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1 ~~from the windshield. The device windshield wiper. The windshield wiper shall be~~  
2 ~~so constructed as to be controlled or operated by the operator of the vehicle and shall~~  
3 ~~at all times be maintained in good working order.”.~~

4 **538.** Page 215, line 7: after that line insert:

5 “SECTION 461u. 349.067 of the statutes is created to read:

6 **349.067 Traffic control signal emergency preemption devices. (1)**

7 Notwithstanding s. 349.065, any traffic control signal installed by a local authority  
8 after the effective date of this section .... [revisor inserts date], that is equipped with  
9 an emergency preemption device, as defined in s. 84.02 (15) (a) 4., shall be installed  
10 with a confirmation signal, as defined in s. 84.02 (15) (a) 3.

11 (2) Notwithstanding s. 349.065, any new traffic control signal installed by a  
12 local authority after the effective date of this section .... [revisor inserts date], that  
13 is not equipped with an emergency preemption device shall include all electrical  
14 wiring necessary to equip the traffic control signal with an emergency preemption  
15 device and confirmation signal.”.

16 **539.** Page 215, line 14: after that line insert:

17 “SECTION 464bb. 440.05 (intro.) of the statutes, as affected by 2001 Wisconsin

18 Act 16, is amended to read:

19 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial  
20 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.05,  
21 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

22 **SECTION 464bd.** 440.08 (2) (a) (intro.) of the statutes, as affected by 2001  
23 Wisconsin Act 16, is amended to read:

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1           440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
2           444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46, the  
3           renewal dates and renewal fees for credentials are as follows:

4           **SECTION 464bf.** 440.23 (1) of the statutes is amended to read:

5           440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)  
6           or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card  
7           and the check is not paid by the financial institution upon which the check is drawn  
8           or if the demand for payment under the debit or credit card transaction is not paid  
9           by the financial institution upon which demand is made, the department may cancel  
10          the credential on or after the 60th day after the department receives the notice from  
11          the financial institution, subject to sub. (2).

12          **SECTION 464bh.** 444.01 of the statutes is created to read:

13          **444.01 Definitions.** In this chapter:

14          (1) “Amateur boxing contest” means a boxing contest or exhibition in which  
15          none of the boxers are compensated for participating in the contest or exhibition.

16          (2) “Professional boxing contest” means a boxing contest or exhibition in which  
17          one or more of the boxers is compensated for participating in the contest or  
18          exhibition.

19          **SECTION 464bj.** 444.02 of the statutes is amended to read:

20          **444.02 Boxing licenses, permits.** The department shall have the sole  
21          direction, management and control of, and jurisdiction over, all ~~boxing and sparring~~  
22          ~~exhibitions~~ professional boxing contests conducted within the state by any club. No  
23          ~~boxing or sparring exhibitions~~ professional boxing contests may be conducted within  
24          the state except under authority granted by the department and in accordance with  
25          this chapter and the rules of the department. The department may issue, and for

1 cause limit, suspend, or revoke, a license to conduct ~~boxing and sparring exhibitions~~  
2 professional boxing contests to any incorporated club formed as provided in this  
3 chapter. The department may limit the number of ~~sparring or boxing exhibitions~~  
4 professional boxing contests given by any club in any city, village, or town. No ~~boxing~~  
5 ~~or sparring exhibition~~ professional boxing contest may be conducted by any licensed  
6 club without a permit from the department. Every license shall be subject to such  
7 rules and regulations as the department prescribes. The department may  
8 reprimand clubs for violating this chapter or any rules of the department.

9 **SECTION 464bL.** 444.03 of the statutes is amended to read:

10 **444.03 Application for license; fee.** No ~~boxing or sparring exhibition~~  
11 professional boxing contest may be conducted by any club except by license granted  
12 to it by the department, and no club may be licensed unless it is incorporated under  
13 the laws of Wisconsin and its membership is limited to persons who have been  
14 continuous residents in the state for at least one year. An application for a license  
15 shall be in writing, addressed to the department, and verified by an officer of the club.  
16 An application shall be accompanied by an annual fee of \$25 in cities, villages, and  
17 towns of not more than 50,000 inhabitants, \$50 in cities of over 50,000 and not more  
18 than 150,000 inhabitants, and \$300 in cities of over 150,000 inhabitants when the  
19 admission is over \$1 and \$50 when the admission charge is \$1 or less. The  
20 application must show that the club has entered into a valid agreement for the use  
21 of the building, amphitheater, or stadium in which contests are to be held.

22 **SECTION 464bn.** 444.04 of the statutes is amended to read:

23 **444.04 Club reports.** Within 24 hours after a club holds ~~an exhibition a~~  
24 professional boxing contest, the club shall furnish to the department a written  
25 report, verified by one of its officers, showing the number of tickets sold for the

1 ~~exhibition contest~~, the amount of gross proceeds, and all other information the  
2 department requires by rule to be included in the report.

3 **SECTION 464bp.** 444.05 of the statutes is repealed and recreated to read:

4 **444.05 Amateur boxing contests.** A person may conduct an amateur boxing  
5 contest in this state only if the contest is sanctioned by and conducted under the rules  
6 of the national governing body for amateur boxing that is recognized by the United  
7 States Olympic Committee under 36 USC 220521.

8 **SECTION 464br.** 444.06 of the statutes is amended to read:

9 **444.06 Inspectors.** The department shall appoint official “inspectors”, each  
10 of whom shall receive a card authorizing the inspector to act wherever the  
11 department designates. The department may be, and at least one inspector shall be  
12 present at all ~~exhibitions~~ professional boxing contests and see that the rules are  
13 strictly observed. An inspector shall also be present at the counting up of the gross  
14 receipts and shall immediately mail to the department the official box-office  
15 statement received from the club. Inspectors shall be paid a per diem to be set by the  
16 department, not to exceed \$25 for each day on which they are actually and  
17 necessarily engaged in the performance of their duties, and shall be reimbursed for  
18 their actual and necessary expenses incurred in the performance of their duties.

19 **SECTION 464bt.** 444.09 (1) of the statutes is amended to read:

20 **444.09 (1)** No ~~boxing or sparring exhibition~~ professional boxing contest shall  
21 be for more than 10 rounds except that where a championship is to be determined,  
22 the ~~exhibition contest~~ shall not be for more than 15 rounds, and no round shall last  
23 more than 3 minutes.

24 **SECTION 464bv.** 444.09 (2) of the statutes is amended to read:

1           444.09 (2) There shall be one minute intermission between rounds of  
2 professional boxing contests.

3           **SECTION 464bx.** 444.09 (3) of the statutes is amended to read:

4           444.09 (3) Gloves weighing not less than 5 ounces shall be worn by contestants  
5 who are in professional boxing contests and who weigh under 140 pounds, and not  
6 less than 6 ounces by other contestants.

7           **SECTION 464bz.** 444.09 (4) of the statutes is amended to read:

8           444.09 (4) No person under the age of 18 years shall participate in any  
9 professional boxing or sparring exhibition. ~~Amateur contestants between 14 and 18~~  
10 ~~years of age may participate in amateur boxing or sparring exhibitions with the~~  
11 ~~consent of their parents or guardians~~ contest.

12           **SECTION 464cb.** 444.09 (5) of the statutes is amended to read:

13           444.09 (5) No betting at any ~~boxing or sparring exhibitions~~ professional boxing  
14 contest shall be permitted before, after, or during any such contest, in the building  
15 where the contest is held.

16           **SECTION 464cd.** 444.09 (6) of the statutes is amended to read:

17           444.09 (6) Contestants in professional boxing contests shall break clean, and  
18 must not hold and hit. Butting with head or shoulders, wrestling, or illegal use of  
19 elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part  
20 of the contestants. This includes the use of abusive or insulting language.

21           **SECTION 464cf.** 444.09 (7) of the statutes is amended to read:

22           444.09 (7) The department may allow or provide for decisions upon ~~exhibitions~~  
23 professional boxing contests held under this chapter to be made by the referee or by  
24 the referee and 2 judges appointed by the department under regulations prescribed  
25 by the department.

1           **SECTION 464ch.** 444.10 of the statutes is amended to read:

2           **444.10 Physician to examine contestants.** Prior to entering the ring, each  
3 contestant in a professional boxing contest must be examined by a physician who has  
4 been licensed to practice in Wisconsin not less than 5 years and who is appointed by  
5 the department and certifies in writing, over his or her signature, as to the  
6 contestant's physical and mental fitness to engage in such contest.

7           **SECTION 464cj.** 444.11 of the statutes is amended to read:

8           **444.11 Licenses to matchmakers, referees, boxers, etc.** The department  
9 may grant licenses upon application and the payment of the prescribed fees to  
10 matchmakers, managers, referees, examining physicians, boxers ~~and~~, seconds, and  
11 trainers in professional boxing contests. The fees to be paid per year shall be:  
12 Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other  
13 cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining  
14 physicians, \$10; boxers, \$5; seconds and trainers, \$5. The department may limit,  
15 suspend or revoke any such license or reprimand the holder thereof upon such cause  
16 as it deems sufficient.

17           **SECTION 464cL.** 444.12 of the statutes is amended to read:

18           **444.12 Referee to stop contest.** The referee must stop ~~the~~ a professional  
19 boxing contest when either of the contestants shows a marked superiority or is  
20 apparently outclassed.

21           **SECTION 464cn.** 444.13 of the statutes is amended to read:

22           **444.13 Sham matches contests, license revoked.** Any club ~~which~~ that  
23 conducts, holds ~~or~~, gives, or participates in any sham or fake ~~boxing or sparring~~  
24 match professional boxing contest shall thereby forfeit its license ~~which~~. That  
25 license shall ~~thereupon~~ be revoked by the department, ~~and~~ if the club shall not

1 thereafter be entitled to another license, nor shall any license be issued to any club,  
2 which ~~that~~ has a member who belonged to a club ~~which that~~ had its license revoked.

3 **SECTION 464cp.** 444.14 of the statutes is amended to read:

4 **444.14 Sham matches contests; contestants penalized; forfeitures;**  
5 **hearing.** Any contestant who participates in any sham or fake ~~boxing or sparring~~  
6 ~~exhibition~~ professional boxing contest or violates any rule or regulation of the  
7 department shall be penalized as follows: For the first offense the contestant shall  
8 be restrained by order of the department for not less than 2 months nor more than  
9 one year, the period to begin immediately after the occurrence of the offense, from  
10 participation in the ~~exhibition~~ contest to be held or given by any licensed club; for a  
11 2nd offense, the contestant shall be permanently disqualified from further  
12 admission or participation in any such ~~exhibition~~ contest held or given by any  
13 licensed club and in addition, for each such offense, shall forfeit such amount, out of  
14 the share or purse agreed to be paid the contestant for the ~~exhibition~~ contest as the  
15 department determines, the forfeit to be paid into the general fund of the state. The  
16 department, upon determining the amount of the forfeit, may pay the same out of any  
17 guarantee deposited with it for delivery to the contestant or may order it paid to the  
18 department by the club employing the contestant out of the purse or share agreed by  
19 it to be paid to the contestant. The department shall not determine the forfeit until  
20 after due hearing held upon reasonable notice duly served upon the contestant or the  
21 contestant's manager and upon the club by whom the contestant is employed. Any  
22 member of the department or the secretary or any inspector of the department may  
23 order the club to hold the share or purse of the contestant in its possession pending  
24 the hearing and determination of the department. For failure to obey any order of  
25 the department or the secretary of the department or any inspector of the

1 department given under this section, the license of the club may be limited,  
2 suspended, canceled, or revoked, and the club may be reprimanded.

3 **SECTION 464cr.** 444.15 of the statutes is amended to read:

4 **444.15 Reports; examination of books and officers.** Whenever any club  
5 fails to make a report of any professional boxing contest at the time prescribed or  
6 whenever a report is unsatisfactory to the department, the secretary of the  
7 department may examine the books and records of the club and may subpoena and  
8 examine, under oath, the club's officers and other witnesses to determine the total  
9 amount of its gross receipts for any ~~exhibition~~ contest. The secretary may require  
10 the club to pay the expenses of conducting the examination. If a club fails to pay the  
11 amount of expenses determined by the secretary to be due within 20 days after  
12 receiving notice of the amount, the club shall forfeit its license, be disqualified from  
13 receiving any license under this chapter, and forfeit to the state the sum of \$1,000,  
14 which may be recovered by the department of justice in the name of the state.

15 **SECTION 464ct.** 444.17 of the statutes is repealed.

16 **SECTION 464cv.** 444.18 of the statutes is amended to read:

17 **444.18 Insurance on boxers.** Any licensee authorized to conduct ~~boxing~~  
18 ~~matches or exhibitions~~ professional boxing contests shall insure each contestant  
19 participating ~~therein~~ for hospital, nursing, and medication expenses and physician's  
20 and surgeon's services according to an equitable fee schedule, not to exceed in the  
21 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for  
22 injuries sustained in any such contest; and shall insure each contestant for not less  
23 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death  
24 as the result of participation in such ~~boxing match or exhibition~~ professional boxing  
25 contest."

1           **540.** Page 215, line 14: after that line insert:

2           “**SECTION 464d.** 409.519 (9) of the statutes is created to read:

3           409.519 (9) INAPPLICABILITY TO REAL-PROPERTY-RELATED FILING OFFICE.

4           Subsection (2) does not apply to a filing office described in s. 409.501 (1) (a).

5           **SECTION 464f.** 409.523 (3) (intro.) of the statutes, as affected by 2001 Wisconsin  
6           Act 10, is amended to read:

7           409.523 (3) COMMUNICATION OF REQUESTED INFORMATION. (intro.) The filing  
8           office described in s. 409.501 (1) (b) shall communicate or otherwise make available  
9           in a record the following information to any person that requests it:

10           **SECTION 464g.** 409.528 of the statutes, as affected by 2001 Wisconsin Act ....  
11           (this act), is repealed.

