop forestry educational programs and instructional materials for use in the  
4 public schools. The department may not award a grant unless it enters into a  
5 memorandum of understanding with the grant recipient and the director of the  
6 timber management program at the University of Wisconsin-Stevens Point  
7 regarding the use of the funds.

8           **SECTION 477.** 560.18 (1c) of the statutes is created to read:

9           560.18 (1c) In this section, "nonprofit organization" means a nonprofit  
10 corporation, as defined in s. 181.0103 (17), and any organization described in section  
11 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under  
12 section 501 (a) of the Internal Revenue Code.

13           **SECTION 478.** 560.18 (2) of the statutes is amended to read:

14           560.18 (2) The recipient of a grant under sub. (1) (1m) shall submit the  
15 programs and materials developed with the funds to the department and the director  
16 of the timber management program at the University of Wisconsin-Stevens Point  
17 College of Natural Resources for approval. Upon request, the grant recipient shall  
18 provide approved programs and materials to school districts free of charge.

19           **SECTION 479.** 560.20 (title) of the statutes is repealed.

20           **SECTION 480.** 560.20 (1) (intro.) of the statutes is repealed.

21           **SECTION 481.** 560.20 (1) (a) of the statutes is renumbered 560.21 (1) (a).

22           **SECTION 482.** 560.20 (1) (b) of the statutes is renumbered 560.21 (1) (b).

23           **SECTION 483.** 560.20 (1) (c) of the statutes is repealed.

24           **SECTION 484.** 560.20 (1) (cf) of the statutes is renumbered 560.17 (1) (br).

25           **SECTION 485.** 560.20 (1) (cm) of the statutes is repealed.

1           **SECTION 486.** 560.20 (1) (d) of the statutes is repealed.

2           **SECTION 487.** 560.20 (1) (e) of the statutes is repealed.

3           **SECTION 488.** 560.20 (1) (f) of the statutes is repealed.

4           **SECTION 489.** 560.20 (1) (g) of the statutes is repealed.

5           **SECTION 490.** 560.20 (1m) of the statutes is repealed.

6           **SECTION 491.** 560.20 (2) of the statutes is repealed.

7           **SECTION 492.** 560.20 (3) (a) of the statutes is repealed.

8           **SECTION 493.** 560.20 (3) (b) of the statutes is repealed.

9           **SECTION 494.** 560.20 (3) (c) of the statutes is repealed.

10          **SECTION 495.** 560.20 (3) (cm) of the statutes is repealed.

11          **SECTION 496.** 560.20 (3) (d) of the statutes is repealed.

12          **SECTION 497.** 560.20 (3) (e) of the statutes is repealed.

13          **SECTION 498.** 560.20 (3) (f) (intro.) and 4. of the statutes are consolidated,  
14          renumbered 560.21 (2) and amended to read:

15                 560.21 (2) The department shall ~~do all of the following:~~ 4. Deposit deposit in  
16          ~~the appropriation account under s. 20.143 (1) (in) general fund~~ all interest and  
17          principal received in repayment of loans under ~~this subsection s. 560.20 (3), 1999~~  
18          stats., any proceeds from equity investments made by the community development  
19          finance company under s. 234.965, 1991 stats., that are received by the department  
20          or the community development finance company, and any unencumbered grant  
21          funds returned to the department under 1993 Wisconsin Act 437, section 9115 (1t).

22          **SECTION 499.** 560.20 (3) (f) 1. of the statutes is repealed.

23          **SECTION 500.** 560.20 (3) (f) 2. of the statutes is repealed.

24          **SECTION 501.** 560.20 (3) (f) 3. of the statutes is repealed.

25          **SECTION 502.** 560.20 (3) (g) of the statutes is repealed.

1           **SECTION 503.** 560.20 (3) (h) of the statutes is renumbered 560.21 (3).

2           **SECTION 504.** 560.21 of the statutes is created to read:

3           **560.21 General fund deposit.** (1) In this section:

4           **SECTION 505.** 562.13 (3) of the statutes is amended to read:

5           562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
6           ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

7           **SECTION 506.** 562.13 (4) of the statutes is amended to read:

8           562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~  
9           ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
10          ~~or both~~ is guilty of a Class H felony.

11          **SECTION 507.** 565.50 (2) of the statutes is amended to read:

12          565.50 (2) Any person who alters or forges a lottery ticket or share or  
13          intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~  
14          ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
15          ~~or both~~ is guilty of a Class I felony.

16          **SECTION 508.** 565.50 (3) of the statutes is amended to read:

17          565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
18          with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
19          more than 3 years 9 months or both.

20          **SECTION 509.** 601.64 (4) of the statutes is amended to read:

21          601.64 (4) **CRIMINAL PENALTY.** Whoever intentionally violates or intentionally  
22          permits any person over whom he or she has authority to violate or intentionally aids  
23          any person in violating any insurance statute or rule of this state, s. 149.13 or  
24          149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I  
25          felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~

1 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
2 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the  
3 meaning expressed under s. 939.23.

4 **SECTION 510.** 641.19 (4) (a) of the statutes is amended to read:

5 641.19 (4) (a) Any person who wilfully violates or fails to comply with any  
6 provision of this chapter or the rules promulgated thereunder or who, knowingly,  
7 makes a false statement, a false representation of a material fact, or who fails to  
8 disclose a material fact in any registration, examination, statement or report  
9 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~  
10 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
11 guilty of a Class H felony.

12 **SECTION 511.** 641.19 (4) (b) of the statutes is amended to read:

13 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully  
14 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
15 funds, securities, premiums, credits, property, or other assets of any employee  
16 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~  
17 ~~\$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
18 Class H felony.

19 **SECTION 512.** 753.061 (2m) of the statutes is amended to read:

20 753.061 (2m) The chief judge of the 1st judicial administrative district is  
21 authorized to designate 4 circuit court branches to primarily handle violent crime  
22 cases that involve a violation of s. 939.63, if a felony is committed while armed, and  
23 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32  
24 (2). If the circuit court branches are designated under this subsection, 2 shall begin

1 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
2 primarily handle violent crime cases on August 1, 1992.

3 **SECTION 513.** 765.30 (1) (intro.) of the statutes is amended to read:

4 765.30 (1) (intro.) The following shall may be fined not less than ~~\$200~~ nor more  
5 than \$1,000 \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both:

6 **SECTION 514.** 765.30 (2) (intro.) of the statutes is amended to read:

7 765.30 (2) (intro.) The following shall may be fined not less than ~~\$100~~ nor more  
8 than \$1,000 \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both:

9 **SECTION 515.** 767.242 (8) of the statutes is amended to read:

10 767.242 (8) PENALTY. Whoever intentionally violates an injunction issued  
11 under sub. (5) (b) 2. c. ~~may be fined not more than \$10,000 or imprisoned for not more~~  
12 ~~than 2-years or both~~ is guilty of a Class I felony.

13 **SECTION 516.** 768.07 of the statutes is amended to read:

14 **768.07 Penalty.** Any person who violates any provision of this chapter may  
15 be fined not less than ~~\$100~~ nor more than \$1,000 \$10,000 or imprisoned for not more  
16 than ~~2-years~~ 9 months or both.

17 **SECTION 517.** 783.07 of the statutes is amended to read:

18 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
19 is directed to any public officer, body, board or person, commanding the performance  
20 of any duty specially enjoined by law, ~~if it shall appear to the court that such and the~~  
21 officer or person or any member of such the body or board has, without just excuse,  
22 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
23 ~~exceeding \$5,000, upon every such, the~~ officer, person or member of such the body or  
24 board, ~~or sentence the officer, person or member to imprisonment for not more than~~  
25 ~~7-years and 6 months~~ is guilty of a Class H felony.

