

State of Wisconsin



2017 Assembly Bill 342

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 287

AN ACT *to amend* 943.20 (3) (c) and 943.23 (6) (b); and *to create* 943.20 (3) (cm) and 943.23 (2g) and (3g) of the statutes; **relating to:** taking, driving, or operating a commercial motor vehicle without consent and providing criminal penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 943.20 (3) (c) of the statutes is amended to read:

943.20 (3) (c) If the value of the property exceeds \$10,000 but does not exceed \$100,000, is guilty of a Class G felony.

SECTION 2. 943.20 (3) (cm) of the statutes is created to read:

943.20 (3) (cm) If the value of the property exceeds \$100,000, is guilty of a Class F felony.

SECTION 3. 943.23 (2g) and (3g) of the statutes are created to read:

943.23 (2g) Except as provided in sub. (3m), whoever intentionally takes and drives any commercial motor vehicle without the consent of the owner is guilty of a Class G felony.

(3g) Except as provided in sub. (3m), whoever intentionally drives or operates any commercial motor vehicle

without the consent of the owner is guilty of a Class H felony.

SECTION 4. 943.23 (6) (b) of the statutes is amended to read:

943.23 (6) (b) In addition to the other penalties provided for violation of this section, a judge shall require a violator of sub. (2g) or (3g) to pay restitution for any damage he or she causes to a commercial motor vehicle to or on behalf of a victim, and a judge may require ~~a~~ any other violator to pay restitution to or on behalf of a victim, regardless of whether the violator is placed on probation under s. 973.09. If restitution is ordered, the court shall consider the financial resources and future ability of the violator to pay and shall determine the method of payment. Upon the application of any interested party, the court may schedule and hold an evidentiary hearing to determine the value of the victim's pecuniary loss resulting from the offense.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."