12           **SECTION 464h.** 409.528 (1) (title) of the statutes, as affected by 2001 Wisconsin  
13           Act 10, is repealed.

14           **SECTION 464i.** 409.528 (1) of the statutes, as affected by 2001 Wisconsin Act 10,  
15           is renumbered 409.528.

16           **SECTION 464j.** 409.528 (2) of the statutes, as affected by 2001 Wisconsin Act 10,  
17           is repealed.

18           **SECTION 464m.** 409.617 (1) (c) of the statutes, as affected by 2001 Wisconsin  
19           Act 10, is amended to read:

20           409.617 (1) (c) Discharges any subordinate security interest or other  
21           subordinate lien ~~other than liens held by this state or a local governmental unit, as~~  
22           defined in s. 19.42 (7u).”

23           **541.** Page 218, line 2: after that line insert:

24           “**SECTION 474k.** 560.02 (2) of the statutes is amended to read:

1           560.02 (2) Appoint the administrators for the various divisions of the  
2 department ~~subject to s. 230.08 (4) (a). Administrators appointed under the~~  
3 ~~unclassified service shall serve at the pleasure of the secretary.”.~~

4           **542.** Page 220, line 22: after that line insert:

5           “**SECTION 504p.** 562.025 (1) (intro.) of the statutes is amended to read:

6           562.025 (1) (intro.) No employee in the division of gaming who performs any  
7 duty related to racing or the ~~executive assistant or the secretary or deputy secretary~~  
8 of administration and no member of such a person’s immediate family, as defined in  
9 s. 19.42 (7), may, while that person is employed or serves in such a capacity or for 2  
10 years following the termination of his or her employment with the department after  
11 having served in such a capacity, do any of the following:”.

✓ 12           **543.** Page 221, line 4: after that line insert:

13           “**SECTION 506r.** 563.93 (4) of the statutes is amended to read:

14           563.93 (4) Tickets for a proposed raffle may not be offered for sale more than  
15 ~~180~~ 270 days before the raffle drawing.”.

✓ 16           **544.** Page 221, line 4: after that line insert:

17           “**SECTION 506d.** 563.05 (5) (intro.) of the statutes is amended to read:

18           563.05 (5) (intro.) No employee in the division of gaming who performs any  
19 duty related to bingo or raffles or the ~~executive assistant or the secretary or deputy~~  
20 secretary of administration and no member of such a person’s immediate family, as  
21 defined in s. 19.42 (7), may, while that person is employed or serves in such a capacity  
22 or for 2 years following the termination of his or her employment with the  
23 department after having served in such a capacity, do any of the following:

24           **SECTION 506n.** 564.02 (2m) (intro.) of the statutes is amended to read:

1           564.02 (2m) CONFLICTS OF INTEREST. (intro.) No employee in the division of  
2 gaming who performs any duty related to crane games or the ~~executive assistant or~~  
3 ~~the secretary or deputy~~ secretary of administration and no member of such a person's  
4 immediate family, as defined in s. 19.42 (7), may, while that person is employed in  
5 such a capacity or for 2 years following the termination of his or her employment with  
6 the department, do any of the following:

7           **SECTION 506r.** 565.05 (1) (intro.) of the statutes is amended to read:

8           565.05 (1) (intro.) No employee in the lottery division of the department or the  
9 ~~executive assistant or the secretary or deputy~~ secretary of revenue may do any of the  
10 following:

11           **SECTION 506t.** 565.05 (1) (a) of the statutes is amended to read:

12           565.05 (1) (a) Have a direct or indirect interest in, or be employed by, any  
13 vendor while serving as an employee in the lottery division of the department or as  
14 the ~~executive assistant or as secretary or deputy~~ secretary of revenue or for 2 years  
15 following the person's termination of service.

16           **SECTION 506y.** 565.17 (5) (a) of the statutes is amended to read:

17           565.17 (5) (a) No employee in the lottery division of the department or the  
18 ~~executive assistant or the secretary or deputy~~ secretary of revenue and no member  
19 of such a person's immediate family, as defined in s. 19.42 (7), may purchase a lottery  
20 ticket or lottery share.”

21           **545.** Page 221, line 13: after that line insert:

22           “**SECTION 508r.** 601.34 of the statutes is created to read:

23           **601.34 Loan to general fund. (1)** No later than the first day of the 2nd month  
24 beginning after the effective date of this subsection .... [revisor inserts date], an

1 amount equal to \$850,000 shall be lapsed from the appropriation account under s.  
2 20.145 (1) (g) to the general fund. The amount lapsed from the appropriation account  
3 shall be considered a loan to the general fund and interest shall accrue on the amount  
4 lapsed at the average rate earned by the state on its deposits in the state investment  
5 fund during the period of the loan.

6 (2) The secretary of administration shall pay the principle and interest costs  
7 on the loan from the appropriation account under s. 20.855 (1) (ch) as follows:

8 (a) After the close of the 2002–03 fiscal year, the secretary shall make principle  
9 and interest payments equal to the moneys lapsed to the general fund from the  
10 appropriation account under s. 20.515 (2) (a) in that year, if any, and from moneys  
11 lapsed to the general fund from the appropriation account under s. 20.515 (2) (g) in  
12 the amounts specified in s. 40.98 (6m), if any.

13 (b) After the close of each fiscal year thereafter, the secretary shall make  
14 principle and interest payments equal to the moneys lapsed to the general fund from  
15 the appropriation account under s. 20.515 (2) (g) in the amounts specified in s. 40.98  
16 (6m), if any.

17 (c) If the secretary determines during any fiscal year that the moneys paid  
18 under pars. (a) and (b) will not be sufficient to repay the loan within a reasonable  
19 period of time, as determined by the secretary and the commissioner, the secretary  
20 shall pay all remaining principle and interest costs on the loan after the close of that  
21 fiscal year.”.

22 **546.** Page 221, line 13: after that line insert:

23 “SECTION 508kb. 601.11 of the statutes is repealed and recreated to read:

1           **601.11 Personnel.** Except for those employed under s. 601.14 (2) or otherwise  
2 specifically exempted, all personnel including staff attorneys shall be appointed  
3 under the classified service.

4           **SECTION 508kn.** 601.15 of the statutes is repealed.

5           **SECTION 508kp.** 601.18 of the statutes is amended to read:

6           **601.18 Delegation.** Any power, duty or function vested in the commissioner  
7 by law may be exercised, discharged or performed by any employee of the office acting  
8 in the commissioner's name and by the commissioner's delegated authority. Any  
9 person whose own course of action in good faith depends upon proof of the validity  
10 of an asserted delegation is not obligated to act until the person is shown a written  
11 delegation with a handwritten signature of the commissioner ~~or deputy~~  
12 ~~commissioner~~.”.

13           **547.** Page 221, line 22: after that line insert:

14           “**SECTION 509c.** 609.10 (1) (am) of the statutes, as affected by 1999 Wisconsin  
15 Act 9, is amended to read:

16           609.10 (1) (am) Except as provided in subs. ~~(2)~~ to sub. (4), an employer that  
17 offers any of its employees a health maintenance organization or a preferred provider  
18 plan that provides comprehensive health care services shall also offer the employees  
19 a standard plan that provides at least substantially equivalent coverage of health  
20 care expenses and a point-of-service option plan, as provided in pars. (b) and (c).

21           **SECTION 509cm.** 609.10 (2) of the statutes is repealed.

22           **SECTION 509d.** 609.10 (3) of the statutes, as affected by 1999 Wisconsin Act 9,  
23 is repealed.”.

24           **548.** Page 221, line 22: after that line insert:

1           **“SECTION 509bp.** 609.73 of the statutes is created to read:

2           **609.73 Coverage of contraceptive articles and services.** Managed care  
3 plans are subject to s. 632.895 (15).

4           **SECTION 509bw.** 609.86 of the statutes is created to read:

5           **609.86 Coverage of alcoholism and other diseases.** Managed care plans  
6 are subject to s. 632.89.”.

7           **549.** Page 221, line 23: delete lines 23 to 25.

8           **550.** Page 221, line 25: after that line insert:

9           **“SECTION 509pc.** 632.89 (title) of the statutes is amended to read:

10           **632.89** (title) ~~Required coverage of~~ **Coverage of mental disorders,**  
11 **alcoholism, and other diseases.**

12           **SECTION 509pd.** 632.89 (1) (b) of the statutes is created to read:

13           632.89 (1) (b) “Health benefit plan” has the meaning given in s. 632.745 (11).

14           **SECTION 509pe.** 632.89 (1) (em) of the statutes is repealed.

15           **SECTION 509pf.** 632.89 (1) (er) of the statutes is created to read:

16           632.89 (1) (er) “Self-insured health plan” has the meaning given in s. 632.745  
17 (24).

18           **SECTION 509pg.** 632.89 (2) (title) of the statutes is amended to read:

19           632.89 (2) (title) **REQUIRED COVERAGE FOR GROUP PLANS.**

20           **SECTION 509ph.** 632.89 (2) (a) 1. of the statutes is renumbered 632.89 (2) (a)  
21 and amended to read:

22           632.89 (2) (a) *Conditions covered.* A group ~~or blanket disability insurance~~  
23 ~~policy issued by an insurer~~ **health benefit plan and a self-insured health plan** shall  
24 provide coverage of nervous and mental disorders and alcoholism and other drug

1 abuse problems if required by pars. (c) to (dm) and as provided in pars. (b) (c) to (e)  
2 (dm) and sub. (3).

3 **SECTION 509pi.** 632.89 (2) (a) 2. of the statutes is repealed.

4 **SECTION 509pj.** 632.89 (2) (b) of the statutes is repealed.

5 **SECTION 509pk.** 632.89 (2) (c) 1. of the statutes is renumbered 632.89 (2) (c) and  
6 amended to read:

7 632.89 (2) (c) ~~Minimum coverage~~ Coverage of inpatient hospital services. If a  
8 group or blanket disability insurance policy issued by an insurer health benefit plan  
9 or a self-insured health plan provides coverage of any inpatient hospital treatment,  
10 the policy plan shall provide coverage for inpatient hospital services for the  
11 treatment of conditions under par. (a) ~~1. as provided in subd. 2.~~

12 **SECTION 509pL.** 632.89 (2) (c) 2. of the statutes is repealed.

13 **SECTION 509pm.** 632.89 (2) (d) 1. of the statutes is renumbered 632.89 (2) (d)  
14 and amended to read:

15 632.89 (2) (d) ~~Minimum coverage~~ Coverage of outpatient services. If a group or  
16 ~~blanket disability insurance policy issued by an insurer~~ health benefit plan or a  
17 self-insured health plan provides coverage of any outpatient treatment, the policy  
18 plan shall provide coverage for outpatient services for the treatment of conditions  
19 under par. (a) ~~1. as provided in subd. 2.~~

20 **SECTION 509pn.** 632.89 (2) (d) 2. of the statutes is repealed.

21 **SECTION 509po.** 632.89 (2) (dm) 1. of the statutes is renumbered 632.89 (2) (dm)  
22 and amended to read:

23 632.89 (2) (dm) ~~Minimum coverage~~ Coverage of transitional treatment  
24 arrangements. If a group or blanket disability insurance policy issued by an insurer  
25 health benefit plan or a self-insured health plan provides coverage of any inpatient

1 hospital treatment or any outpatient treatment, the ~~policy plan~~ shall provide  
2 coverage for transitional treatment arrangements for the treatment of conditions  
3 under par. (a) ~~1. as provided in subd. 2.~~

4 **SECTION 509pp.** 632.89 (2) (dm) 2. of the statutes is repealed.

5 **SECTION 509pq.** 632.89 (2) (e) of the statutes is renumbered 632.89 (5) (b) and  
6 amended to read:

7 632.89 (5) (b) ~~Exclusion~~ Certain health care plans. This ~~subsection~~ section does  
8 not apply to a health care plan offered by a limited service health organization, as  
9 defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4),  
10 that is not a managed care plan, as defined in s. 609.01 (3c).

11 **SECTION 509pr.** 632.89 (2m) of the statutes is renumbered 632.89 (4m).

12 **SECTION 509ps.** 632.89 (3) of the statutes is created to read:

13 632.89 (3) **EQUAL COVERAGE REQUIREMENT.** (a) *Group plans.* A group health  
14 benefit plan or a self-insured health plan that provides coverage for the treatment  
15 of nervous and mental disorders and alcoholism and other drug abuse problems shall  
16 provide the same coverage for that treatment that it provides for the treatment of  
17 physical conditions.

18 (b) *Individual plans.* If an individual health benefit plan provides coverage for  
19 the treatment of nervous or mental disorders or alcoholism or other drug abuse  
20 problems, the individual health benefit plan shall provide the same coverage for that  
21 treatment that it provides for the treatment of physical conditions.

22 (c) *All coverage components.* The requirements under this subsection apply to  
23 all coverage-related components, including rates; exclusions and limitations;  
24 deductibles; copayments; coinsurance; annual and lifetime payment limits;

1 out-of-pocket limits; out-of-network charges; day, visit, or appointment limits;  
2 duration or frequency of coverage; and medical necessity definitions.

3 **SECTION 509pt.** 632.89 (3m) of the statutes is repealed.

4 **SECTION 509pu.** 632.89 (5) (title) of the statutes is amended to read:

5 632.89 (5) (title) ~~MEDICARE EXCLUSION~~ EXCLUSIONS.

6 **SECTION 509pv.** 632.89 (5) of the statutes is renumbered 632.89 (5) (a).

7 **SECTION 509pw.** 632.89 (5) (a) (title) of the statutes is created to read:

8 632.89 (5) (a) (title) *Medicare*.