1           **SECTION 518.** 801.50 (5) of the statutes is amended to read:

2           801.50 (5) Venue of an action for certiorari to review a probation, extended  
3 supervision or parole revocation, a denial by a program review committee under s.  
4 302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of  
5 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an  
6 offense for which the relator was on probation, extended supervision or parole or for  
7 which the relator is currently incarcerated.

8           **SECTION 519.** 801.50 (5c) of the statutes is created to read:

9           801.50 (5c) Venue of an action for certiorari brought by the department of  
10 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke  
11 extended supervision shall be in the county in which the person on extended  
12 supervision was convicted of the offense for which he or she is on extended  
13 supervision.

14           **SECTION 520.** 814.634 (1) (a) of the statutes is amended to read:

15           814.634 (1) (a) Except for an action for a safety belt use violation under s.  
16 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 \$52 court support  
17 services fee from any person, including any governmental unit as defined in s. 108.02  
18 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

19           **SECTION 521.** 814.634 (1) (b) of the statutes is amended to read:

20           814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge  
21 and collect a \$100 \$130 court support services fee from any person, including any  
22 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or  
23 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and  
24 the amount claimed exceeds the amount under s. 799.01 (1) (d).

25           **SECTION 522.** 814.634 (1) (c) of the statutes is amended to read:

1           814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge  
2           and collect a ~~\$30~~ \$39 court support services fee from any person, including any  
3           governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or  
4           (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying  
5           the fee seeks the recovery of money and the amount claimed is equal to or less than  
6           the amount under s. 799.01 (1) (d).

7           **SECTION 523.** 889.29 (1) of the statutes is amended to read:

8           889.29 (1) If any business, institution or member of a profession or calling in  
9           the regular course of business or activity has kept or recorded any memorandum,  
10          writing, entry, print, representation or combination thereof, of any act, transaction,  
11          occurrence or event, and in the regular course of business has caused any or all of the  
12          same to be recorded, copied or reproduced by any photographic, photostatic,  
13          microfilm, microcard, miniature photographic, or other process which accurately  
14          reproduces or forms a durable medium for so reproducing the original, or to be  
15          recorded on an optical disk or in electronic format, the original may be destroyed in  
16          the regular course of business, unless its preservation is required by law. Such  
17          reproduction or optical disk record, when reduced to comprehensible format and  
18          when satisfactorily identified, is as admissible in evidence as the original itself in any  
19          judicial or administrative proceeding whether the original is in existence or not and  
20          an enlargement or facsimile of such reproduction of a record or an enlarged copy of  
21          a record generated from an original record stored in optical disk or electronic format  
22          is likewise admissible in evidence if the original reproduction is in existence and  
23          available for inspection under direction of court. The introduction of a reproduced  
24          record, enlargement or facsimile, does not preclude admission of the original. This  
25          subsection does not apply to records governed by s. 137.20.

1           **SECTION 524.** 908.08 (1) of the statutes is amended to read:

2           908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under  
3 s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),  
4 304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the  
5 videotaped oral statement of a child who is available to testify, as provided in this  
6 section.

7           **SECTION 525.** 910.01 (1) of the statutes is amended to read:

8           910.01 (1) WRITINGS AND RECORDINGS. “Writings” and “recordings” consist of  
9 letters, words or numbers, or their equivalent, set down by handwriting, typewriting,  
10 printing, photostating, photographing, magnetic impulse, mechanical or electronic  
11 recording, or other form of data compilation or recording.

12           **SECTION 526.** 910.02 of the statutes is amended to read:

13           **910.02 Requirement of original.** To prove the content of a writing, recording  
14 or photograph, the original writing, recording or photograph is required, except as  
15 otherwise provided in chs. 901 to 911, s. 137.21, or by other statute.

16           **SECTION 527.** 910.03 of the statutes is amended to read:

17           **910.03 Admissibility of duplicates.** A duplicate is admissible to the same  
18 extent as an original unless (1) a genuine question is raised as to the authenticity of  
19 the original or (2) in the circumstances it would be unfair to admit the duplicate in  
20 lieu of the original. This section does not apply to records of transactions governed  
21 by s. 137.21.

22           **SECTION 528.** 911.01 (4) (c) of the statutes is amended to read:

23           911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
24 rendition; sentencing, or granting or revoking probation, modification of a bifurcated  
25 sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and

1 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to  
2 pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
3 release on bail or as otherwise provided in ch. 969.

4 **SECTION 529.** 938.208 (1) (a) of the statutes is amended to read:

5 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
6 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
7 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~  
8 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
9 committed by an adult.

10 **SECTION 530.** 938.34 (4h) (a) of the statutes is amended to read:

11 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated  
12 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
13 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~  
14 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, ~~(1)~~, or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or  
15 the juvenile is 10 years of age or over and has been adjudicated delinquent for  
16 attempting or committing a violation of s. 940.01 or for committing a violation of  
17 940.02 or 940.05.

18 **SECTION 531.** 938.34 (4m) (b) 1. of the statutes is amended to read:

19 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be  
20 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),  
21 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)  
22 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

23 **SECTION 532.** 938.355 (2d) (b) 3. of the statutes is amended to read:

24 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
25 1999 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025

1 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,  
2 if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),  
3 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that  
4 the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in  
5 substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child  
6 of the parent.

7 **SECTION 533.** 938.355 (4) (b) of the statutes is amended to read:

8 938.355 (4) (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
9 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
10 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th  
11 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
12 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation  
13 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C  
14 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the  
15 juvenile is adjudicated delinquent for committing an act that would be punishable  
16 as a Class A felony if committed by an adult.

17 **SECTION 534.** 938.78 (3) of the statutes is amended to read:

18 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
19 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
20 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
21 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
22 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,  
23 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02,  
24 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in  
25 ch. 940 has escaped from a secured correctional facility, child caring institution,

1 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention  
2 facility or juvenile portion of a county jail, or from the custody of a peace officer or  
3 a guard of such a facility, institution or jail, or has been allowed to leave a secured  
4 correctional facility, child caring institution, secured group home, inpatient facility,  
5 secure detention facility or juvenile portion of a county jail for a specified time period  
6 and is absent from the facility, institution, home or jail for more than 12 hours after  
7 the expiration of the specified period, the department or county department having  
8 supervision over the juvenile may release the juvenile's name and any information  
9 about the juvenile that is necessary for the protection of the public or to secure the  
10 juvenile's return to the facility, institution, home or jail. The department of  
11 corrections shall promulgate rules establishing guidelines for the release of the  
12 juvenile's name or information about the juvenile to the public.

13 **SECTION 535.** 939.22 (21) (d) of the statutes is amended to read:

14 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
15 prohibited in s. 940.19 or 940.195.

16 **SECTION 536.** 939.30 (1) of the statutes is amended to read:

17 939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever,  
18 with intent that a felony be committed, advises another to commit that crime under  
19 circumstances that indicate unequivocally that he or she has the intent is guilty of  
20 a Class D H felony.

21 **SECTION 537.** 939.30 (2) of the statutes is amended to read:

22 939.30 (2) For a solicitation to commit a crime for which the penalty is life  
23 imprisonment, the actor is guilty of a Class C F felony. For a solicitation to commit  
24 a Class E I felony, the actor is guilty of a Class E I felony.

25 **SECTION 538.** 939.32 (1) (intro.) of the statutes is amended to read:

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

5           **SECTION 539.** 939.32 (1) (b) of the statutes is repealed.

6           **SECTION 540.** 939.32 (1) (bm) of the statutes is created to read:

7           939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
8 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
9 applied, is guilty of a Class A misdemeanor.

10          **SECTION 541.** 939.32 (1g) of the statutes is created to read:

11          939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit  
12 a crime that is punishable under sub. (1) (intro.) is as follows:

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

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

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

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

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

24          **SECTION 542.** 939.32 (1m) of the statutes is created to read:

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

4           (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
5 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
6 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being  
7 applied, the maximum term of confinement in prison is one-half of the maximum  
8 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any  
9 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified  
10 felony.

11           2. Subject to the minimum term of extended supervision required under s.  
12 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is  
13 being applied, the court shall determine the maximum term of confinement in prison  
14 by the following method:

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

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

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

23           (c) *Maximum term of confinement for attempt to commit unclassified felony or*  
24 *misdemeanor.* The court shall determine the maximum term of confinement in  
25 prison for an attempt to commit a crime other than a classified felony by applying

1 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)  
2 (b).

3 **SECTION 543.** 939.32 (2) (title) of the statutes is created to read:

4 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

5 **SECTION 544.** 939.32 (3) (title) of the statutes is created to read:

6 939.32 (3) (title) REQUIREMENTS.

7 **SECTION 545.** 939.50 (1) (intro.) of the statutes is amended to read:

8 939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~  
9 ~~felonies~~ Felonies in chs. 939 to 951 the statutes are classified as follows:

10 **SECTION 546.** 939.50 (1) (bc) of the statutes is repealed.

11 **SECTION 547.** 939.50 (1) (f) of the statutes is created to read:

12 939.50 (1) (f) Class F felony.

13 **SECTION 548.** 939.50 (1) (g) of the statutes is created to read:

14 939.50 (1) (g) Class G felony.

15 **SECTION 549.** 939.50 (1) (h) of the statutes is created to read:

16 939.50 (1) (h) Class H felony.

17 **SECTION 550.** 939.50 (1) (i) of the statutes is created to read:

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

19 **SECTION 551.** 939.50 (2) of the statutes is amended to read:

20 939.50 (2) A felony is a Class A, B, BC, C, D or E, F, G, H, or I felony when it  
21 is so specified in ~~chs. 939 to 951~~ the statutes.

22 **SECTION 552.** 939.50 (3) (bc) of the statutes is repealed.

23 **SECTION 553.** 939.50 (3) (c) of the statutes is amended to read:

24 939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 \$100,000 or  
25 imprisonment not to exceed 15 40 years, or both.

1           **SECTION 554.** 939.50 (3) (d) of the statutes is amended to read:

2           939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
3 imprisonment not to exceed ~~10~~ 25 years, or both.

4           **SECTION 555.** 939.50 (3) (e) of the statutes is amended to read:

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

7           **SECTION 556.** 939.50 (3) (f) of the statutes is created to read:

8           939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
9 not to exceed 12 years and 6 months, or both.

10          **SECTION 557.** 939.50 (3) (g) of the statutes is created to read:

11          939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
12 not to exceed 10 years, or both.

13          **SECTION 558.** 939.50 (3) (h) of the statutes is created to read:

14          939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
15 not to exceed 6 years, or both.

16          **SECTION 559.** 939.50 (3) (i) of the statutes is created to read:

17          939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
18 not to exceed 3 years and 6 months, or both.

19          **SECTION 560.** 939.615 (7) (b) 2. of the statutes is amended to read:

20          939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the  
21 same conduct that violates par. (a) also constitutes a crime that is a felony.

22          **SECTION 561.** 939.615 (7) (c) of the statutes is repealed.

23          **SECTION 562.** 939.62 (1) (a) of the statutes is amended to read:

24          939.62 (1) (a) A maximum term of imprisonment of one year or less may be  
25 increased to not more than ~~3~~ 2 years.

1           **SECTION 563.** 939.62 (1) (b) of the statutes is amended to read:

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

6           **SECTION 564.** 939.62 (1) (c) of the statutes is amended to read:

7           939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be  
8 increased by not more than 2 years if the prior convictions were for misdemeanors  
9 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

10          **SECTION 565.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

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

15          **SECTION 566.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

16          939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
17 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.  
18 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
19 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
20 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),  
21 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

22          **SECTION 567.** 939.622 of the statutes is repealed.

23          **SECTION 568.** 939.623 (2) of the statutes is amended to read:

24          939.623 (2) If a person has one or more prior convictions for a serious sex crime  
25 and subsequently commits a serious sex crime, the court shall impose a bifurcated

1 sentence ~~the person to~~ under s. 973.01. The term of confinement in prison portion  
2 of a bifurcated sentence imposed under this subsection may not be less than 5 years'  
3 imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply,  
4 subject to any applicable penalty enhancement. The court shall ~~shall~~ may not place the  
5 defendant on probation.

6 **SECTION 569.** 939.624 (2) of the statutes is amended to read:

7 939.624 (2) If a person has one or more prior convictions for a serious violent  
8 crime or a crime punishable by life imprisonment and subsequently commits a  
9 serious violent crime, the court shall impose a bifurcated sentence the person to  
10 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence  
11 imposed under this subsection may not be less than 5 years' imprisonment 3 years  
12 and 6 months, but otherwise the penalties for the crime apply, subject to any  
13 applicable penalty enhancement. The court shall ~~shall~~ may not place the defendant on  
14 probation.

15 **SECTION 570.** 939.625 of the statutes is repealed.

16 **SECTION 571.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)  
17 (d), (2) and (3), as renumbered, are amended to read:

18 939.63 (1) (d) The maximum term of imprisonment for a felony not specified  
19 in ~~subd. 2. or 3. par (b) or (c)~~ par (b) or (c) may be increased by not more than 3 years.

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

23 (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to  
24 951 and 961.

25 **SECTION 572.** 939.63 (2) of the statutes is repealed.

1           **SECTION 573.** 939.632 (1) (e) 1. of the statutes is amended to read:

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

7           **SECTION 574.** 939.632 (2) of the statutes is amended to read:

8           939.632 (2) If a person commits a violent crime in a school zone, the maximum  
9           period term of imprisonment is increased as follows:

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

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

15           **SECTION 575.** 939.635 of the statutes is repealed.

16           **SECTION 576.** 939.64 of the statutes is repealed.

17           **SECTION 577.** 939.641 of the statutes is repealed.

18           **SECTION 578.** 939.645 (2) of the statutes is amended to read:

19           939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
20           misdemeanor other than a Class A misdemeanor, the revised maximum fine is  
21           \$10,000 and the revised maximum period term of imprisonment is one year in the  
22           county jail.

23           (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,  
24           the penalty increase under this section changes the status of the crime to a felony and

1 the revised maximum fine is \$10,000 and the revised maximum period term of  
2 imprisonment is 2 years.

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

7 **SECTION 579.** 939.646 of the statutes is repealed.

8 **SECTION 580.** 939.647 of the statutes is repealed.

9 **SECTION 581.** 939.648 of the statutes is repealed.