9 **SECTION 509sf.** 632.895 (15) of the statutes is created to read:

10 632.895 (15) CONTRACEPTIVE ARTICLES AND SERVICES. (a) In this subsection:

11 1. “Contraceptive article” means any of the following:

12 a. A drug, medicine, mixture, preparation, instrument, article, or device of any  
13 nature that is approved by the federal food and drug administration for use to  
14 prevent a pregnancy, that is prescribed by a licensed health care provider for use to  
15 prevent a pregnancy, and that may not be obtained without a prescription from a  
16 licensed health care provider. “Contraceptive article” does not include any drug,  
17 medicine, mixture, preparation, instrument, article, or device of any nature  
18 prescribed for use in terminating the pregnancy of a woman who is known by the  
19 prescribing licensed health care provider to be pregnant.

20 b. A hormonal compound that is taken orally and that is approved by the federal  
21 food and drug administration for use to prevent a pregnancy.

22 2. “Religious employer” means an entity that satisfies all of the following  
23 criteria:

24 a. The inculcation of religious values is the purpose of the entity.

1           b. The entity employs primarily persons who share the religious tenets of the  
2 entity.

3           c. The entity serves primarily persons who share the religious tenets of the  
4 entity.

5           d. The entity is exempt from filing a federal annual information return under  
6 section 6033 (a) (2) (A) (i) and (iii) and (C) (i) of the Internal Revenue Code.

7           (b) Every disability insurance policy, and every self-insured health plan of a  
8 county, city, village, or school district, that provides coverage of outpatient health  
9 care services, preventive treatments and services, or prescription drugs and devices  
10 shall provide coverage for all of the following:

11           1. Contraceptive articles.

12           2. Medical services, including counseling and physical examinations, for the  
13 prescription or use of a contraceptive article or of a procedure to prevent a pregnancy.

14           3. Medical procedures performed to prevent a pregnancy.

15           (c) Coverage under this subsection may be subject to exclusions or limitations,  
16 including copayments and deductibles, that apply generally to the benefits that are  
17 provided under the policy or self-insured health plan.

18           (d) This subsection does not apply to any of the following:

19           1. A disability insurance policy that covers only certain specified diseases.

20           2. A health care plan offered by a limited service health organization, as defined  
21 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not  
22 a managed care plan, as defined in s. 609.01 (3c).

23           3. A medicare replacement policy, a medicare supplement policy, or a long-term  
24 care insurance policy.

1           4. A disability insurance policy that is issued to a religious employer, if the  
2 religious employer requests that the insurer issuing the policy not provide the  
3 coverage specified in par. (b) 1. to 3. on the basis that the articles and services covered  
4 are contrary to the religious employer's religious tenets. A religious employer that  
5 makes a request under this subdivision shall provide written notice to a prospective  
6 insured under the policy, prior to that person's coverage under the policy, that  
7 specifies the articles and services under par. (b) 1. to 3. that will not be covered on  
8 the basis of the employer's request.”.

9           **551.** Page 221, line 25: after that line insert:

10           “**SECTION 509r.** 635.05 (1) of the statutes is amended to read:

11           635.05 (1) Establishing restrictions on premium rates that a small employer  
12 insurer may charge a small employer such that the premium rates charged to small  
13 employers with similar case characteristics for the same or similar benefit design  
14 characteristics do not vary from the midpoint rate for those small employers by more  
15 than ~~35%~~ 10% of that midpoint rate.”.

16           **552.** Page 221, line 25: after that line insert:

17           “**SECTION 509m.** 641.12 (1) of the statutes is amended to read:

18           641.12 (1) The expenses of every examination of the affairs of any employee  
19 welfare fund required to register under this chapter, including any appraisal of real  
20 property, shall be borne and paid by the employee welfare fund so examined but the  
21 commissioner may in his or her discretion remit in whole or in part such charges upon  
22 showing of extreme financial hardship. For any such examination by the  
23 commissioner ~~or a deputy commissioner~~ personally, the charge made shall be only  
24 for necessary traveling expenses and other actual expenses. In all other cases the

1 expenses of examination shall also include reimbursement for the compensation  
2 paid for the services of persons employed by the commissioner or by the  
3 commissioner's authority to make the examination or appraisal. All charges  
4 incurred by or on behalf of the commissioner, including necessary traveling and other  
5 actual expenses, as duly audited and paid to the person or persons making the  
6 examination or appraisal, shall be presented to the trustees of the employee welfare  
7 fund so examined in the form of a copy of the itemized bill therefor as certified and  
8 approved by the commissioner ~~or a deputy commissioner~~. Upon receiving the  
9 certified copy the trustees shall pay the amount thereof to the commissioner to be  
10 paid by the commissioner into the state treasury.”.

11 **553.** Page 222, line 15: after that line insert:

12 “**SECTION 511bg.** 704.90 (9) of the statutes is amended to read:

13 704.90 (9) RULES. The department of agriculture, ~~trade and consumer~~  
14 ~~protection~~ justice may promulgate rules necessary to carry out the purposes of this  
15 section.

16 **SECTION 511br.** 704.90 (11) (title) of the statutes is amended to read:

17 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF AGRICULTURE, ~~TRADE AND~~  
18 ~~CONSUMER PROTECTION~~ JUSTICE.

19 **SECTION 511bz.** 704.90 (11) (a) of the statutes is amended to read:

20 704.90 (11) (a) Except as provided in par. (c), the department of agriculture,  
21 ~~trade and consumer protection~~ justice shall investigate alleged violations of this  
22 section and rules promulgated under sub. (9). To facilitate its investigations, the  
23 department may subpoena persons and records and may enforce compliance with the  
24 subpoenas as provided in s. 885.12.

1           **SECTION 511h.** 707.49 (4) of the statutes is amended to read:

2           707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an  
3           escrow account, a developer may obtain a surety bond issued by a company  
4           authorized to do business in this state, an irrevocable letter of credit or a similar  
5           arrangement, in an amount which at all times is not less than the amount of the  
6           deposits otherwise subject to the escrow requirements of this section. The bond,  
7           letter of credit or similar arrangement shall be filed with the department of  
8           ~~agriculture, trade and consumer protection~~ justice and made payable to the  
9           department of ~~agriculture, trade and consumer protection~~ justice for the benefit of  
10          aggrieved parties.

11          **SECTION 511k.** 707.57 (2) of the statutes is amended to read:

12          707.57 (2) ~~DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION~~  
13          JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer~~  
14          ~~protection~~ justice, or any district attorney upon informing the department of  
15          ~~agriculture, trade and consumer protection~~ justice, may commence an action in  
16          circuit court in the name of the state to restrain by temporary or permanent  
17          injunction any violation of this chapter. Before entry of final judgment, the court may  
18          make such orders or judgments as may be necessary to restore to any person any  
19          pecuniary loss suffered because of the acts or practices involved in the action if proof  
20          of these acts or practices is submitted to the satisfaction of the court.

21          (b) The department of ~~agriculture, trade and consumer protection~~ justice may  
22          conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its  
23          investigation of violations of this chapter.

24          **SECTION 511p.** 707.57 (3) of the statutes is amended to read:

1           707.57 (3) PENALTY. Any person who violates this chapter shall be required to  
2           forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall  
3           be enforced by action on behalf of the state by the department of ~~agriculture, trade~~  
4           ~~and consumer protection~~ justice or by the district attorney of the county where the  
5           violation occurs.”.

6           **554.** Page 222, line 23: after that line insert:

7           “**SECTION 512n.** 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
8           16, section 3774, is amended to read:

9           757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of  
10           state law or for a violation of a municipal or county ordinance except for a violation  
11           of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county  
12           ordinances involving nonmoving traffic violations, headlamp violations under s.  
13           347.065 (1), or safety belt use violations under s. 347.48 (2m), there shall be imposed  
14           in addition a penalty assessment in an amount of 24% of the fine or forfeiture  
15           imposed. If multiple offenses are involved, the penalty assessment shall be based  
16           upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended  
17           in whole or in part, the penalty assessment shall be reduced in proportion to the  
18           suspension.”.

19           **555.** Page 222, line 23: after that line insert:

20           “**SECTION 512f.** 755.01 (4) of the statutes is amended to read:

21           755.01 (4) Two or more cities, towns or villages of this state may enter into an  
22           agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),  
23           except that for purposes of this subsection, any agreement under s. 66.0301 shall be  
24           effected by the enactment of identical ordinances by each affected city, town or

1 village. Electors of each municipality entering into the agreement shall be eligible  
2 to vote for the judge of the municipal court so established. If a municipality enters  
3 into an agreement with a municipality that already has a municipal court, the  
4 municipalities may provide by ordinance or resolution that the judge for the existing  
5 municipal court shall serve as the judge for the joint court until the end of the term  
6 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt  
7 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The  
8 contracting municipalities need not be contiguous and need not all be in the same  
9 county. ~~The~~ Upon entering into or discontinuing such an agreement, the contracting  
10 municipalities shall ~~notify each~~ transmit a certified copy of the ordinance or bylaw  
11 effecting or discontinuing the agreement to the appropriate filing officer under s.  
12 11.02 (3e) when the joint court is created. When a municipal judge is elected under  
13 this subsection, candidates shall be nominated by filing nomination papers under s.  
14 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e).”.

15 **556.** Page 222, line 23: after that line insert:

16 “SECTION 512m. 758.19 (7) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is amended to read:

18 758.19 (7) The director of state courts shall adopt, revise biennially and submit  
19 to the cochairpersons of the joint committee on information policy and technology, the  
20 governor and the ~~department of electronic government~~ secretary of administration,  
21 no later than September 15 of each even-numbered year, a strategic plan for the  
22 utilization of information technology to carry out the functions of the courts and  
23 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the  
24 business needs of the courts and judicial branch agencies and shall identify all

1 resources relating to information technology which the courts and judicial branch  
2 agencies desire to acquire, contingent upon funding availability, the priority for such  
3 acquisitions and the justification for such acquisitions. The plan shall also identify  
4 any changes in the functioning of the courts and judicial branch agencies under the  
5 plan.”

6 **557.** Page 223, line 5: after that line insert:

7 **“SECTION 514c.** 767.11 (8) (b) 2. of the statutes is amended to read:

8 767.11 (8) (b) 2. Interspousal battery as described under s. 940.19 or 940.20  
9 (1m) or domestic abuse as defined in s. 813.12 (1) ~~(a)~~ (am).

10 **SECTION 514f.** 767.11 (10) (e) 2. of the statutes is amended to read:

11 767.11 (10) (e) 2. There is evidence of interspousal battery as described under  
12 s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) ~~(a)~~ (am).

13 **SECTION 514h.** 767.24 (1m) (b) of the statutes is amended to read:

14 767.24 (1m) (b) Where the parent lives currently and where the parent intends  
15 to live during the next 2 years. If there is evidence that the other parent engaged in  
16 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
17 as defined in s. 813.12 (1) ~~(a)~~ (am), with respect to the parent providing the parenting  
18 plan, the parent providing the parenting plan is not required to disclose the specific  
19 address but only a general description of where he or she currently lives and intends  
20 to live during the next 2 years.

21 **SECTION 514k.** 767.24 (1m) (c) of the statutes is amended to read:

22 767.24 (1m) (c) Where the parent works and the hours of employment. If there  
23 is evidence that the other parent engaged in interspousal battery, as described under  
24 s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) ~~(a)~~ (am), with

1 respect to the parent providing the parenting plan, the parent providing the  
2 parenting plan is not required to disclose the specific address but only a general  
3 description of where he or she works.

4 **SECTION 514m.** 767.24 (1m) (o) of the statutes is amended to read:

5 767.24 (1m) (o) If there is evidence that either party engaged in interspousal  
6 battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined  
7 in s. 813.12 (1) (a) (am), with respect to the other party, how the child will be  
8 transferred between the parties for the exercise of physical placement to ensure the  
9 safety of the child and the parties.

10 **SECTION 514p.** 767.24 (2) (b) 2. c. of the statutes is amended to read:

11 767.24 (2) (b) 2. c. The parties will not be able to cooperate in the future decision  
12 making required under an award of joint legal custody. In making this finding the  
13 court shall consider, along with any other pertinent items, any reasons offered by a  
14 party objecting to joint legal custody. Evidence that either party engaged in abuse,  
15 as defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of  
16 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
17 as defined in s. 813.12 (1) (a) (am), creates a rebuttable presumption that the parties  
18 will not be able to cooperate in the future decision making required.

19 **SECTION 514s.** 767.24 (5) (i) of the statutes is amended to read:

20 767.24 (5) (i) Whether there is evidence of interspousal battery as described  
21 under s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) (a) (am).”.

22 **558.** Page 223, line 13: after that line insert:

23 “**SECTION 516m.** 779.97 (5) (a) 1. of the statutes is amended to read:

1           779.97 (5) (a) 1. For a lien on real estate, ~~\$10 or an amendment to a lien on real~~  
2 ~~estate, a fee equal to the fee under s. 59.43 (2) (ag).~~”.

3           **559.** Page 223, line 13: after that line insert:

4           “**SECTION 516g.** 779.41 (1m) of the statutes is amended to read:

5           779.41 (1m) Annually, on January 1, the department of ~~agriculture, trade and~~  
6 ~~consumer protection justice~~ shall adjust the dollar amounts identified under sub. (1)  
7 (intro.), (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as  
8 determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

9           **SECTION 516n.** 779.93 (title) of the statutes is amended to read:

10           **779.93** (title) **Duties of the department of agriculture, trade and**  
11 **consumer protection justice.**

12           **SECTION 516p.** 779.93 (1) of the statutes is amended to read:

13           779.93 (1) The department of ~~agriculture, trade and consumer protection~~  
14 ~~justice~~ shall investigate violations of this subchapter and attempts to circumvent  
15 this subchapter. The department of ~~agriculture, trade and consumer protection~~  
16 ~~justice~~ may subpoena persons and records to facilitate its investigations, and may  
17 enforce compliance with such subpoenas as provided in s. 885.12.