10 **SECTION 582.** 939.72 (1) of the statutes is amended to read:

11 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
12 party to a crime which is the objective of the solicitation; or

13 **SECTION 583.** 939.75 (1) of the statutes is amended to read:

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

19 **SECTION 584.** 940.02 (2) (intro.) of the statutes is amended to read:

20 940.02 (2) (intro.) Whoever causes the death of another human being under any  
21 of the following circumstances is guilty of a Class B C felony:

22 **SECTION 585.** 940.03 of the statutes is amended to read:

23 **940.03 Felony murder.** Whoever causes the death of another human being  
24 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
25 (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               **SECTION 586.** 940.04 (1) of the statutes is amended to read:

4               940.04 (1) Any person, other than the mother, who intentionally destroys the  
5       life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~  
6       ~~than 3 years or both~~ is guilty of a Class H felony.

7               **SECTION 587.** 940.04 (2) (intro.) of the statutes is amended to read:

8               940.04 (2) (intro.) Any person, other than the mother, who does either of the  
9       following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

10              **SECTION 588.** 940.04 (4) of the statutes is amended to read:

11             940.04 (4) Any pregnant woman who intentionally destroys the life of her  
12       unborn quick child or who consents to such destruction by another ~~may be~~  
13       ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

14             **SECTION 589.** 940.06 (1) of the statutes is amended to read:

15             940.06 (1) Whoever recklessly causes the death of another human being is  
16       guilty of a Class C D felony.

17             **SECTION 590.** 940.06 (2) of the statutes is amended to read:

18             940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
19       a Class C D felony.

20             **SECTION 591.** 940.07 of the statutes is amended to read:

21             **940.07 Homicide resulting from negligent control of vicious animal.**

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

1           **SECTION 592.** 940.08 (1) of the statutes is amended to read:

2           940.08 (1) Whoever causes the death of another human being by the negligent  
3 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class  
4 D G felony.

5           **SECTION 593.** 940.08 (2) of the statutes is amended to read:

6           940.08 (2) Whoever causes the death of an unborn child by the negligent  
7 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D  
8 G felony.

9           **SECTION 594.** 940.09 (1) (intro.) of the statutes is amended to read:

10          940.09 (1) (intro.) Any person who does any of the following is ~~guilty of a Class~~  
11 ~~B felony may be penalized as provided in sub. (1c):~~

12          **SECTION 595.** 940.09 (1b) of the statutes is repealed.

13          **SECTION 596.** 940.09 (1c) of the statutes is created to read:

14          940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
15 guilty of a Class D felony.

16          (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
17 one or more prior convictions, suspensions, or revocations, as counted under s.  
18 343.307 (2).

19          **SECTION 597.** 940.10 (1) of the statutes is amended to read:

20          940.10 (1) Whoever causes the death of another human being by the negligent  
21 operation or handling of a vehicle is guilty of a Class E G felony.

22          **SECTION 598.** 940.10 (2) of the statutes is amended to read:

23          940.10 (2) Whoever causes the death of an unborn child by the negligent  
24 operation or handling of a vehicle is guilty of a Class E G felony.

25          **SECTION 599.** 940.11 (1) of the statutes is amended to read:

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

4           **SECTION 600.** 940.11 (2) of the statutes is amended to read:

5           940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
6 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class D G  
7 felony.

8           **SECTION 601.** 940.12 of the statutes is amended to read:

9           **940.12 Assisting suicide.** Whoever with intent that another take his or her  
10 own life assists such person to commit suicide is guilty of a Class D H felony.

11          **SECTION 602.** 940.15 (2) of the statutes is amended to read:

12          940.15 (2) Whoever intentionally performs an abortion after the fetus or  
13 unborn child reaches viability, as determined by reasonable medical judgment of the  
14 woman's attending physician, is guilty of a Class E I felony.

15          **SECTION 603.** 940.15 (5) of the statutes is amended to read:

16          940.15 (5) Whoever intentionally performs an abortion and who is not a  
17 physician is guilty of a Class E I felony.

18          **SECTION 604.** 940.15 (6) of the statutes is amended to read:

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

1           **SECTION 605.** 940.19 (2) of the statutes is amended to read:

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

5           **SECTION 606.** 940.19 (3) of the statutes is repealed.

6           **SECTION 607.** 940.19 (4) of the statutes is amended to read:

7           940.19 (4) Whoever causes great bodily harm to another by an act done with  
8 intent to cause bodily harm to that person or another is guilty of a Class D H felony.

9           **SECTION 608.** 940.19 (5) of the statutes is amended to read:

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

13          **SECTION 609.** 940.19 (6) (intro.) of the statutes 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          **SECTION 610.** 940.195 (2) of the statutes is amended to read:

19          940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
20 act done with intent to cause bodily harm to that unborn child, to the woman who is  
21 pregnant with that unborn child or another is guilty of a Class E I felony.

22          **SECTION 611.** 940.195 (3) of the statutes is repealed.

23          **SECTION 612.** 940.195 (4) of the statutes is amended to read:

1           940.195 (4) Whoever causes great bodily harm to an unborn child by an act  
2 done with intent to cause bodily harm to that unborn child, to the woman who is  
3 pregnant with that unborn child or another is guilty of a Class D H felony.

4           **SECTION 613.** 940.195 (5) of the statutes is amended to read:

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

9           **SECTION 614.** 940.195 (6) of the statutes is amended to read:

10          940.195 (6) Whoever intentionally causes bodily harm to an unborn child by  
11 conduct that creates a substantial risk of great bodily harm is guilty of a Class D H  
12 felony.

13          **SECTION 615.** 940.20 (1) of the statutes is amended to read:

14          940.20 (1) **BATTERY BY PRISONERS.** Any prisoner confined to a state prison or  
15 other state, county or municipal detention facility who intentionally causes bodily  
16 harm to an officer, employee, visitor or another inmate of such prison or institution,  
17 without his or her consent, is guilty of a Class D H felony.

18          **SECTION 616.** 940.20 (1m) of the statutes is amended to read:

19          940.20 (1m) **BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS.** (a) Any  
20 person who is subject to an injunction under s. 813.12 or a tribal injunction filed  
21 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who  
22 sought the injunction by an act done without the consent of the petitioner is guilty  
23 of a Class E I felony.

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

4 **SECTION 617.** 940.20 (2) of the statutes is amended to read:

5 940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS. Whoever  
6 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those  
7 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the  
8 person knows or has reason to know that the victim is a law enforcement officer or  
9 fire fighter, by an act done without the consent of the person so injured, is guilty of  
10 a Class D H felony.

11 **SECTION 618.** 940.20 (2m) (b) of the statutes is amended to read:

12 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,  
13 extended supervision and parole agent or an aftercare agent, acting in an official  
14 capacity and the person knows or has reason to know that the victim is a probation,  
15 extended supervision and parole agent or an aftercare agent, by an act done without  
16 the consent of the person so injured, is guilty of a Class D H felony.

17 **SECTION 619.** 940.20 (3) of the statutes is amended to read:

18 940.20 (3) BATTERY TO JURORS. Whoever intentionally causes bodily harm to a  
19 person who he or she knows or has reason to know is or was a grand or petit juror,  
20 and by reason of any verdict or indictment assented to by the person, without the  
21 consent of the person injured, is guilty of a Class D H felony.

22 **SECTION 620.** 940.20 (4) of the statutes is amended to read:

23 940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily  
24 harm to a public officer in order to influence the action of such officer or as a result

1 of any action taken within an official capacity, without the consent of the person  
2 injured, is guilty of a Class E I felony.

3 **SECTION 621.** 940.20 (5) (b) of the statutes is amended to read:

4 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
5 district or school district officer or employee acting in that capacity, and the person  
6 knows or has reason to know that the victim is a technical college district or school  
7 district officer or employee, without the consent of the person so injured, is guilty of  
8 a Class E I felony.

9 **SECTION 622.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

10 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
11 under any of the following circumstances is guilty of a Class E I felony:

12 **SECTION 623.** 940.20 (7) (a) 1e. of the statutes is amended to read:

13 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) (~~a~~) (am).

14 **SECTION 624.** 940.20 (7) (b) of the statutes is amended to read:

15 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
16 department worker, an emergency medical technician, a first responder or an  
17 ambulance driver who is acting in an official capacity and who the person knows or  
18 has reason to know is an emergency department worker, an emergency medical  
19 technician, a first responder or an ambulance driver, by an act done without the  
20 consent of the person so injured, is guilty of a Class D H felony.

21 **SECTION 625.** 940.201 (2) (intro.) of the statutes is amended to read:

22 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H  
23 felony:

24 **SECTION 626.** 940.203 (2) (intro.) of the statutes is amended to read:

1           940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
2 cause bodily harm to the person or family member of any judge under all of the  
3 following circumstances is guilty of a Class D H felony:

4           **SECTION 627.** 940.205 (2) (intro.) of the statutes is amended to read:

5           940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
6 cause bodily harm to the person or family member of any department of revenue  
7 official, employee or agent under all of the following circumstances is guilty of a Class  
8 D H felony:

9           **SECTION 628.** 940.207 (2) (intro.) of the statutes is amended to read:

10           940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
11 cause bodily harm to the person or family member of any department of commerce  
12 or department of workforce development official, employee or agent under all of the  
13 following circumstances is guilty of a Class D H felony:

14           **SECTION 629.** 940.21 of the statutes is amended to read:

15           **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
16 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
17 guilty of a Class B C felony.

18           **SECTION 630.** 940.22 (2) of the statutes is amended to read:

19           940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
20 or herself out to be a therapist and who intentionally has sexual contact with a  
21 patient or client during any ongoing therapist-patient or therapist-client  
22 relationship, regardless of whether it occurs during any treatment, consultation,  
23 interview or examination, is guilty of a Class C F felony. Consent is not an issue in  
24 an action under this subsection.

25           **SECTION 631.** 940.225 (2) (intro.) of the statutes is amended to read:

1           940.225 (2) SECOND DEGREE SEXUAL ASSAULT. (intro.) Whoever does any of the  
2 following is guilty of a Class ~~B~~ C felony:

3           **SECTION 632.** 940.225 (3) of the statutes is amended to read:

4           940.225 (3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse  
5 with a person without the consent of that person is guilty of a Class ~~D~~ G felony.  
6 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
7 without the consent of that person is guilty of a Class ~~D~~ G felony.

8           **SECTION 633.** 940.23 (1) (a) of the statutes is amended to read:

9           940.23 (1) (a) Whoever recklessly causes great bodily harm to another human  
10 being under circumstances which show utter disregard for human life is guilty of a  
11 Class ~~C~~ D felony.

12           **SECTION 634.** 940.23 (1) (b) of the statutes is amended to read:

13           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
14 under circumstances that show utter disregard for the life of that unborn child, the  
15 woman who is pregnant with that unborn child or another is guilty of a Class ~~C~~ D  
16 felony.

17           **SECTION 635.** 940.23 (2) (a) of the statutes is amended to read:

18           940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
19 being is guilty of a Class ~~D~~ F felony.

20           **SECTION 636.** 940.23 (2) (b) of the statutes is amended to read:

21           940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
22 is guilty of a Class ~~D~~ F felony.

23           **SECTION 637.** 940.24 (1) of the statutes is amended to read:

24           940.24 (1) Whoever causes bodily harm to another by the negligent operation  
25 or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~ I felony.

1           **SECTION 638.** 940.24 (2) of the statutes is amended to read:

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

5           **SECTION 639.** 940.25 (1) (intro.) of the statutes 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           **SECTION 640.** 940.25 (1b) of the statutes is repealed.

9           **SECTION 641.** 940.285 (2) (b) 1g. of the statutes is amended to read:

10          940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
11 that cause death is guilty of a Class **B C** felony. Any person violating par. (a) 3. under  
12 circumstances that cause death is guilty of a Class D felony.

13          **SECTION 642.** 940.285 (2) (b) 1m. of the statutes is amended to read:

14          940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm is guilty of a Class **C F** felony.

16          **SECTION 643.** 940.285 (2) (b) 1r. of the statutes is amended to read:

17          940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are  
18 likely to cause great bodily harm is guilty of a Class **D G** felony. Any person violating  
19 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
20 guilty of a Class I felony.

21          **SECTION 644.** 940.285 (2) (b) 2. of the statutes is amended to read:

22          940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 cause ~~or are likely to cause~~ bodily harm is guilty of a Class **E H** felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

1           **SECTION 645.** 940.285 (2) (b) 3. of the statutes is repealed.

2           **SECTION 646.** 940.29 of the statutes is amended to read:

3           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
4 employed in a penal or correctional institution or other place of confinement who  
5 abuses, neglects or ill-treats any person confined in or a resident of any such  
6 institution or place or who knowingly permits another person to do so is guilty of a  
7 Class ~~E~~ I felony.

8           **SECTION 647.** 940.295 (3) (b) 1g. of the statutes is amended to read:

9           940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
10 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person  
11 violating par. (a) 3. under circumstances that cause death to a vulnerable person is  
12 guilty of a Class D felony.

13           **SECTION 648.** 940.295 (3) (b) 1m. of the statutes is amended to read:

14           940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

16           **SECTION 649.** 940.295 (3) (b) 1r. of the statutes is amended to read:

17           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
18 (a) 1. under circumstances that ~~cause or are likely to cause~~ great bodily harm is guilty  
19 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
20 likely to cause great bodily harm is guilty of a Class G felony.

21           **SECTION 650.** 940.295 (3) (b) 2. of the statutes is amended to read:

22           940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 ~~cause or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

1           **SECTION 651.** 940.295 (3) (b) 3. of the statutes is amended to read:

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

6           **SECTION 652.** 940.30 of the statutes is amended to read:

7           **940.30 False imprisonment.** Whoever intentionally confines or restrains  
8           another without the person's consent and with knowledge that he or she has no  
9           lawful authority to do so is guilty of a Class E H felony.

10          **SECTION 653.** 940.305 (1) of the statutes is amended to read:

11          940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
12          imminent force seizes, confines or restrains a person without the person's consent  
13          and with the intent to use the person as a hostage in order to influence a person to  
14          perform or not to perform some action demanded by the actor is guilty of a Class A  
15          B felony.

16          **SECTION 654.** 940.305 (2) of the statutes is amended to read:

17          940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
18          a Class B C felony if, before the time of the actor's arrest, each person who is held as  
19          a hostage is released without bodily harm.

20          **SECTION 655.** 940.31 (1) (intro.) of the statutes is amended to read:

21          940.31 (1) (intro.) Whoever does any of the following is guilty of a Class B C  
22          felony:

23          **SECTION 656.** 940.31 (2) (a) of the statutes is amended to read:

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

4           **SECTION 657.** 940.31 (2) (b) of the statutes is amended to read:

5           940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer  
6 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
7 the victim is released without permanent physical injury prior to the time the first  
8 witness is sworn at the trial.

9           **SECTION 658.** 940.32 (2) (intro.) of the statutes is amended to read:

10          940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class  
11 ~~A misdemeanor~~ I felony:

12          **SECTION 659.** 940.32 (2m) of the statutes is amended to read:

13          940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
14 intentionally gains access to a record in electronic format that contains personally  
15 identifiable information regarding the victim in order to facilitate the violation  
16 under sub. (2).