18           **SECTION 516r.** 779.93 (2) (intro.) of the statutes is amended to read:

19           779.93 (2) (intro.) The department of ~~agriculture, trade and consumer~~  
20 ~~protection justice~~ may ~~in~~ on behalf of the state or ~~in~~ on behalf of any person who holds  
21 a prepaid maintenance lien.”.

22           **560.** Page 224, line 10: after that line insert:

23           “**SECTION 519m.** 806.04 (11m) of the statutes is created to read:

1           806.04 (11m) CAMPAIGN FINANCE REGISTRATION. Any person who proposes to  
2           publish, disseminate, or broadcast, or causes to be published, disseminated, or  
3           broadcast, any communication may commence a proceeding under this section to  
4           determine the application to that person of a registration requirement under s. 11.05  
5           (1), (2), or (2g).”.

6           **561.** Page 224, line 10: after that line insert:

7           “SECTION 519np. 814.63 (1) (c) of the statutes is amended to read:

8           814.63 (1) (c) This subsection does not apply to an action for a violation of s.  
9           101.123 (2) (a), (am) 1., (ar) or (bm) or (5), a headlamp violation under s. 347.065 (1),  
10          or a safety belt use violation under s. 347.48 (2m).

11          SECTION 519nt. 814.63 (2) of the statutes is amended to read:

12          814.63 (2) Upon the disposition of a forfeiture action in circuit court for  
13          violation of a county, town, city, village, town sanitary district or public inland lake  
14          protection and rehabilitation district ordinance, except an action for a headlamp  
15          violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the  
16          county, town, city, village, town sanitary district or public inland lake protection and  
17          rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit  
18          court.”.

19          **562.** Page 224, line 10: after that line insert:

20          “SECTION 519mb. 813.12 (1) (a) (intro.), 1., 2. and 3. of the statutes are  
21          renumbered 813.12 (1) (am) (intro.), 1., 2. and 3., and 813.12 (1) (am) (intro.), as  
22          renumbered, is amended to read:

23          813.12 (1) (am) (intro.) “Domestic abuse” means any of the following engaged  
24          in by an adult family member or adult household member against another adult

1 family member or adult household member, by an adult caregiver against an adult  
2 who is under the caregiver's care, by an adult against his or her adult former spouse,  
3 by an adult against an adult with whom the individual has or had a dating  
4 relationship, or by an adult against an adult with whom the person has a child in  
5 common:

6 **SECTION 519mc.** 813.12 (1) (a) 4. of the statutes is renumbered 813.12 (1) (am)  
7 6. and amended to read:

8 813.12 (1) (am) 6. A threat to engage in the conduct under subd. 1., 2. ~~or~~ 3., or  
9 5.

10 **SECTION 519md.** 813.12 (1) (ad) of the statutes is created to read:

11 813.12 (1) (ad) "Caregiver" means an individual who is a provider of in-home  
12 or community care to an individual through regular and direct contact.

13 **SECTION 519mf.** 813.12 (1) (ag) of the statutes is created to read:

14 813.12 (1) (ag) "Dating relationship" means a romantic or intimate social  
15 relationship between 2 adult individuals but "dating relationship" does not include  
16 a casual relationship or an ordinary fraternization between 2 individuals in a  
17 business or social context. A court shall determine if a dating relationship existed  
18 by considering the length of the relationship, the type of the relationship, and the  
19 frequency of the interaction between the adult individuals involved in the  
20 relationship.

21 **SECTION 519mg.** 813.12 (1) (am) 5. of the statutes is created to read:

22 813.12 (1) (am) 5. A violation of s. 943.01, involving property that belongs to  
23 the individual.

24 **SECTION 519mj.** 813.12 (1) (cg) of the statutes is created to read:

1           813.12 (1) (cg) “Reasonable grounds” means more likely than not that a specific  
2 event has occurred or will occur.

3           **SECTION 519mL.** 813.12 (1) (cj) of the statutes is created to read:

4           813.12 (1) (cj) “Regular and direct contact” means face-to-face physical  
5 proximity to an individual that is planned, scheduled, expected, or periodic.

6           **SECTION 519mm.** 813.12 (2) (a) of the statutes is amended to read:

7           813.12 (2) (a) No action under this section may be commenced by complaint and  
8 summons. An action under this section may be commenced only by a petition  
9 described under sub. (5) (a). The action commences with service of the petition upon  
10 the respondent if a copy of the petition is filed before service or promptly after service.  
11 If the judge or family court commissioner extends the time for a hearing under sub.  
12 (3) (c) and the petitioner files an affidavit with the court stating that personal service  
13 by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful  
14 because the respondent is avoiding service by concealment or otherwise, the judge  
15 or family court commissioner shall inform the petitioner that he or she may serve the  
16 respondent by publication of a summary of the petition as a class 1 notice, under ch.  
17 985, and by mailing or sending a facsimile if the respondent’s post-office address or  
18 facsimile number is known or can with due diligence be ascertained. The mailing or  
19 sending of a facsimile may be omitted if the post-office address or facsimile number  
20 cannot be ascertained with due diligence. A summary of the petition published as  
21 a class 1 notice shall include the name of the respondent and of the petitioner, notice  
22 of the temporary restraining order, and notice of the date, time, and place of the  
23 hearing regarding the injunction.

24           **SECTION 519mn.** 813.12 (3) (a) (intro.) of the statutes is amended to read:

1           813.12 (3) (a) (intro.) A judge or family court commissioner shall issue a  
2 temporary restraining order ordering the respondent to refrain from committing acts  
3 of domestic abuse against the petitioner, to avoid the petitioner's residence, except  
4 as provided in par. (am), or any premises other location temporarily occupied by the  
5 petitioner or both, or to avoid contacting or causing any person other than a party's  
6 attorney or a law enforcement officer to contact the petitioner unless the petitioner  
7 consents in writing, or any combination of these remedies requested in the petition,  
8 or any other appropriate remedy not inconsistent with the remedies requested in the  
9 petition, if all of the following occur:

10           **SECTION 519mo.** 813.12 (3) (a) 2. of the statutes is amended to read:

11           813.12 (3) (a) 2. The judge or family court commissioner finds reasonable  
12 grounds to believe that the respondent has engaged in, or based on prior conduct of  
13 the petitioner and the respondent may engage in, domestic abuse of the petitioner.

14           (a) In determining whether to issue a temporary restraining order, the judge  
15 or family court commissioner shall consider the potential danger posed to the  
16 petitioner and the pattern of abusive conduct of the respondent but may not base his  
17 or her decision solely on the length of time since the last domestic abuse or the length  
18 of time since the relationship ended. The judge or family court commissioner may  
19 grant only the remedies requested or approved by the petitioner. The judge or family  
20 court commissioner may not dismiss or deny granting a temporary restraining order  
21 because of the existence of a pending action or of any other court order that bars  
22 contact between the parties, nor due to the necessity of verifying the terms of an  
23 existing court order.

24           **SECTION 519mp.** 813.12 (3) (c) of the statutes is amended to read:

1           813.12 (3) (c) The temporary restraining order is in effect until a hearing is held  
2 on issuance of an injunction under sub. (4). The temporary restraining order is not  
3 voided if the respondent is admitted into a dwelling that the order directs him or her  
4 to avoid. A judge or family court commissioner shall hold a hearing on issuance of  
5 an injunction within ~~7~~ 14 days after the temporary restraining order is issued, unless  
6 the time is extended upon the written consent of the parties or extended once for 14  
7 days upon a finding that the respondent has not been served with a copy of the  
8 temporary restraining order although the petitioner has exercised due diligence.

9           **SECTION 519mq.** 813.12 (4) (a) (intro.) of the statutes is amended to read:

10           813.12 (4) (a) (intro.) A judge or family court commissioner may grant an  
11 injunction ordering the respondent to refrain from committing acts of domestic abuse  
12 against the petitioner, to avoid the petitioner's residence, except as provided in par.  
13 (am), or any ~~premises~~ other location temporarily occupied by the petitioner or both,  
14 or to avoid contacting or causing any person other than a party's attorney or a law  
15 enforcement officer to contact the petitioner unless the petitioner consents to that  
16 contact in writing, or any combination of these remedies requested in the petition,  
17 or any other appropriate remedy not inconsistent with the remedies requested in the  
18 petition, if all of the following occur:

19           **SECTION 519mr.** 813.12 (4) (a) 2. of the statutes is amended to read:

20           813.12 (4) (a) 2. The petitioner serves upon the respondent a copy or summary  
21 of the petition and notice of the time for hearing on the issuance of the injunction,  
22 or the respondent serves upon the petitioner notice of the time for hearing on the  
23 issuance of the injunction.

24           **SECTION 519ms.** 813.12 (4) (a) 3. of the statutes is amended to read:

1           813.12 (4) (a) 3. After hearing, the judge or family court commissioner finds  
2 reasonable grounds to believe that the respondent has engaged in, or based upon  
3 prior conduct of the petitioner and the respondent may engage in, domestic abuse of  
4 the petitioner.

5           (a) In determining whether to issue an injunction, the judge or family court  
6 commissioner shall consider the potential danger posed to the petitioner and the  
7 pattern of abusive conduct of the respondent but may not base his or her decision  
8 solely on the length of time since the last domestic abuse or the length of time since  
9 the relationship ended. The judge or family court commissioner may grant only the  
10 remedies requested by the petitioner. The judge or family court commissioner may  
11 not dismiss or deny granting an injunction because of the existence of a pending  
12 action or of any other court order that bars contact between the parties, nor due to  
13 the necessity of verifying the terms of an existing court order.

14           **SECTION 519mt.** 813.12 (4) (c) 1. of the statutes is amended to read:

15           813.12 (4) (c) 1. An injunction under this subsection is effective according to its  
16 terms, for the period of time that the petitioner requests, but not more than 24 years.  
17 An injunction granted under this subsection is not voided if the petitioner allows or  
18 initiates contact with the respondent or by the admittance of the respondent into a  
19 dwelling that the injunction directs him or her to avoid.

20           **SECTION 519mu.** 813.12 (4) (c) 2. of the statutes is amended to read:

21           813.12 (4) (c) 2. When an injunction granted for less than 24 years expires, the  
22 court shall extend the injunction if the petitioner states that an extension is  
23 necessary to protect him or her. This extension shall remain in effect until 24 years  
24 after the date the court first entered the injunction.

25           **SECTION 519mv.** 813.12 (5) (d) of the statutes is created to read:

1           813.12 (5) (d) A petition may be prepared and filed by the person who alleges  
2           that he or she has been the subject of domestic abuse or by the guardian, as defined  
3           in s. 880.01 (3), of an incompetent individual, as defined in s. 880.01 (4), who has been  
4           the subject of domestic abuse.

5           **SECTION 519mw.** 813.12 (5m) of the statutes is created to read:

6           813.12 (5m) CONFIDENTIALITY OF VICTIM'S ADDRESS. The petition under sub. (5)  
7           and the court order under sub. (3) or (4) shall not disclose the address of the alleged  
8           victim.

9           **SECTION 519mx.** 813.12 (6) (d) of the statutes is created to read:

10          813.12 (6) (d) The issuance of an order under s. 813.12 (3) or (4) is enforceable  
11          despite the existence of any other criminal or civil order restricting or prohibiting  
12          contact.

13          **SECTION 519my.** 813.12 (7) (c) of the statutes is created to read:

14          813.12 (7) (c) A respondent who does not appear at a hearing at which the court  
15          orders an injunction under s. 813.12 (4) but who has been served with a copy of the  
16          petition and notice of the time for hearing under s. 813.12 (3) has constructive  
17          knowledge of the existence of the injunction and shall be arrested for violation of the  
18          injunction regardless of whether he or she has been served with a copy of the  
19          injunction.

20          **SECTION 519mz.** 814.61 (1) (e) of the statutes is amended to read:

21          814.61 (1) (e) No fee charged under this subsection in any action commenced  
22          under s. 813.122, 813.123, or 813.125 may be collected from a petitioner under s.  
23          813.122, 813.123, or 813.125 if the petition alleges conduct that is the same as or  
24          similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)  
25          (am) 1. to 4. 6. If no fee is collected under this paragraph, the fee charged under this

1 subsection for petitions filed and granted under s. 813.122, 813.123, or 813.125 shall  
2 be collected from the respondent under s. 813.122, 813.123, or 813.125 if he or she  
3 is convicted of violating a temporary restraining order or injunction issued under s.  
4 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4).”.

5 **563.** Page 224, line 11: delete lines 11 to 15 and substitute:

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

7 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065  
8 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall  
9 charge and collect a \$40 court support services fee from any person, including any  
10 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),  
11 (3), or (8) (am) or 814.63 (1).

12 **SECTION 520bd.** 814.634 (1) (a) of the statutes, as affected by 2001 Wisconsin  
13 Act .... (this act), is amended to read:

14 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065  
15 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall  
16 charge and collect a \$40 \$52 court support services fee from any person, including  
17 any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)  
18 (a), (3), or (8) (am), or 814.63 (1).”.

19 **564.** Page 225, line 3: after that line insert:

20 “**SECTION 522g.** 814.635 (1) of the statutes is amended to read:

21 814.635 (1) Except for an action for a headlamp violation under s. 347.065 (1)  
22 or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall  
23 charge and collect a \$9 justice information system fee from any person, including any  
24 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),

1 (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information  
2 system fee is in addition to the other fees listed in this section.