17          **SECTION 660.** 940.32 (3) (intro.) of the statutes is amended to read:

18          940.32 (3) (intro.) Whoever violates sub. (2) under any of the following  
19 circumstances is guilty of a Class ~~E~~ H felony:

20          **SECTION 661.** 940.32 (3m) (intro.) of the statutes is amended to read:

21          940.32 (3m) (intro.) Whoever violates sub. (3) under all of the following  
22 circumstances is guilty of a Class ~~D~~ G felony:

23          **SECTION 662.** 940.43 (intro.) of the statutes is amended to read:

24          **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
25 940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

1           **SECTION 663.** 940.45 (intro.) of the statutes is amended to read:

2           **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
3 under any of the following circumstances is guilty of a Class D G felony:

4           **SECTION 664.** 941.11 (intro.) of the statutes is amended to read:

5           **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
6 following is guilty of a Class D H felony:

7           **SECTION 665.** 941.12 (1) of the statutes is amended to read:

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

11           **SECTION 666.** 941.20 (2) (intro.) of the statutes 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           **SECTION 667.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

15           **941.20 (3) (a)** (intro.) Whoever intentionally discharges a firearm from a  
16 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot  
17 that is open to the public under any of the following circumstances is guilty of a Class  
18 C F felony:

19           **SECTION 668.** 941.21 of the statutes is amended to read:

20           **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
21 officer who is acting in his or her official capacity by taking a dangerous weapon or  
22 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
23 without his or her consent is guilty of a Class E H felony. This section applies to any  
24 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)

1 (a) that the officer is carrying or that is in an area within the officer's immediate  
2 presence.

3 **SECTION 669.** 941.235 (1) of the statutes is amended to read:

4 941.235 (1) Any person who goes armed with a firearm in any building owned  
5 or leased by the state or any political subdivision of the state is guilty of a Class B  
6 A misdemeanor.

7 **SECTION 670.** 941.26 (2) (a) of the statutes is amended to read:

8 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

9 **SECTION 671.** 941.26 (2) (b) of the statutes is amended to read:

10 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class C F felony.

11 **SECTION 672.** 941.26 (2) (e) of the statutes is amended to read:

12 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
13 commercial transportation of the bomb, grenade, projectile, shell or container under  
14 sub. (1) (b) is guilty of a Class E H felony.

15 **SECTION 673.** 941.26 (2) (f) of the statutes is amended to read:

16 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
17 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily  
18 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
19 who is acting in an official capacity is guilty of a Class D H felony.

20 **SECTION 674.** 941.26 (2) (g) of the statutes is amended to read:

21 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
22 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
23 of another crime to cause bodily harm or bodily discomfort to another or who  
24 threatens to use the bomb, grenade, projectile, shell or container during his or her

1 commission of another crime to incapacitate another person is guilty of a Class E H  
2 felony.

3 **SECTION 675.** 941.26 (4) (d) of the statutes is amended to read:

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

8 **SECTION 676.** 941.26 (4) (e) of the statutes is amended to read:

9 941.26 (4) (e) Whoever uses a device or container described under par. (a)  
10 during his or her commission of another crime to cause bodily harm or bodily  
11 discomfort to another or who threatens to use the device or container during his or  
12 her commission of another crime to incapacitate another person is guilty of a Class  
13 E H felony.

14 **SECTION 677.** 941.28 (3) of the statutes is amended to read:

15 941.28 (3) Any person violating this section is guilty of a Class E H felony.

16 **SECTION 678.** 941.29 (2) (intro.) of the statutes is amended to read:

17 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class E G felony  
18 if he or she possesses a firearm under any of the following circumstances:

19 **SECTION 679.** 941.29 (2m) of the statutes is repealed.

20 **SECTION 680.** 941.295 (1) of the statutes is amended to read:

21 941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
22 with any electric weapon is guilty of a Class E H felony.

23 **SECTION 681.** 941.296 (2) (intro.) of the statutes is amended to read:

1           941.296 (2) (intro.) Whoever uses or possesses a handgun during the  
2 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony  
3 under any of the following circumstances.

4           **SECTION 682.** 941.296 (3) of the statutes is repealed.

5           **SECTION 683.** 941.298 (2) of the statutes is amended to read:

6           941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
7 a Class E H felony.

8           **SECTION 684.** 941.30 (1) of the statutes is amended to read:

9           941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly  
10 endangers another's safety under circumstances which show utter disregard for  
11 human life is guilty of a Class D F felony.

12          **SECTION 685.** 941.30 (2) of the statutes is amended to read:

13          941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
14 recklessly endangers another's safety is guilty of a Class E G felony.

15          **SECTION 686.** 941.31 (1) of the statutes is amended to read:

16          941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
17 explosive compound or offers to do the same, either with intent to use such explosive  
18 to commit a crime or knowing that another intends to use it to commit a crime, is  
19 guilty of a Class C F felony.

20          **SECTION 687.** 941.31 (2) (b) of the statutes is amended to read:

21          941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
22 transfers any improvised explosive device, or possesses materials or components  
23 with intent to assemble any improvised explosive device, is guilty of a Class E H  
24 felony.

25          **SECTION 688.** 941.315 (3) (intro.) of the statutes is amended to read:

1           941.315 (3) (intro.) Whoever does any of the following is guilty of a Class D H  
2 felony:

3           **SECTION 689.** 941.32 of the statutes is amended to read:

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

8           **SECTION 690.** 941.325 of the statutes is amended to read:

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

12           **SECTION 691.** 941.327 (2) (b) 1. of the statutes is amended to read:

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

15           **SECTION 692.** 941.327 (2) (b) 2. of the statutes 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           **SECTION 693.** 941.327 (2) (b) 3. of the statutes is amended to read:

19           941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
20 a person violating par. (a) is guilty of a Class C F felony.

21           **SECTION 694.** 941.327 (2) (b) 4. of the statutes is amended to read:

22           941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is  
23 guilty of a Class A- C felony.

24           **SECTION 695.** 941.327 (3) of the statutes is amended to read:

1           941.327 (3) Whoever intentionally imparts or conveys false information,  
2 knowing the information to be false, concerning an act or attempted act which, if  
3 true, would constitute a violation of sub. (2) is guilty of a Class E I felony.

4           **SECTION 696.** 941.37 (1) (a) of the statutes is amended to read:

5           941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

6           **SECTION 697.** 941.37 (3) of the statutes is amended to read:

7           941.37 (3) Any person who intentionally interferes with any emergency  
8 medical personnel in the performance of duties relating to an emergency or rescue  
9 and who has reasonable grounds to believe that the interference may endanger  
10 another's safety is guilty of a Class E I felony.

11          **SECTION 698.** 941.37 (4) of the statutes is amended to read:

12          941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
13 death of another is guilty of a Class C E felony.

14          **SECTION 699.** 941.38 (1) (b) 4. of the statutes is amended to read:

15          941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as  
16 prohibited in s. 940.19 or 940.195.

17          **SECTION 700.** 941.38 (2) of the statutes is amended to read:

18          941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
19 activity is guilty of a Class E I felony.

20          **SECTION 701.** 942.09 (2) (intro.) of the statutes, as affected by 2001 Wisconsin  
21 Act 33, is amended to read:

22          942.09 (2) (intro.) Whoever does any of the following is guilty of a Class E I  
23 felony:

24          **SECTION 702.** 943.01 (2) (intro.) of the statutes is amended to read:

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

3           **SECTION 703.** 943.01 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5           943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
6 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property  
7 is reduced in value by the amount which it would cost either to repair or replace it,  
8 whichever is less.

9           **SECTION 704.** 943.01 (2d) (b) (intro.) of the statutes, as created by 2001  
10 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           **SECTION 705.** 943.01 (2g) (intro.) of the statutes is amended to read:

14           943.01 (2g) (intro.) Any person violating sub. (1) under all of the following  
15 circumstances is guilty of a Class **E I** felony:

16           **SECTION 706.** 943.01 (2g) (c) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is amended to read:

18           943.01 (2g) (c) The total property damaged in violation of sub. (1) is reduced  
19 in value by more than \$500 but not more than ~~\$2,500~~ \$1,000. For purposes of this  
20 paragraph, property is reduced in value by the amount that it would cost to repair  
21 or replace it, whichever is less, plus other monetary losses associated with the  
22 damage.

23           **SECTION 707.** 943.011 (2) (intro.) of the statutes is amended to read:

24           943.011 (2) (intro.) Whoever does any of the following is guilty of a Class **D I**  
25 felony:

1           **SECTION 708.** 943.012 (intro.) of the statutes is amended to read:

2           **943.012 Criminal damage to or graffiti on religious and other property.**

3           (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
4           writes with ink or another substance on or intentionally etches into any physical  
5           property of another, without the person's consent and with knowledge of the  
6           character of the property, is guilty of a Class **E I** felony if the property consists of one  
7           or more of the following:

8           **SECTION 709.** 943.013 (2) (intro.) of the statutes is amended to read:

9           **943.013 (2)** (intro.) Whoever intentionally causes or threatens to cause damage  
10          to any physical property that belongs to a judge or his or her family member under  
11          all of the following circumstances is guilty of a Class **D I** felony:

12          **SECTION 710.** 943.014 (2) of the statutes is amended to read:

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

19          **SECTION 711.** 943.015 (2) (intro.) of the statutes is amended to read:

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

24          **SECTION 712.** 943.017 (2) (intro.) of the 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           **SECTION 713.** 943.017 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5           943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced  
6 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property  
7 is reduced in value by the amount which it would cost to repair or replace it or to  
8 remove the marking, drawing, writing or etching, whichever is less.

9           **SECTION 714.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

10          943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class D  
11 I felony:

12          **SECTION 715.** 943.02 (1) (intro.) of the statutes is amended to read:

13          943.02 (1) (intro.) Whoever does any of the following is guilty of a Class B C  
14 felony:

15          **SECTION 716.** 943.03 of the statutes is amended to read:

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

20          **SECTION 717.** 943.04 of the statutes is amended to read:

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

1           **SECTION 718.** 943.06 (2) of the statutes is amended to read:

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

4           **SECTION 719.** 943.07 (1) of the statutes is 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           **SECTION 720.** 943.07 (2) of the statutes is amended to read:

10          943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
11 train, car, caboose or engine is guilty of a Class ~~A~~ misdemeanor I felony.

12          **SECTION 721.** 943.10 (1) (intro.) of the statutes is amended to read:

13          943.10 (1) (intro.) Whoever intentionally enters any of the following places  
14 without the consent of the person in lawful possession and with intent to steal or  
15 commit a felony in such place is guilty of a Class C F felony:

16          **SECTION 722.** 943.10 (2) (intro.) of the statutes is amended to read:

17          943.10 (2) (intro.) Whoever violates sub. (1) under any of the following  
18 circumstances is guilty of a Class B E felony:

19          **SECTION 723.** 943.12 of the statutes is amended to read:

20          **943.12 Possession of burglarious tools.** Whoever has in personal  
21 possession any device or instrumentality intended, designed or adapted for use in  
22 breaking into any depository designed for the safekeeping of any valuables or into  
23 any building or room, with intent to use such device or instrumentality to break into  
24 a depository, building or room, and to steal therefrom, is guilty of a Class E I felony.

1           **SECTION 724.** 943.20 (3) (a) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           943.20 (3) (a) If the value of the property does not exceed ~~\$2,500~~ \$1,000, is  
4 guilty of a Class A misdemeanor.

5           **SECTION 725.** 943.20 (3) (bf) of the statutes is created to read:

6           943.20 (3) (bf) If the value of the property exceeds \$1,000 but does not exceed  
7 \$5,000, is guilty of a Class I felony.

8           **SECTION 726.** 943.20 (3) (bm) of the statutes is 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           **SECTION 727.** 943.20 (3) (c) of the statutes is amended to read:

12           943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of  
13 a Class ~~C~~ G felony.

14           **SECTION 728.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

15           943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~  
16 ~~any of the following circumstances exist~~ exists, is guilty of a Class ~~D~~ H felony:

17           **SECTION 729.** 943.20 (3) (d) 1. of the statutes is amended to read:

18           943.20 (3) (d) 1. The property is a domestic animal; ~~or.~~

19           **SECTION 730.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
20 amended to read:

21           943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from  
22 a corpse; ~~or,~~ is guilty of a Class G felony.

23           **SECTION 731.** 943.20 (3) (d) 3. of the statutes is amended to read:

1           943.20 (3) (d) 3. The property is taken from a building which has been destroyed  
2 or left unoccupied because of physical disaster, riot, bombing or the proximity of  
3 battle;~~or~~.

4           **SECTION 732.** 943.20 (3) (d) 4. of the statutes is amended to read:

5           943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
6 the proximity of battle has necessitated its removal from a building;~~or~~.

7           **SECTION 733.** 943.201 (2) of the statutes is amended to read:

8           943.201 (2) Whoever intentionally uses or attempts to use any personal  
9 identifying information or personal identification document of an individual to  
10 obtain credit, money, goods, services or anything else of value without the  
11 authorization or consent of the individual and by representing that he or she is the  
12 individual or is acting with the authorization or consent of the individual is guilty  
13 of a Class D H felony.

14           **SECTION 734.** 943.205 (3) of the statutes is amended to read:

15           943.205 (3) Anyone who violates this section is guilty of a Class E I felony.

16           **SECTION 735.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

17           943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class D I  
18 felony under any of the following circumstances:

19           **SECTION 736.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

20           943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class C H  
21 felony under any of the following circumstances:

22           **SECTION 737.** 943.208 (2) (b) of the statutes is amended to read:

23           943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
24 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
25 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual

1 recordings in violation of sub. (1) during a 180-day period, and the value of the  
2 recordings exceeds \$2,500.

3 **SECTION 738.** 943.208 (2) (c) of the statutes is amended to read:

4 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
5 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
6 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in  
7 violation of sub. (1) during a 180-day period or if the violation occurs after the person  
8 has been convicted under this section.

9 **SECTION 739.** 943.209 (2) (b) of the statutes is amended to read:

10 943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
11 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer  
12 than 100 recordings in violation of sub. (1) during a 180-day period, and the value  
13 of the recordings exceeds \$2,500.

14 **SECTION 740.** 943.209 (2) (c) of the statutes is amended to read:

15 943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
16 person advertises, offers for sale or rent, sells, rents, transports or possesses at least  
17 100 recordings in violation of sub. (1) during a 180-day period or if the violation  
18 occurs after the person has been convicted under this section.

19 **SECTION 741.** 943.21 (3) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
22 beverage, food, lodging, accommodation, transportation or other service is \$2,500  
23 \$1,000 or less.