3 **SECTION 522k.** 814.65 (1) of the statutes is amended to read:

4 814.65 (1) COURT COSTS. In a municipal court action, except an action for  
5 violation of an ordinance in conformity with s. 347.065 (1) or 347.48 (2m), the  
6 municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each  
7 separate matter, whether it is on default of appearance, a plea of guilty or no contest,  
8 on issuance of a warrant or summons or the action is tried as a contested matter. Of  
9 each fee received by the judge under this subsection, the municipal treasurer shall  
10 pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain  
11 the balance for the use of the municipality.”

12 **565.** Page 225, line 3: after that line insert:

13 “**SECTION 523c.** 814.70 (1) of the statutes is amended to read:

14 814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a  
15 summons or any other process for commencement of an action, a writ, an order of  
16 injunction, a subpoena, or any other order, \$12 for each defendant or person. If there  
17 is more than one defendant or person to be served at a given address, \$6 for each  
18 additional defendant or person. No fee charged under this subsection in any action  
19 commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner  
20 under s. 813.12, 813.122, or 813.123. The fee charged under this subsection in any  
21 action commenced under s. 813.12, 813.122, 813.123, or 813.125 shall be collected  
22 from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of  
23 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),  
24 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4). No fee charged under this

1 subsection in any action commenced under s. 813.125 may be collected from a  
2 petitioner under s. 813.125 if the petition alleges conduct that is the same as or  
3 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)  
4 (am) 1. to ~~4~~ 6. If no fee is collected under this subsection from a petitioner under  
5 s. 813.125, the fee charged under this subsection in any action commenced under s.  
6 813.125 shall be collected from the respondent under s. 813.125 if he or she is  
7 convicted of violating a temporary restraining order or injunction issued under s.  
8 813.125 (3) or (4).

9 **SECTION 523f.** 814.70 (3) (intro.) of the statutes is amended to read:

10 814.70 (3) (intro.) For travel in serving any summons, writ or other process,  
11 except criminal warrants, and except that a fee under this subsection in any action  
12 commenced under s. 813.12, 813.122, or 813.123 may not be collected from a  
13 petitioner but shall be collected from the respondent if he or she is convicted of  
14 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),  
15 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4), and except that a fee under  
16 this subsection in any action commenced under s. 813.125 may not be collected from  
17 a petitioner if the petition alleges conduct that is the same as or similar to conduct  
18 that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a) (am) 1. to ~~4~~ 6 but  
19 shall be collected from the respondent if he or she is convicted of violating a  
20 temporary restraining order or injunction issued under s. 813.125 (3) or (4):

21 **SECTION 523h.** 895.73 (1) (a) of the statutes is amended to read:

22 895.73 (1) (a) “Abusive conduct” means domestic abuse, as defined under s.  
23 46.95 (1) (a), 813.12 (1) (a) (am), or 968.075 (1) (a), harassment, as defined under s.  
24 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under

1 s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.  
2 948.02 to 948.11.

3 **SECTION 523m.** 905.045 of the statutes is created to read:

4 **905.045 Domestic violence or sexual assault advocate-victim**  
5 **privilege. (1) DEFINITIONS.** In this section:

6 (a) “Abusive conduct” means abuse, as defined in s. 813.122 (1) (a), of a child,  
7 as defined in s. 48.02 (2), interspousal battery, as described under s. 940.19 or 940.20  
8 (1m), domestic abuse, as defined in s. 813.12 (1) (am), or sexual assault under s.  
9 940.225.

10 (b) “Advocate” means an individual who is an employee of or a volunteer for an  
11 organization the purpose of which is to provide counseling, assistance, or support  
12 services free of charge to a victim.

13 (c) A communication or information is “confidential” if not intended to be  
14 disclosed to 3rd persons other than persons present to further the interest of the  
15 person receiving counseling, assistance, or support services, persons reasonably  
16 necessary for the transmission of the communication or information, and persons  
17 who are participating in providing counseling, assistance, or support services under  
18 the direction of an advocate, including family members of the person receiving  
19 counseling, assistance, or support services and members of any group of individuals  
20 with whom the person receives counseling, assistance, or support services.

21 (d) “Victim” means an individual who has been the subject of abusive conduct  
22 or who alleges that he or she has been the subject of abusive conduct. It is immaterial  
23 that the abusive conduct has not been reported to any government agency.

24 (2) **GENERAL RULE OF PRIVILEGE.** A victim has a privilege to refuse to disclose and  
25 to prevent any other person from disclosing confidential communications made or

1 information obtained or disseminated among the victim, an advocate who is acting  
2 in the scope of his or her duties as an advocate, and persons who are participating  
3 in providing counseling, assistance, or support services under the direction of an  
4 advocate, if the communication was made or the information was obtained or  
5 disseminated for the purpose of providing counseling, assistance, or support services  
6 to the victim.

7 (3) WHO MAY CLAIM THE PRIVILEGE. The privilege may be claimed by the victim,  
8 by the victim's guardian or conservator, or by the victim's personal representative if  
9 the victim is deceased. The advocate may claim the privilege on behalf of the victim.  
10 The advocate's authority to do so is presumed in the absence of evidence to the  
11 contrary.

12 (4) EXCEPTIONS. Subsection (2) does not apply to any report concerning child  
13 abuse that an advocate is required to make under s. 48.981.

14 (5) RELATIONSHIP TO s. 905.04. If a communication or information that is  
15 privileged under sub. (2) is also a communication or information that is privileged  
16 under s. 905.04 (2), the provisions of s. 905.04 supersede this section with respect to  
17 that communication or information.”

LPS: OK; NO  
change

18 **566.** Page 225, line 3: after that line insert:

19 “SECTION 522r. 908.03 (6m) (d) of the statutes is amended to read:

20 908.03 (6m) (d) *Fees.* The Before January 1, 2003, the department of health  
21 and family services shall, by rule, prescribe uniform fees that are based on an  
22 approximation of the actual costs. The fees, plus applicable state tax, are the  
23 maximum amount that a health care provider may charge under par. (e) 3. for  
24 certified duplicate patient health care records. The rule shall also allow the health

1 care provider to charge for actual postage or other actual delivery costs. The  
2 commencement of an action is not a prerequisite for the application of this  
3 paragraph.

4 **SECTION 522s.** 908.03 (6m) (d) of the statutes, as affected by 2001 Wisconsin  
5 Act .... (this act), is amended to read:

6 908.03 (6m) (d) *Fees.* ~~Before January 1, 2003~~ After December 31, 2002, the  
7 department of health and family services shall, by rule, prescribe uniform fees that  
8 are based on an approximation of actual costs. The fees, plus applicable state tax,  
9 are the maximum amount that a health care provider may charge for certified  
10 duplicate patient health care records. The rule shall also allow the health care  
11 provider to charge for actual postage or other actual delivery costs. ~~The~~  
12 ~~commencement of an action is not a prerequisite for the application of this paragraph~~  
13 For duplicate patient health care records and duplicate X-ray reports or the referral  
14 of X-rays to another health care provider that are requested before commencement  
15 of an action, s. 146.83 (1) (b) and (c) and (3m) applies.”.

16 **567.** Page 225, line 3: after that line insert:

17 “**SECTION 523p.** 893.82 (5m) of the statutes is amended to read:

18 893.82 (5m) With regard to a claim to recover damages for medical malpractice,  
19 the time periods under subs. (3), ~~(3m)~~, and (4) ~~shall be 180 days after discovery of the~~  
20 ~~injury or the date on which, in the exercise of reasonable diligence, the injury should~~  
21 ~~have been discovered, rather than 120 days after the event causing the injury for~~  
22 servng a notice of a claim upon the attorney general do not apply. The time period  
23 for commencing an action against a state officer, employee, or agent for damages for

1 medical malpractice are the same as the time periods under s. 893.55 (1), (2), and  
2 (3).”.

3 **568.** Page 225, line 13: after “302.113 (9g),” insert “adjustment of a bifurcated  
4 sentence under s. 973.195.”.

5 **569.** Page 225, line 22: after that line insert:

6 “**SECTION 529p.** 938.335 (3m) (b) of the statutes is amended to read:

7 938.335 (3m) (b) ~~After a finding that a juvenile is delinquent under s. 938.12~~  
8 ~~or is found to be in need of protection or services under s. 938.13 (12), the~~ The district  
9 attorney or corporation counsel shall make a reasonable attempt to contact any  
10 known victim to inform that person of the right to make a statement under par. (a).  
11 Any failure to comply with this paragraph is not a ground for an appeal of a  
12 dispositional order or for any court to reverse or modify a dispositional order.”.

13 **570.** Page 226, line 10: after that line insert:

14 “**SECTION 531d.** 938.34 (5g) (d) of the statutes is amended to read:

15 938.34 (5g) (d) Under this subsection, a juvenile who is under 14 years of age  
16 may not be required to perform more than 40 total hours of supervised work or other  
17 community service work, except as provided in subs. (13p), (13r), and (14t).

18 **SECTION 531f.** 938.34 (13p) of the statutes is created to read:

19 938.34 (13p) BOMB SCARES, BIOLOGICAL OR CHEMICAL SUBSTANCE SCARES, OR  
20 FIREARMS AT SCHOOL. In addition to any other disposition imposed under this section,  
21 if the juvenile is found to have violated s. 947.015 and the property involved is a  
22 school premises, as defined in s. 948.61 (1) (c), is found to have violated s. 947.017  
23 (2) and the threat concerned release or dissemination of a harmful substance on a

1 school premises, as defined in s. 948.61 (1) (c), or is found to have violated s. 948.605  
2 (2) (a) or (3) (a), the court may order any one or more of the following dispositions:

3 (a) That the juvenile participate in anger management counseling or any other  
4 counseling ordered by the court.

5 (b) That the juvenile participate for 100 hours in a supervised work program  
6 under sub. (5g) or perform 100 hours of other community service work, unless the  
7 court determines that the juvenile would pose a threat to public safety while  
8 participating in that program or other community service work.

9 (c) That the juvenile's operating privilege, as defined in s. 340.01 (40), be  
10 restricted or suspended for 2 years, except that the court may restrict or suspend a  
11 juvenile's operating privilege under this paragraph only if the court finds that the  
12 juvenile used a motor vehicle to facilitate the commission of the violation. If the court  
13 restricts or suspends a juvenile's operating privilege under this paragraph, the court  
14 shall immediately forward to the department of transportation notice of the  
15 restriction or suspension, clearly stating the reason for and duration of the  
16 restriction or suspension. If the juvenile's license or operating privilege is currently  
17 suspended or revoked or if the juvenile does not currently possess a valid operator's  
18 license issued under ch. 343, the restriction or suspension under this paragraph is  
19 effective on the date on which the juvenile is first eligible for issuance or  
20 reinstatement of an operator's license under ch. 343."

21 **571.** Page 248, line 19: after that line insert:

22 "SECTION 657b. 940.32 (1) (a) of the statutes is renumbered 940.32 (1) (a)  
23 (intro.) and amended to read:

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

5           **SECTION 657c.** 940.32 (1) (a) 1. of the statutes is created to read:

6           940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

7           **SECTION 657d.** 940.32 (1) (a) 2. of the statutes is created to read:

8           940.32 (1) (a) 2. Approaching or confronting the victim.

9           **SECTION 657e.** 940.32 (1) (a) 3. of the statutes is created to read:

10          940.32 (1) (a) 3. Appearing at the victim’s workplace or contacting the victim’s  
11 employer or coworkers.

12          **SECTION 657f.** 940.32 (1) (a) 4. of the statutes is created to read:

13          940.32 (1) (a) 4. Appearing at the victim’s home or contacting the victim’s  
14 neighbors.

15          **SECTION 657g.** 940.32 (1) (a) 5. of the statutes is created to read:

16          940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.

17          **SECTION 657h.** 940.32 (1) (a) 6. of the statutes is created to read:

18          940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim’s  
19 telephone or any other person’s telephone to ring repeatedly or continuously,  
20 regardless of whether a conversation ensues.

21          **SECTION 657i.** 940.32 (1) (a) 7. of the statutes is created to read:

22          940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose  
23 of obtaining information about, disseminating information about, or communicating  
24 with the victim, to a member of the victim’s family or household or an employer,  
25 coworker, or friend of the victim.

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

2           940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,  
3 leased, or occupied by the victim.

4           **SECTION 657k.** 940.32 (1) (a) 9. of the statutes is created to read:

5           940.32 (1) (a) 9. Delivering an object to a member of the victim's family or  
6 household or an employer, coworker, or friend of the victim or placing an object on,  
7 or delivering an object to, property owned, leased, or occupied by such a person with  
8 the intent that the object be delivered to the victim.

9           **SECTION 657m.** 940.32 (1) (a) 10. of the statutes is created to read:

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

12          **SECTION 657n.** 940.32 (1) (am) of the statutes is created to read:

13          940.32 (1) (am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).

14          **SECTION 657no.** 940.32 (1) (ap) of the statutes is created to read:

15          940.32 (1) (ap) "Domestic abuse offense" means an act of domestic abuse that  
16 constitutes a crime.

17          **SECTION 657p.** 940.32 (1) (b) of the statutes is renumbered 940.32 (1) (cb) and  
18 amended to read:

19          940.32 (1) (cb) ~~"Immediate family"~~ "Member of a family" means a spouse,  
20 parent, child, sibling, or any other person who regularly resides in the household or  
21 who within the prior 6 months regularly resided in the household who is related by  
22 blood or adoption to another.

23          **SECTION 657q.** 940.32 (1) (cd) of the statutes is created to read:

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

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

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

6           940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class  
7           ~~A misdemeanor~~ E felony.”

8           **572.** Page 248, line 20: delete lines 20 to 22 and substitute:

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

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

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

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

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

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

*OK as is*  
*OT c. 658b. P.*

1           **SECTION 658e.** 940.32 (2) (c) of the statutes is amended to read:

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

6           **SECTION 658f.** 940.32 (2e) of the statutes is created to read:

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

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

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

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

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

20           940.32 (2e) (intro.) Whoever meets all of the following criteria is guilty of a  
21 Class ~~E~~ D felony:

22           **SECTION 658h.** 940.32 (2m) of the statutes is renumbered 940.32 (2m) (intro.)  
23 and amended to read:

24           940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if ~~he~~  
25 ~~or she~~ any of the following applies:

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

4           **573.** Page 248, line 23: delete the material beginning with that line and  
5 ending on page 249, line 2, and substitute:

6           “**SECTION 659b.** 940.32 (2m) (intro.) of the statutes, as affected by 2001  
7 Wisconsin Act .... (this act), is amended to read:

8           940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class ~~D~~ H felony if  
9 any of the following applies:

10           **SECTION 659c.** 940.32 (2m) (a) of the statutes is created to read:

11           940.32 (2m) (a) The actor has a previous conviction for a violent crime, as  
12 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013  
13 (1r), (1t), (1v), or (1x).

14           **SECTION 659d.** 940.32 (2m) (b) of the statutes is created to read:

15           940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of  
16 that crime is the victim of the present violation of sub. (2), and the present violation  
17 occurs within 7 years after the prior conviction.

18           **SECTION 659e.** 940.32 (2m) (d) of the statutes is created to read:

19           940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to  
20 facilitate the violation.

21           **SECTION 659f.** 940.32 (2m) (e) of the statutes is created to read:

22           940.32 (2m) (e) The victim is under the age of 18 years at the time of the  
23 violation.

24           **SECTION 659g.** 940.32 (3) (intro.) of the statutes is amended to read:

1           940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following~~  
2 ~~circumstances~~ is guilty of a Class ~~E~~ C felony if any of the following applies:”

3           **574.** Page 249, line 3: delete lines 3 to 5 and substitute:

4           “**SECTION 660b.** 940.32 (3) (intro.) of the statutes, as affected by 2001 Wisconsin  
5 Act .... (this act), is amended to read:

6           940.32 (3) (intro.) Whoever violates sub. (2) is guilty of a Class ~~C~~ F felony if any  
7 of the following applies:

8           **SECTION 660c.** 940.32 (3) (a) of the statutes is amended to read:

9           940.32 (3) (a) The act results in bodily harm to the victim or a member of the  
10 victim’s family or household.

11          **SECTION 660d.** 940.32 (3) (b) of the statutes is amended to read:

12          940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined  
13 in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r),  
14 (1t), (1v) or (1x) for a violation against, the same victim of that crime is the victim of  
15 the present violation of sub. (2), and the present violation occurs within 7 years after  
16 the prior conviction.

17          **SECTION 660e.** 940.32 (3) (c) of the statutes is created to read:

18          940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts  
19 listed in sub. (1) (a) 1. to 9.”.

20          **575.** Page 249, line 6: delete lines 6 to 8 and substitute:

21          “**SECTION 661b.** 940.32 (3m) of the statutes is repealed.”.

22          **576.** Page 282, line 8: after that line insert:

23          “**SECTION 874x.** 947.013 (1t) of the statutes is amended to read:

1           947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person  
2 has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s. 940.32 (2),  
3 (2e), (2m), or (3) ~~or (3m)~~ involving the same victim and the present violation occurs  
4 within 7 years of the prior conviction.”.

5           **577.** Page 282, line 9: delete lines 9 to 13 and substitute:

6           “**SECTION 875b.** 947.013 (1t) of the statutes, as affected by 2001 Wisconsin Act  
7 .... (this act), is amended to read:

8           947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E I felony if the  
9 person has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s.  
10 940.32 (2), (2e), (2m), or (3) involving the same victim and the present violation  
11 occurs within 7 years of the prior conviction.”.

12           **578.** Page 282, line 21: after that line insert:

13           “**SECTION 877g.** 947.013 (1x) (a) of the statutes is amended to read:

14           947.013 (1x) (a) The person has a prior conviction under sub. (1r), (1t) or (1v)  
15 or this subsection or s. 940.32 (2), (2e), (2m), or (3) ~~or (3m)~~.”.

16           **579.** Page 283, line 2: after that line insert:

17           “**SECTION 878e.** 947.017 of the statutes is created to read:

18           **947.017 Threats to release chemical or biological substances.** (1) In this  
19 section, “harmful substance” means a toxic or poisonous chemical or its precursor or  
20 a disease organism.

21           (2) Whoever, knowing the threat to be false, intentionally threatens to release  
22 or disseminate a harmful substance or conveys a threat to release or disseminate a  
23 harmful substance, if the threat induces a reasonable expectation or fear that a  
24 harmful substance will be released or disseminated, is guilty of a Class E felony.

1           **SECTION 878f.** 947.017 (2) of the statutes, as created by 2001 Wisconsin Act ...  
2 (this act), is amended to read:

3           947.017 (2) Whoever, knowing the threat to be false, intentionally threatens  
4 to release or disseminate a harmful substance or conveys a threat to release or  
5 disseminate a harmful substance, if the threat induces a reasonable expectation or  
6 fear that a harmful substance will be released or disseminated, is guilty of a Class  
7 ~~E- I~~ felony.”.

8           **580.** Page 293, line 3: after that line insert:

9           **“SECTION 937dc.** 949.01 (4) of the statutes is amended to read:

10           949.01 (4) “Medical treatment” includes medical, surgical, dental, optometric,  
11 chiropractic, podiatric, mental health, and hospital care; medicines; medical, dental,  
12 and surgical supplies; crutches; artificial members; appliances and training in the  
13 use of artificial members and appliances. “Medical treatment” includes any  
14 Christian Science treatment or other recognized treatment for cure or relief from the  
15 effects of injury.

16           **SECTION 937de.** 949.01 (5) of the statutes is renumbered 949.01 (5) (intro.) and  
17 amended to read:

18           949.01 (5) (intro.) “Personal injury” means ~~actual~~ any of the following:

19           (a) Actual bodily harm and includes ~~pregnancy and mental or nervous shock.~~

20           **SECTION 937dg.** 949.01 (5) (b) of the statutes is created to read:

21           949.01 (5) (b) Pregnancy resulting from sexual assault.

22           **SECTION 937dj.** 949.01 (5) (c) of the statutes is created to read:

23           949.01 (5) (c) Emotional trauma.

24           **SECTION 937dL.** 949.01 (6) of the statutes is amended to read:

1           949.01 (6) “Victim” means a person who is injured or killed by an incident  
2 specified in s. 949.03 (1) (a), ~~or~~ by any act or omission of any other person that is  
3 within the description of any of the offenses listed in s. 949.03 (1) (b) or within the  
4 description of the offense listed and the condition provided in s. 949.03 (1) (c), or as  
5 a result of a crime described in s. 949.03 (1) (d). This definition does not apply to s.  
6 949.165.

7           **SECTION 937dn.** 949.02 of the statutes is amended to read:

8           **949.02 Administration.** The department shall administer this chapter. The  
9 department shall appoint a program director to assist in administering this chapter.  
10 The department shall promulgate rules for the implementation and operation of this  
11 chapter. The rules shall include procedures to ensure that any limitation of an award  
12 ~~under s. 949.06 (5) (e)~~ is calculated in a fair and equitable manner.

13           **SECTION 937dp.** 949.03 (1) (a) of the statutes is amended to read:

14           949.03 (1) (a) Preventing or attempting to prevent the commission of a crime;  
15 apprehending or attempting to apprehend a suspected criminal; aiding or  
16 attempting to aid a police officer to apprehend or arrest a suspected criminal; aiding  
17 or attempting to aid a victim of a crime specified in par. (b); ~~or~~ aiding or attempting  
18 to aid a victim of the crime specified and the condition provided in par. (c); or aiding  
19 or attempting to aid a victim of a crime specified in par. (d).

20           **SECTION 937dr.** 949.03 (1) (b) of the statutes is amended to read:

21           949.03 (1) (b) The commission or the attempt to commit any crime specified in  
22 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
23 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
24 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,

1 943.04, 943.10, 943.20, 943.23 (1g), (1m) or (1r), 943.32, 948.02, 948.025, 948.03,  
2 948.04, 948.055, 948.06, 948.07, 948.08, 948.09, 948.095, 948.20, 948.30, or 948.51.”.

3 **581.** Page 293, line 4: after “statutes” insert “, as affected by 2001 Wisconsin  
4 Act .... (this act),”.

5 **582.** Page 293, line 10: after “948.04,” insert “948.055, 948.06,”.

6 **583.** Page 293, line 10: after “948.07,” insert “948.08, 948.09,”.

7 **584.** Page 293, line 11: delete lines 11 to 14 and substitute:

8 “**SECTION 938cc.** 949.03 (1) (d) of the statutes is created to read:

9 949.03 (1) (d) The commission of any crime described in s. 973.017 (3) (e).

10 **SECTION 938ce.** 949.03 (2) of the statutes is created to read:

11 949.03 (2) The department may order the payment of an award to a child who  
12 observes or hears an act of domestic abuse, as defined in s. 813.12 (1) (a).

13 **SECTION 938cg.** 949.03 (3) of the statutes is created to read:

14 949.03 (3) The department may order the payment of an award to a person who  
15 witnesses a violent crime involving death or great bodily harm, as defined in s. 939.22  
16 (14).

17 **SECTION 938cj.** 949.05 (1) (intro.) of the statutes is amended to read:

18 949.05 (1) (intro.) In any case in which a person is injured or killed by an  
19 incident specified in s. 949.03 (1) (a), by any act or omission of any other person that  
20 is within the description of crimes under s. 949.03 (1) (b) or (d), or by any act or  
21 omission of any person that is within the description of the crime listed and the  
22 condition provided under s. 949.03 (1) (c), the department may order the payment of  
23 an award:

24 **SECTION 938cL.** 949.05 (2) of the statutes is created to read:

1           949.05 (2) The department may order the payment of an award to a child under  
2 s. 949.03 (2).

3           **SECTION 938cn.** 949.05 (3) of the statutes is created to read:

4           949.05 (3) The department may order the payment of an award to a person who  
5 witnesses a crime described in s. 949.03 (3).

6           **SECTION 938cp.** 949.06 (1) (bf) of the statutes is created to read:

7           949.06 (1) (bf) Up to one week of net salary for a person taking unpaid leave  
8 from work to care for a victim who has suffered personal injury as a result of conduct  
9 described in s. 949.03, if the victim is one of the person's family members, as defined  
10 in sub. (1m) (a), or if the person is the legal guardian for the victim. This benefit may  
11 not exceed \$500 per incident.

12           **SECTION 938cr.** 949.06 (1) (d) of the statutes is amended to read:

13           949.06 (1) (d) Reasonable funeral and burial expenses, not to exceed \$2,000  
14 \$3,000. The funeral and burial award may not be considered by the department  
15 under sub. (2).

16           **SECTION 938ct.** 949.06 (1) (g) of the statutes is created to read:

17           949.06 (1) (g) If a child has been the victim of a crime under s. 940.225, 948.02,  
18 948.025, 948.03, 948.055, 948.06, 948.07, 948.08, 948.09, or 948.095, mental health  
19 treatment for the child's custodial parent or legal guardian that the parent or  
20 guardian obtains for himself or herself in response to the offense.

21           **SECTION 938cv.** 949.06 (1c) of the statutes is created to read:

22           949.06 (1c) The department may order the payment of an award to a person  
23 under s. 949.03 (2) for mental health treatment directly related to the child's reaction  
24 to observing or hearing an act of domestic abuse, as defined in s. 813.12 (1) (a). The  
25 department shall establish limits to awards under this subsection.

1           **SECTION 938cx.** 949.06 (1e) of the statutes is created to read:

2           949.06 (1e) The department may order the payment of an award to a person  
3           under s. 949.03 (3) for mental health treatment directly related to the person's  
4           reaction to witnessing the crime to which that section relates. The department shall  
5           establish limits to awards under this subsection.

6           **SECTION 938ec.** 949.06 (5) (a) of the statutes is renumbered 949.06 (5) and  
7           amended to read:

8           949.06 (5) ~~Except as provided in pars. (b) to (e), the~~ The department shall make  
9           awards under this section from the appropriations under s. 20.455 (5) (b), (kj), and  
10          (m).

11          **SECTION 938ee.** 949.06 (5) (b), (c), (d) and (e) of the statutes are repealed.

12          **SECTION 938eg.** 949.11 (3) of the statutes is renumbered 949.11 (3) (a) and  
13          amended to read:

14          949.11 (3) (a) ~~All~~ Except as provided in par. (b), all hearings shall be open to  
15          the public ~~unless, but the examiner and the department shall comply with s. 949.16~~  
16          (2).

17          (b) The hearing examiner may close a hearing or a portion of a hearing in a  
18          particular case ~~the examiner determines that the hearing, or a portion thereof, shall~~  
19          ~~be held in private having~~ with regard to the fact that the offender has not been  
20          convicted or to the interest of the victim of an alleged sexual offense.

21          **SECTION 938ej.** 949.16 of the statutes is renumbered 949.16 (1) and amended  
22          to read:

23          949.16 (1) ~~The~~ Except as provided in sub. (2), the record of a proceeding before  
24          an examiner or the department under this chapter is a public record. Any record or

1 report obtained by an examiner or the department, the confidentiality of which is  
2 protected by sub. (2) or any other law or rule, shall remain confidential.

3 **SECTION 938eL.** 949.16 (2) of the statutes is created to read:

4 949.16 (2) The examiner and the department shall keep confidential the  
5 address, the electronic address, and the telephone number of each victim, applicant,  
6 and member of the victim's family or household.

7 **SECTION 938en.** 950.04 (1v) (g) of the statutes is amended to read:

8 950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
9 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
10 938.27 (4m) and (6), 938.273 (2), and 971.095 (3) and 972.14 (3) (b).”.

11 **585.** Page 293, line 14: after that line insert:

12 “**SECTION 939m.** 950.04 (1v) (gm) of the statutes is created to read:

13 950.04 (1v) (gm) To have reasonable attempts made to notify the victim of  
14 petitions for sentence adjustment as provided under s. 973.195 (1) (d) or (2) (c).”.

15 **586.** Page 293, line 18: after that line insert:

16 “**SECTION 940dg.** 950.04 (1v) (ve) of the statutes is created to read:

17 950.04 (1v) (ve) If a hearing is scheduled in response to a petition filed by the  
18 department of corrections under s. 973.032 (4m) (b) for permission to release a person  
19 from a placement in the intensive supervision program under s. 301.048 (3) (a) 1., to  
20 have the appropriate clerk of court send the victim a copy of a petition and  
21 notification of the hearing on that petition under s. 973.032 (4m) (c).”.

22 **587.** Page 293, line 18: after that line insert:

23 “**SECTION 940f.** 950.08 (2g) (c) of the statutes is amended to read:

1           950.08 (2g) (c) The address and telephone number of the intake worker,  
2 corporation counsel, or district attorney whom the victim may contact to obtain  
3 information concerning the rights of victims and to request notice of court  
4 proceedings under ss. 938.27 (4m) and (6), 938.273 (2), and 938.299 (1) (am) and  
5 ~~938.335 (3m) (b) or ss.~~ or under s. 971.095 (3) and ~~972.14 (3) (b),~~ whichever is  
6 applicable, and to request the opportunity to confer under ss. s. 938.245 (1m),  
7 938.265, or 938.32 (1) (am) or under s. 971.095 (2), whichever is applicable.”.

8           **588.** Page 328, line 7: after that line insert:

9           “**SECTION 1112p.** 972.14 (3) (b) of the statutes is amended to read:

10           972.14 (3) (b) ~~After a conviction, if~~ If the district attorney knows of a victim of  
11 a crime to be considered at sentencing, the district attorney shall make a reasonable  
12 attempt to contact that person to inform him or her of the right to make or provide  
13 a statement under par. (a). Any failure to comply with this paragraph is not a ground  
14 for an appeal of a judgment of conviction or for any court to reverse or modify a  
15 judgment of conviction.”.

16           **589.** Page 332, line 13: after “under s.” insert “301.048 (6) (c).”.

17           **590.** Page 332, line 13: after that line insert:

18           “**SECTION 1132m.** 973.01 (5) of the statutes is amended to read:

19           973.01 (5) OTHER EXTENDED SUPERVISION CONDITIONS. Whenever the court  
20 imposes a bifurcated sentence under sub. (1), the court may impose conditions upon  
21 the term of extended supervision, including drug treatment under s. 973.031.”.

22           **591.** Page 332, line 13: substitute “302.113 (9g), or 973.195 (1)” for “or 302.113  
23 (9g)”.

1           **592.** Page 338, line 22: delete the material beginning with that line and  
2 ending with page 339, line 4, and substitute:

3           “(10mm) REQUIRED FINDINGS OF FACT. (a) Except as provided in par. (b), the  
4 court shall make explicit findings of fact in open court and on the record to support  
5 each element of its sentencing decision, including its decision as to whether to impose  
6 a bifurcated sentence under s. 973.01 or to place a person on probation and its  
7 decision as to the length of a bifurcated sentence, including the length of each  
8 component of the bifurcated sentence, the amount of a fine, and the length of a term  
9 of probation.

10           (b) If the court determines that is not in the interest of the defendant to make  
11 the findings of fact required under par. (a) in the defendant’s presence, the court shall  
12 make the findings of fact in writing and include the written findings in the record.

13           (11m) STANDARD OF REVIEW ON APPEAL. In an appeal from a court’s sentencing  
14 decision, the appellate court shall reverse the sentencing decision if it determines  
15 that the sentencing court erroneously exercised its discretion in making the  
16 sentencing decision or there is not substantial evidence in the record to support the  
17 sentencing decision.”.

18           **593.** Page 339, line 9: after that line insert:

19           “SECTION 1137m. 973.031 of the statutes is created to read:

20           **973.031 Court-ordered drug treatment.** When the court imposes a  
21 sentence or places a person on probation for any offense committed on or after the  
22 effective date of this section .... [revisor inserts date], the court may order the person  
23 to participate in a drug treatment program as a condition of probation or, in the case  
24 of a person sentenced under s. 973.01, while the person is in prison or as a condition

1 of extended supervision or both. The court may order the department to pay for the  
2 cost of drug treatment under this section from the appropriation under s. 20.410 (1)  
3 (a) for persons in jail or prison or under s. 20.410 (1) (b) for persons on probation or  
4 extended supervision.”.

5 **594.** Page 339, line 10: delete lines 10 to 13 and substitute:

6 “SECTION 1137p. 973.032 (title) of the statutes is amended to read:

7 **973.032** (title) ~~Sentence to~~ **Required participation in intensive**  
8 **sanctions program.**

9 SECTION 1137pb. 973.032 (1) of the statutes is amended to read:

10 973.032 (1) ~~SENTENCE AUTHORITY TO ORDER. Beginning July 1, 1992, Except as~~  
11 ~~provided in sub. (2), a court may sentence order~~ a person who is convicted of a felony  
12 ~~occurring on or after August 15, 1991, but before December 31, 1999, to participate~~  
13 ~~in the intensive sanctions program under s. 301.048. If a person is convicted of a~~  
14 ~~felony occurring on or after December 31, 1999, a court may not sentence the person~~  
15 ~~to participate in the intensive sanctions program under s. 301.048 during the entire~~  
16 ~~term of confinement in prison portion of the bifurcated sentence.~~

17 SECTION 1137q. 973.032 (2) (a) of the statutes is amended to read:

18 973.032 (2) (a) A court may ~~sentence order~~ a person to participate in the  
19 intensive sanctions program under sub. (1) if the department provides a presentence  
20 investigation report recommending that the person be ~~sentenced to~~ ordered to  
21 participate in the program. If the department does not make the recommendation,  
22 a court may order the department to assess and evaluate the person. After that  
23 assessment and evaluation, the court may ~~sentence order~~ the person to participate

1 in the program unless the department objects on the ground that it recommends that  
2 the person be placed on probation.

3 **SECTION 1137r.** 973.032 (2) (b) of the statutes is amended to read:

4 973.032 (2) (b) Notwithstanding par. (a), the court may not ~~sentence~~ order a  
5 person to participate in the intensive sanctions program under sub. (1) if he or she  
6 is convicted of a felony punishable by life imprisonment or has at any time been  
7 convicted, adjudicated delinquent, or found not guilty or not responsible by reason  
8 of insanity or mental disease, defect, or illness for committing a violent offense, as  
9 defined in s. 301.048 (2) (bm).

10 **SECTION 1137s.** 973.032 (3) (intro.) of the statutes is repealed.

11 **SECTION 1137t.** 973.032 (3) (a) of the statutes is repealed.

12 **SECTION 1137u.** 973.032 (3) (b) of the statutes is renumbered 973.032 (3) (b)  
13 (intro.) and amended to read:

14 973.032 (3) (b) (intro.) ~~The~~ If the court orders a person to participate in the  
15 intensive sanctions program under sub. (1), the court shall provide a maximum  
16 period for placements do all of the following:

17 1. Order that the person be placed under s. 301.048 (3) (a) 1., which may not  
18 exceed for at least one year unless the defendant waives this requirement.

19 **SECTION 1137um.** 973.032 (3) (b) 2. of the statutes is created to read:

20 973.032 (3) (b) 2. Subject to the limitation imposed under s. 301.048 (3) (bm)  
21 2., specify the date on which the person is eligible for release from that placement  
22 under sub. (4m).

23 **SECTION 1137v.** 973.032 (3) (c) 2. of the statutes is amended to read:

24 973.032 (3) (c) 2. The court may prescribe reasonable and necessary conditions  
25 of the sentence in accordance with s. 301.048 (3) in an order issued under sub. (1),

1       except the court may not specify a particular Type 1 prison, jail, camp, or facility  
2       where the offender is to be placed under s. 301.048 (3) (a) and the court may not  
3       restrict the department's authority under s. 301.048 (3) (b) or (c).

4               **SECTION 1137w.** 973.032 (4) of the statutes is repealed.”.

5               **595.** Page 339, line 13: after that line insert:

6               **“SECTION 1138wh.** 973.032 (4m) of the statutes is created to read:

7               973.032 (4m) **RELEASE TO COMMUNITY.** (a) In this subsection, “victim” has the  
8       meaning given in s. 950.02 (4).

9               (b) No earlier than 30 days before the date specified by the court under sub. (3)  
10       (b) 2., the department may petition the court for permission to release a person  
11       subject to an order under sub. (1) from a placement described under s. 301.048 (3) (a)  
12       1.

13              (c) Upon the filing of a petition under par. (b), the court, with or without a  
14       hearing, may authorize the department to release the person from his or her  
15       placement any time after the date specified under sub. (3) (b) 2. If the court schedules  
16       a hearing on the petition, the clerk of the circuit court in which the petition is filed  
17       shall send a copy of the petition and a notice of hearing to the victim of the crime  
18       committed by the inmate, if the victim has submitted a card under par. (e) requesting  
19       notification, at least 10 days before the date of the hearing.

20              (d) The notice under par. (c) shall inform the victim that he or she may appear  
21       at the hearing and shall inform the victim of the manner in which he or she may  
22       provide written statements concerning the inmate's petition for release to extended  
23       supervision.

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

11           (f) If the court schedules a hearing on a petition filed under par. (b), the clerk  
12 of the court shall provide a copy of the petition and a notice of the hearing to the  
13 district attorney at least 10 days before the hearing.

14           **SECTION 1138x.** 973.032 (5) of the statutes is repealed.

15           **SECTION 1138y.** 973.032 (6) of the statutes is amended to read:

16           973.032 (6) CREDIT. Any sentence credit under s. 973.155 (1) applies toward  
17 service of the period under sub. (3) (a) the term of confinement in prison portion of  
18 the bifurcated sentence of a person who is subject to this section but does not apply  
19 toward service of the period under sub. (3) (b).

20           **SECTION 1138z.** 973.032 (7) of the statutes is created to read:

21           973.032 (7) PARTICIPANTS ON EXTENDED SUPERVISION. The court or the  
22 department may require a person ordered to participate in the intensive sanctions  
23 program under sub. (1) to remain in the intensive sanctions program as a condition  
24 of extended supervision, but subs. (2) to (6) do not apply to such persons once they  
25 are on extended supervision.”.

1           **596.** Page 339, line 17: after that line insert:

2           “**SECTION 1141m.** 973.09 (6) of the statutes is created to read:

3           973.09 (6) The court may require as a condition of probation that the person  
4 participate in a drug treatment program under s. 973.031.”

5           **597.** Page 342, line 6: after that line insert:

6           “**SECTION 1143n.** 973.20 (10) of the statutes is amended to read:

7           973.20 (10) The court may require that restitution be paid immediately, within  
8 a specified period or in specified ~~instalments~~ installments. If the defendant is placed  
9 on probation or sentenced to imprisonment, the end of a specified period shall not be  
10 later than the end of any period of probation, extended supervision, or parole. ~~If the~~  
11 ~~defendant is sentenced to the intensive sanctions program, the end of a specified~~  
12 ~~period shall not be later than the end of the sentence under s. 973.032 (3) (a).”~~

13           **598.** Page 342, line 6: after that line insert:

14           “**SECTION 1143m.** 973.195 of the statutes is created to read:

15           **973.195 SENTENCE ADJUSTMENT. (1) CONFINEMENT IN PRISON.** (a) An inmate  
16 who is serving a sentence imposed under s. 973.01 for a crime other than a Class B  
17 felony may petition the sentencing court to adjust the sentence if the inmate has  
18 served at least 25 percent of the term of confinement in prison portion of the sentence.  
19 If an inmate is subject to more than one sentence imposed under this section, the  
20 sentences shall be treated individually for purposes of sentence adjustment under  
21 this subsection.

22           (b) Any of the following is a ground for a petition under par. (a):

1           1. The inmate's conduct, efforts at and progress in rehabilitation, or  
2 participation and progress in education, treatment, or other correctional programs  
3 since he or she was sentenced.

4           3. A change in law or procedure related to sentencing or revocation of extended  
5 supervision effective after the inmate was sentenced that would have resulted in a  
6 shorter term of confinement in prison or, if the inmate was returned to prison upon  
7 revocation of extended supervision, a shorter period of confinement in prison upon  
8 revocation, if the change had been applicable when the inmate was sentenced.

9           4. The inmate is subject to a sentence of confinement in another state or the  
10 inmate is in the United States illegally and may be deported.

11           5. Sentence adjustment is otherwise in the interests of justice.

12           (c) Upon receipt of a petition filed under par. (a), the sentencing court may deny  
13 the petition or hold the petition for further consideration. If the court holds the  
14 petition for further consideration, the court shall notify the district attorney of the  
15 inmate's petition. If the district attorney objects to adjustment of the inmate's  
16 sentence within 45 days of receiving notification under this paragraph, the court  
17 shall deny the inmate's petition.

18           (d) If the sentence for which the inmate seek's adjustment is for an offense  
19 under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district attorney does not  
20 object to the petition within 10 days of receiving notice under par. (c), the district  
21 attorney shall notify the the victim, as defined under s. 950.02 (4), of the inmate's  
22 petition. The notice to the victim shall include information on the sentence  
23 adjustment petition process under this subsection, including information on how to  
24 object to the inmate's petition. If the victim objects to adjustment of the inmate's

1 sentence within 45 days of the date on which the district attorney received notice  
2 under par. (c), the court shall deny the inmate's petition.

3 (e) Notwithstanding the confidentiality of victim address information obtained  
4 under s. 302.113 (9g) (g) 3., a district attorney who is required to send notice to a  
5 victim under par. (d) or sub. (2) (c) may obtain from the clerk of the circuit court victim  
6 address information that the victim provided to the clerk under s. 302.113 (9g) (g) 3.

7 (f) If the sentencing court receives no objection to sentence adjustment from the  
8 district attorney under par. (c) or the victim under par. (d) and the court determines  
9 that sentence adjustment is in the public interest, the court may adjust the inmate's  
10 sentence as provided under par. (g). The court shall include in the record written  
11 reasons for any sentence adjustment granted under this subsection.

12 (g) Except as provided under par. (h), the only sentence adjustments that a  
13 court may make under this subsection are as follows:

14 1. If the inmate is serving the term of confinement in prison portion of the  
15 sentence, a reduction in the term of confinement in prison by the amount of time  
16 remaining in the term of confinement in prison portion of the sentence, less up to 30  
17 days, and a corresponding increase in the term of extended supervision.

18 2. If the inmate is confined in prison upon revocation of extended supervision,  
19 a reduction in the amount of time remaining in the period of confinement in prison  
20 imposed upon revocation, less up to 30 days, and a corresponding increase in the term  
21 of extended supervision.

22 (h) 1. If the court adjusts a sentence under par. (g) on the basis of a change in  
23 law or procedure as provided under par. (b) 3. and the total sentence length of the  
24 adjusted sentence is greater than the maximum sentence length that the offender  
25 could have received if the change in law or procedure had been applicable when the

1 inmate was originally sentenced, the court may reduce the length of the term of  
2 extended supervision so that the total sentence length does not exceed the maximum  
3 sentence length that the offender could have received if the change in law or  
4 procedure had been applicable when the inmate was originally sentenced.

5 2. If the court adjusts a sentence under par. (g) on the basis of a change in law  
6 or procedure as provided under par. (b) 3. and the adjusted term of extended  
7 supervision is greater than the maximum term of extended supervision that the  
8 offender could have received if the change in law or procedure had been applicable  
9 when the inmate was originally sentenced, the court may reduce the length of the  
10 term of extended supervision so that the term of extended supervision does not  
11 exceed the maximum term of extended supervision that the offender could have  
12 received if the change in law or procedure had been applicable when the inmate was  
13 originally sentenced.

14 (i) If an inmate's petition under this subsection is denied, the inmate may not  
15 submit another petition concerning the same sentence within 3 years of the date that  
16 the petition was denied. An inmate may submit no more than 2 petitions under this  
17 subsection for each sentence imposed under s. 973.01.

18 (2) EXTENDED SUPERVISION. (a) A person who is serving a term of extended  
19 supervision imposed under s. 973.01 for a crime other than a Class B felony may  
20 petition the sentencing court to adjust the length of the term of extended supervision  
21 if the person has served at least 25 percent of the term of extended supervision and  
22 if a change law or procedure related to sentencing or revocation of extended  
23 supervision effective after the person was sentenced would have resulted in either  
24 a shorter total sentence or a shorter term of extended supervision had the change  
25 been applicable when the person was sentenced. If a petitioner is subject to more

1 than one term of extended supervision imposed under s. 973.01, the terms of  
2 extended supervision shall be treated individually for purposes of adjustment under  
3 this subsection.

4 (b) Upon receipt of a petition filed under par. (a), the sentencing court may deny  
5 the petition or hold the petition for further consideration. If the court holds the  
6 petition for further consideration, the court shall notify the district attorney of the  
7 petition. If the district attorney objects to adjustment of the petitioner's term of  
8 extended supervision within 45 days of receiving notification under this paragraph,  
9 the court shall deny the petition.

10 (c) If the term of extended supervision for which the petitioner seeks  
11 adjustment was imposed for an offense under s. 940.225 (2) or (3), 948.02 (2), or  
12 948.08 and the district attorney does not object to the petition within 10 days of  
13 receiving notice under par. (b), the district attorney shall notify the the victim, as  
14 defined under s. 950.02 (4), of the petition. The district attorney may obtain victim  
15 address information as provided under sub. (1) (e). The notice to the victim shall  
16 include information on the extended supervision adjustment petition process under  
17 this subsection, including information on how to object to the petitioner's petition.  
18 If the victim objects to adjustment of the petitioner's term of extended supervision  
19 within 45 days of the date on which the district attorney received notice under par.  
20 (b), the court shall deny the petition.

21 (d) If the sentencing court receives no objection to sentence adjustment from  
22 the district attorney under par. (b) or the victim under par. (c) and the court  
23 determines that adjustment of the term of extended supervision is in the public  
24 interest, the court may adjust the petitioner's term of extended supervision so that  
25 the total sentence length and the term of extended supervision are no longer than

1 they could have been if the change in law or procedure had been applicable at the  
2 time the person was sentenced. The court shall include in the record written reasons  
3 for any adjustment granted under this subsection.

4 (e) If a person's petition under this subsection is denied, the person may not  
5 submit another petition under this subsection concerning the same term of extended  
6 supervision within 3 years of the date that the petition was denied. A person may  
7 submit no more than 2 petitions under this subsection for each term of extended  
8 supervision imposed under s. 973.01.

9 (3) OTHER PETITIONS. Filing a petition under this section does not affect a  
10 person's right to file a petition for sentence modification under s. 809.30 or 973.19 or  
11 to petition the sentencing court for sentence modification on the basis of a new  
12 factor.”

13 **599.** Page 345, line 19: after that line insert:

14 “SECTION 1156m. 1997 Wisconsin Act 27, section 9456 (3m), as last amended  
15 by 2001 Wisconsin Act 16, is amended to read:

16 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION  
17 BOARD AND WISCONSIN LAND COUNCIL. The treatment of sections 15.07 (1) (b) 16.,  
18 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505  
19 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)  
20 (e), 36.25 (12m) (intro.), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and ~~(5)~~ and 92.10  
21 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967, 20.505 (1)  
22 (ie), (ig), (ij) and (ks), 23.32 (2) (d), ~~59.43 (1) (u)~~ and 59.72 (1) (am), (3) (c) and (4) of  
23 the statutes and SECTION 9101 (1) of this act take effect on September 1, 2003.”

24 **600.** Page 345, line 25: after that line insert:

2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2995/1  
RAC:kmg:pg

LFB:.....Rhodes - Transfer to budget stabilization fund  
FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION  
**SENATE AMENDMENT ,**  
**TO SENATE SUBSTITUTE AMENDMENT 1,**  
**TO ASSEMBLY BILL 1**

*Insert at  
Page 497, after  
line 23*

*INSERT to D*

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 348, line 9: after that line insert:

3 *↑* "(4w) TRANSFER TO BUDGET STABILIZATION FUND. Before July 1, 2003, the  
4 secretary of administration shall transfer an amount equal to ~~\$10,000,000~~  
5 general fund to the budget stabilization fund.".

6 (END)

*497-23*

*15,229,500*

*→ \* b 2995/1 \* →*

1           “SECTION 1157s. 1999 Wisconsin Act 9, section 9158 (8w) (e) is repealed.”.

2           **601.** Page 346, line 8: after that line insert:

3           “SECTION 1160p. 2001 Wisconsin Act 16, section 9157 (7e) is amended to read:

4           [2001 Wisconsin Act 16] Section 9157 (7e) COST-EFFECTIVE TRANSPORTATION  
5 SERVICES FOR VETERANS. The department of veterans affairs and the department of  
6 administration, jointly, shall determine the most cost-effective methods for  
7 providing statewide transportation services to disabled veterans under section 45.43  
8 (7m) of the statutes, as created by this act.”.

9           **602.** Page 346, line 8: after that line insert:

10          “SECTION 1160p. 2001 Wisconsin Act 16, section 9158 (8x) is amended to read:

11          [2001 Wisconsin Act 16] Section 9158 (8x) COMMUNITY YOUTH GRANTS.  
12 Notwithstanding section 49.175 (1) (z) of the statutes, as affected by this act, from  
13 the moneys allocated under section 49.175 (1) (z) of the statutes, as affected by this  
14 act, the department of workforce development shall provide grants in each fiscal year  
15 of the 2001–03 fiscal biennium to the Wisconsin chapters of the Boys and Girls Clubs  
16 of America to improve social, academic, and employment skills of youth who are  
17 eligible to receive temporary assistance for needy families under 42 USC 601 et seq.  
18 The total amount of grants that are provided under this subsection in each fiscal year  
19 of the 2001–03 fiscal biennium shall be ~~\$50,000~~ \$300,000.”.

20          **603.** Page 346, line 13: after that line insert:

21          “SECTION 1160rd. 2001 Wisconsin Act 16, section 9323 (18k), (18m), (18n),  
22 (18pk), (18pm) and (18pn) are repealed.

23          SECTION 1160ut. 2001 Wisconsin Act 16, section 9423 (18k) is repealed.”.

24          **604.** Page 350, line 3: delete lines 3 to 11.

*Insert here*  
499-72

1           **605.** Page 352, line 12: after that line insert:

2           “(9x) WISCONSIN TRIBAL–STATE COUNCIL.

3           (a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting  
4 information under section 16.42 of the statutes for purposes of the 2003–05 biennial  
5 budget bill, the department of administration shall submit a dollar amount for the  
6 appropriation under section 20.505 (4) (kt) of the statutes, as created by this act, that  
7 is \$15,000 less than the total amount appropriated under section 20.505 (4) (kt) of  
8 the statutes for the 2002–03 fiscal year, before submitting any information relating  
9 to any increase or decrease in the dollar amount for that appropriation for the  
10 2003–05 fiscal biennium.

11           (b) There is authorized for the Wisconsin tribal–state council 1.0 FTE PR  
12 executive director position and 2.0 FTE PR other positions, to be funded from the  
13 appropriation under section 20.505 (4) (kt) of the statutes, as created by this act.”.

14           **606.** Page 352, line 18: after that line insert:

15           “(1q) TRANSFER TO THE UNIVERSITY OF WISCONSIN–EXTENSION.

16           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
17 liabilities of the department of agriculture, trade and consumer protection that are  
18 primarily related to the functions of the conservation engineering section in the land  
19 and water resources bureau and that are primarily related to the soil erosion control  
20 and federal and county liaison functions of the conservation management section in  
21 the land and water resources bureau, as determined by the secretary of  
22 administration, shall become the assets and liabilities of the University of Wisconsin  
23 System.

24           (b) *Position transfers.* On the effective date of this paragraph:

1           1. The authorized FTE positions for the department of agriculture, trade and  
2 consumer protection are decreased by 0.2 GPR position related to land and water  
3 resource management planning, 0.1 GPR position related to soil erosion, 1.0 GPR  
4 position related to certification, 0.5 GPR position related to engineering design, and  
5 0.5 GPR position related to computer design programming funded from the  
6 appropriation under section 20.115 (7) (a) of the statutes.

7           2. The authorized FTE positions for the department of agriculture, trade and  
8 consumer protection are decreased by 1.75 PR positions related to land and water  
9 resource management planning, 0.25 PR position related to soil erosion, 0.5 PR  
10 position related to certification, and 0.5 PR position related to engineering design  
11 funded from the appropriation under section 20.115 (7) (k) of the statutes.

12           3. The authorized FTE positions for the department of agriculture, trade and  
13 consumer protection are decreased by 0.5 SEG position related to performance  
14 standard evaluation, 1.0 SEG position related to county liaison, 4.0 SEG positions  
15 related to certification, and 4.0 SEG positions related to engineering design funded  
16 from the appropriation under section 20.115 (7) (qd) of the statutes.

17           4. There are authorized for the University of Wisconsin System 0.2 FTE GPR  
18 position related to land and water resource management planning, 0.1 FTE GPR  
19 position related to soil erosion, 1.0 FTE GPR position related to certification, 0.5 FTE  
20 GPR position related to engineering design, and 0.5 FTE GPR position related to  
21 computer design programming to be funded from the appropriation under section  
22 20.285 (1) (eq) of the statutes, as created by this act.

23           5. There are authorized for the University of Wisconsin System 1.75 FTE PR  
24 positions related to land and water resource management planning, 0.25 FTE PR  
25 position related to soil erosion, 0.5 FTE PR position related to certification, and 0.5

1 FTE PR position related to engineering design to be funded from the appropriation  
2 under section 20.285 (1) (k) of the statutes.

3 6. There are authorized for the University of Wisconsin System 0.5 FTE SEG  
4 position related to performance standard evaluation, 1.0 FTE SEG position related  
5 to county liaison, 4.0 FTE SEG positions related to certification, and 4.0 FTE SEG  
6 positions related to engineering design to be funded from the appropriation under  
7 section 20.285 (1) (rm) of the statutes, as created by this act.

8 (c) *Employee transfers.* All incumbent employees holding positions in the  
9 department of agriculture, trade and consumer protection that are specified in  
10 paragraph (b) 1. to 3. are transferred on the effective date of this paragraph to the  
11 University of Wisconsin System.

12 (d) *Employee status.* Employees transferred under paragraph (c) shall have the  
13 same rights and status under subchapter V of chapter 111 and chapter 230 of the  
14 statutes in the University of Wisconsin System that they enjoyed in the department  
15 of agriculture, trade and consumer protection immediately before the transfer.  
16 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
17 has attained permanent status in class is required to serve a probationary period.

18 (e) *Tangible personal property.* On the effective date of this paragraph, all  
19 tangible personal property, including records, of the department of agriculture, trade  
20 and consumer protection that is primarily related to the functions of the conservation  
21 engineering section in the land and water resources bureau and that is primarily  
22 related to the soil erosion control and federal and county liaison functions of the  
23 conservation management section in the land and water resources bureau, as  
24 determined by the secretary of administration, shall be transferred to the University  
25 of Wisconsin System.