24 **SECTION 742.** 943.21 (3) (b) of the statutes, as affected by 2001 Wisconsin Act  
25 16, is amended to read:

1           943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,  
2 food, lodging, accommodation, transportation or other service exceeds \$2,500 \$1,000.

3           **SECTION 743.** 943.23 (1g) of the statutes is amended to read:

4           943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of,  
5 or the threat of the use of, force or the weapon against another, intentionally takes  
6 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

7           **SECTION 744.** 943.23 (1m) of the statutes is repealed.

8           **SECTION 745.** 943.23 (1r) of the statutes is repealed.

9           **SECTION 746.** 943.23 (2) of the statutes is amended to read:

10          943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
11 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
12 H felony.

13          **SECTION 747.** 943.23 (3) of the statutes is amended to read:

14          943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
15 drives or operates any vehicle without the consent of the owner is guilty of a Class  
16 ~~E~~ I felony.

17          **SECTION 748.** 943.23 (3m) of the statutes is created to read:

18          943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.  
19 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
20 after the vehicle was taken from the possession of the owner. An affirmative defense  
21 under this subsection mitigates the offense to a Class A misdemeanor. A defendant  
22 who raises this affirmative defense has the burden of proving the defense by a  
23 preponderance of the evidence.

24          **SECTION 749.** 943.23 (4m) of the statutes is amended to read:

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

5           **SECTION 750.** 943.23 (5) of the statutes is amended to read:

6           943.23 (5) Whoever intentionally removes a major part of a vehicle without the  
7 consent of the owner is guilty of a Class ~~E~~ I felony. Whoever intentionally removes  
8 any other part or component of a vehicle without the consent of the owner is guilty  
9 of a Class A misdemeanor.

10          **SECTION 751.** 943.24 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
11 is amended to read:

12          943.24 (1) Whoever issues any check or other order for the payment of not more  
13 than \$2,500 \$1,000 which, at the time of issuance, he or she intends shall not be paid  
14 is guilty of a Class A misdemeanor.

15          **SECTION 752.** 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
16 is amended to read:

17          943.24 (2) Whoever issues any single check or other order for the payment of  
18 more than \$2,500 \$1,000 or whoever within a 15-day period issues more than one  
19 check or other order amounting in the aggregate to more than \$2,500 \$1,000 which,  
20 at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I  
21 felony.

22          **SECTION 753.** 943.25 (1) of the statutes is amended to read:

23          943.25 (1) Whoever, with intent to defraud, conveys real property which he or  
24 she knows is encumbered, without informing the grantee of the existence of the  
25 encumbrance is guilty of a Class ~~E~~ I felony.

1           **SECTION 754.** 943.25 (2) (intro.) of the statutes is amended to read:

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

4           **SECTION 755.** 943.26 (2) of the statutes is amended to read:

5           943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or  
6 vendee is guilty of a Class E I felony.

7           **SECTION 756.** 943.27 of the statutes is amended to read:

8           **943.27 Possession of records of certain usurious loans.** Any person who  
9 knowingly possesses any writing representing or constituting a record of a charge of,  
10 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
11 upon \$100 for one year computed upon the declining principal balance of the loan,  
12 use or forbearance of money, goods or things in action or upon the loan, use or sale  
13 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
14 E I felony.

15           **SECTION 757.** 943.28 (2) of the statutes is amended to read:

16           943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
17 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
18 is guilty of a Class C F felony.

19           **SECTION 758.** 943.28 (3) of the statutes is amended to read:

20           943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
21 as an investment, pursuant to a partnership or profit-sharing agreement, or  
22 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
23 Class C F felony.

24           **SECTION 759.** 943.28 (4) of the statutes is amended to read:

1           943.28 (4) Whoever knowingly participates in any way in the use of any  
2 extortionate means to collect or attempt to collect any extension of credit, or to punish  
3 any person for the nonrepayment thereof, is guilty of a Class C F felony.

4           **SECTION 760.** 943.30 (1) of the statutes is amended to read:

5           943.30 (1) Whoever, either verbally or by any written or printed  
6 communication, maliciously threatens to accuse or accuses another of any crime or  
7 offense, or threatens or commits any injury to the person, property, business,  
8 profession, calling or trade, or the profits and income of any business, profession,  
9 calling or trade of another, with intent thereby to extort money or any pecuniary  
10 advantage whatever, or with intent to compel the person so threatened to do any act  
11 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

12           **SECTION 761.** 943.30 (2) of the statutes is amended to read:

13           943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting  
14 commerce or business or the movement of any article or commodity in commerce or  
15 business is guilty of a Class D H felony.

16           **SECTION 762.** 943.30 (3) of the statutes is amended to read:

17           943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
18 grand juror, in the performance of his or her functions as such, is guilty of a Class D  
19 H felony.

20           **SECTION 763.** 943.30 (4) of the statutes is amended to read:

21           943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
22 action of any public officer is guilty of a Class D H felony.

23           **SECTION 764.** 943.30 (5) (b) of the statutes is amended to read:

24           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
25 maliciously uses, or threatens to use, the patient health care records of another

1 person, with intent thereby to extort money or any pecuniary advantage, or with  
2 intent to compel the person so threatened to do any act against the person's will or  
3 omit to do any lawful act, is guilty of a Class D H felony.

4 **SECTION 765.** 943.31 of the statutes is amended to read:

5 **943.31 Threats to communicate derogatory information.** Whoever  
6 threatens to communicate to anyone information, whether true or false, which would  
7 injure the reputation of the threatened person or another unless the threatened  
8 person transfers property to a person known not to be entitled to it is guilty of a Class  
9 E I felony.

10 **SECTION 766.** 943.32 (1) (intro.) of the statutes is amended to read:

11 943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person  
12 or presence of the owner by either of the following means is guilty of a Class C E  
13 felony:

14 **SECTION 767.** 943.32 (2) of the statutes is amended to read:

15 943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
16 weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
17 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
18 weapon or such a device or container is guilty of a Class B C felony.

19 **SECTION 768.** 943.34 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 943.34 (1) (a) A Class A misdemeanor, if the value of the property does not  
22 exceed ~~\$2,500~~ \$1,000.

23 **SECTION 769.** 943.34 (1) (bf) of the statutes is created to read:

24 943.34 (1) (bf) A Class I felony, if the value of the property exceeds \$1,000 but  
25 does not exceed \$5,000.

1           **SECTION 770.** 943.34 (1) (bm) of the statutes is created to read:

2           943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but  
3 does not exceed \$10,000.

4           **SECTION 771.** 943.34 (1) (c) of the statutes is amended to read:

5           943.34 (1) (c) A Class C G felony, if the value of the property exceeds \$2,500  
6 \$10,000.

7           **SECTION 772.** 943.38 (1) (intro.) of the statutes is amended to read:

8           943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
9 writing or object of any of the following kinds so that it purports to have been made  
10 by another, or at another time, or with different provisions, or by authority of one who  
11 did not give such authority, is guilty of a Class C H felony:

12           **SECTION 773.** 943.38 (2) of the statutes is amended to read:

13           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
14 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
15 been thus falsely made or altered, is guilty of a Class C H felony.

16           **SECTION 774.** 943.39 (intro.) of the statutes is amended to read:

17           **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or  
18 defraud, does any of the following is guilty of a Class D H felony:

19           **SECTION 775.** 943.395 (2) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21           943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or  
22 benefit does not exceed \$2,500 \$1,000.

23           **SECTION 776.** 943.395 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
24 16, is amended to read: