

1977 Senate Bill 14

Date published: November 23, 1977

CHAPTER 173, Laws of 1977

AN ACT to repeal chapter 164 and 940.03, 940.205, 940.206, 940.22, 941.04 (2), 944.21 (1) (b), 944.22, 944.35, 946.04, 946.15, 946.43 (2), 947.02 (2) and 947.07; to renumber 943.01 (4) and (5), 943.24 (3), 944.21 (1) (d) and 946.43 (3); to renumber and amend 943.01 (3), 943.23 and 943.24 (2); to amend 939.22 (24), 939.30, 939.31, 939.32 (1), 940.01 (1), 940.05 (intro.), 940.06 (1), 940.07, 940.08 (1), 940.09, 940.12, 940.201, 940.21, 940.225 (1) (intro.), (2) (intro.), (3) and (3m), 940.23, 940.24 (1), 940.28, 940.29 (intro.), 940.30, 940.31 (1) (intro.) and (2), 940.32 (intro.), 941.01 (1), 941.03 (1), 941.04 (1) (intro.), 941.10 (1), 941.11 (intro.), 941.20 (1) (intro.) and (2) (intro.), 941.22 (1), 941.23 (1), 941.24 (1), 941.30 to 941.34, 941.35 (2) and (3), 942.01 (1), 942.03, 942.04 (1) (intro.), 942.05 (intro.), 943.01 (1) and (2) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07, 943.10 (1) (intro.) and (2) (intro.), 943.11, 943.12, 943.13 (1) (intro.) and (3), 943.14, 943.20 (3) (intro.), (a), (b), (c) and (d) (intro.), 943.205 (3), 943.207 (3) (a) and (b), 943.21 (1) (intro.), 943.22, 943.24 (1), 943.25 (1) and (2) (intro.), 943.26, 943.27, 943.28 (2) to (4), 943.30 (1), (2) and (3) (a), 943.31, 943.32 (1) (intro.) and (2), 943.35 (intro.), 943.37 (intro.), 943.38 (1) (intro.), (2) and (3) (intro.), 943.39 (intro.), 943.395 (intro.), 943.40 (intro.), 943.41 (8), 944.05 (1) (intro.), 944.06, 944.12, 944.15, 944.17 (intro.), 944.20 (intro.), 944.21 (1) (intro.) and (2), 944.23, 944.25 (9) and (10) (a), 944.30, 944.31, 944.32, 944.33 (1) (intro.) and (a) and (2), 944.34 (intro.), 944.36, 945.02 (intro.), 945.03 (intro.), 945.04

(intro.), 945.041 (1), 945.05 (1) (intro.), 945.07 (1), 945.08 (1) and (2), 946.01 (1) (intro.), 946.02 (1) (intro.), 946.03 (1) (intro.) and (2), 946.05 (1), 946.06 (1) (intro.), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.16, 946.31 (1) (intro.), 946.32 (1) (intro.) and (2), 946.40 (1), 946.41 (1), 946.42 (1) (intro.), (a) and (b), (2) (intro.) and (3) (intro.), 946.43 (intro.), 946.44 (1) (intro.), 946.45 (1), 946.46, 946.47 (1) (intro.), 946.48 (1), 946.49, 946.61 (1) (intro.), 946.62 to 946.64, 946.65 (1), 946.67 (1), 946.68 (1), 946.69 (intro.), 946.70, 946.71 (intro.), 946.72, 946.73, 946.74 (1) (intro.) and (2), 946.75, 946.76, 947.01 (intro.), 947.015, 947.02 (intro.) and (3), 947.04 (1), 947.047, 947.06 (3), 947.08 (2) (intro.), 947.15 (1) (intro.), 948.15 (1), 948.18 (1) and (2) and 949.03 (1) (b); to repeal and recreate 939.61, 940.02, 940.20, 941.12, 941.13, 943.34, 943.45 (3), 943.50 (4) and 944.16 (intro.); and to create 939.50 to 939.52, 940.19, 941.25 to 941.27, 943.125, 943.24 (2), 943.30 (4), 944.30 (4) and 946.42 (1m) of the statutes, relating to revision of the criminal code.

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

SECTION 1. Chapter 164 of the statutes is repealed.

SECTION 1g. 939.22 (24) of the statutes is amended to read:

939.22 (24) "Place of prostitution" means any place where a female person habitually engages in nonmarital acts of sexual intercourse or sexual perversion for any thing of value.

SECTION 1m. 939.30 and 939.31 of the statutes are amended to read:

939.30 Solicitation. Whoever, with intent that a felony be committed, advises another to commit that crime under circumstances which indicate unequivocally that he or she has such intent ~~may be fined not more than \$2,500 or imprisoned not to exceed the maximum provided for the completed crime, but in no event to exceed 5 years, or both is guilty of a Class D felony;~~ except that for a solicitation to commit a crime for which the penalty is life imprisonment the actor ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony and for a solicitation to commit a Class E felony the actor is guilty of a Class E felony.

939.31 Conspiracy. Whoever, with intent that a crime be committed, agrees or combines with another for the purpose of committing that crime may, if one or more of the parties to the conspiracy does an act to effect its object, be fined or imprisoned or both not to exceed the maximum provided for the completed crime; except that for a conspiracy to commit a crime for which the penalty is life imprisonment, the actor ~~may be imprisoned not more than 30 years~~ is guilty of a Class B felony.

SECTION 2. 939.32 (1) of the statutes is amended to read:

939.32 (1) Whoever attempts to commit a felony or a battery as defined by s. ~~940.20~~ 940.19 or theft as defined by s. 943.20 may be fined or imprisoned or both not to exceed one-half the maximum penalty for the completed crime; except that for an attempt to commit a crime for which the penalty is life imprisonment, the actor ~~may be imprisoned not more than 30 years~~ is guilty of a Class B felony. Whoever attempts to commit a battery as defined in s. ~~940.205~~ 940.20 ~~may be imprisoned not more than one year in the county jail~~ 940.20 (2) is guilty of a Class A misdemeanor.

SECTION 3. 939.50, 939.51 and 939.52 of the statutes are created to read:

939.50 Classification of felonies. (1) Felonies in chs. 939 to 948 are classified as follows:

- (a) Class A felony.
- (b) Class B felony.
- (c) Class C felony.

- (d) Class D felony.
- (e) Class E felony.
- (2) A felony is a Class A, B, C, D or E felony when it is so specified in chs. 939 to 948.
- (3) Penalties for felonies are as follows:
 - (a) For a Class A felony, life imprisonment.
 - (b) For a Class B felony, imprisonment not to exceed 20 years.
 - (c) For a Class C felony, a fine not to exceed \$10,000 or imprisonment not to exceed 10 years, or both.
 - (d) For a Class D felony, a fine not to exceed \$10,000 or imprisonment not to exceed 5 years, or both.
 - (e) For a Class E felony, a fine not to exceed \$10,000 or imprisonment not to exceed 2 years, or both.

939.51 Classification of misdemeanors. (1) Misdemeanors in chs. 939 to 948 are classified as follows:

- (a) Class A misdemeanor.
- (b) Class B misdemeanor.
- (c) Class C misdemeanor.
- (2) A misdemeanor is a Class A, B or C misdemeanor when it is so specified in chs. 939 to 948.
- (3) Penalties for misdemeanors are as follows:
 - (a) For a Class A misdemeanor, a fine of not to exceed \$10,000 or imprisonment not to exceed 9 months, or both.
 - (b) For a Class B misdemeanor, a fine not to exceed \$1,000 or imprisonment not to exceed 90 days, or both.
 - (c) For a Class C misdemeanor, a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.

939.52 Classification of forfeitures. (1) Forfeitures in chs. 939 to 948 are classified as follows:

- (a) Class A forfeiture.
- (b) Class B forfeiture.
- (c) Class C forfeiture.
- (d) Class D forfeiture.
- (2) A forfeiture is a Class A, B, C or D forfeiture when it is so specified in chs. 939 to 948.
- (3) Penalties for forfeitures are as follows:
 - (a) For a Class A forfeiture, a forfeiture not to exceed \$10,000.
 - (b) For a Class B forfeiture, a forfeiture not to exceed \$1,000.
 - (c) For a Class C forfeiture, a forfeiture not to exceed \$500.
 - (d) For a Class D forfeiture, a forfeiture not to exceed \$200.

SECTION 4. 939.61 of the statutes is repealed and recreated to read:

939.61 Penalty when none expressed. (1) If a person is convicted of an act or omission prohibited by statute and for which no penalty is expressed, the person shall be subject to a forfeiture not to exceed \$200.

(2) If a person is convicted of a misdemeanor under state law for which no penalty is expressed, the person may be fined not more than \$500 or imprisoned not more than 30 days or both.

(3) Common law penalties are abolished.

SECTION 5. 940.01 (1) of the statutes is amended to read:

940.01 (1) Whoever causes the death of another human being with intent to kill that person or another ~~shall be sentenced to life imprisonment~~ is guilty of a Class A felony.

SECTION 6. 940.02 of the statutes is repealed and recreated to read:

940.02 Second-degree murder. Whoever causes the death of another human being under either of the following circumstances is guilty of a Class B felony:

(1) By conduct imminently dangerous to another and evincing a depraved mind, regardless of human life; or

(2) As a natural and probable consequence of the commission of or attempt to commit a felony.

SECTION 7. 940.03 of the statutes is repealed.

SECTION 8. 940.05 (intro.) of the statutes is amended to read:

940.05 Manslaughter. (intro.) Whoever causes the death of another human being under any of the following circumstances ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony:

SECTION 9. 940.06 (1) of the statutes is amended to read:

940.06 (1) Whoever causes the death of another human being by reckless conduct ~~may be fined not more than \$2,500 or imprisoned not more than 5 years or both~~ is guilty of a Class C felony.

SECTION 10. 940.07 of the statutes is amended to read:

940.07 Homicide resulting from negligent control of vicious animal. Whoever knowing the vicious propensities of any animal intentionally ~~suffers~~ allows it to go at large or keeps it without ordinary care, if such animal, while so at large or not confined, kills any human being who has taken all the precautions which the circumstances may permit to avoid such animal, ~~may be fined not more than \$2,500 or imprisoned not more than 5 years~~ is guilty of a Class C felony.

SECTION 11. 940.08 (1) of the statutes is amended to read:

940.08 (1) Whoever causes the death of another human being by a high degree of negligence in the operation or handling of a vehicle, firearm, airgun, knife or bow and arrow ~~may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both~~ is guilty of a Class E felony.

SECTION 12. 940.09 and 940.12 of the statutes are amended to read:

940.09 Homicide by intoxicated user of vehicle or firearm. Whoever by the negligent operation or handling of a vehicle, firearm or airgun and while under the influence of an intoxicant causes the death of another ~~may be fined not more than \$2,500 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony. No person ~~shall~~ may be convicted under this section ~~except~~ upon proof of causal negligence in addition to such operation or handling while under the influence of an intoxicant.

940.12 Assisting suicide. Whoever with intent that another take his or her own life assists such person to commit suicide ~~may be imprisoned not more than 10 years~~ is guilty of a Class D felony.

SECTION 13. 940.19 of the statutes is created to read:

940.19 Battery; aggravated battery. (1) Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed is guilty of a Class A misdemeanor.

(2) Whoever causes great bodily harm to another by an act done with intent to cause great bodily harm to that person or another with or without the consent of the person so harmed is guilty of a Class C felony.

SECTION 14. 940.20 of the statutes is repealed and recreated to read:

940.20 Battery: special circumstances. (1) BATTERY BY PRISONERS. (a) Any prisoner confined to a state prison or other state, county or municipal detention facility who intentionally causes bodily harm to an officer, employe, visitor or another inmate of such prison or institution, without his or her consent, is guilty of a Class E felony.

(b) Whoever violates par. (a) is guilty of a Class D felony if such conduct results in or occurs during a riot or disturbance by inmates or results in loss of control by institution officials.

(2) BATTERY TO PEACE OFFICERS AND FIRE FIGHTERS. Whoever intentionally causes bodily harm to a peace officer, as defined in s. 939.22 (22), or fire fighter, acting in an official capacity and the person knows or has reason to know that the victim is a peace officer or fire fighter, by an act done without the consent of the person so injured, is guilty of a Class E felony.

(3) BATTERY TO WITNESSES AND JURORS. Whoever intentionally causes bodily harm to a person who he or she knows or has reason to know is or was a witness as defined in s. 943.30 (3) (b) or a grand or petit juror, and by reason of the person having attended or testified as a witness or by reason of any verdict or indictment assented to by the person, without the consent of the person injured, is guilty of a Class D felony.

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

SECTION 15. 940.201 of the statutes is amended to read:

940.201 Abuse of children. Whoever tortures or subjects to cruel maltreatment any child ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class E felony. In this section, "child" means a person under 16 years of age.

SECTION 16. 940.205 and 940.206 of the statutes are repealed.

SECTION 17. 940.21 of the statutes is amended to read:

940.21 Mayhem. Whoever, with intent to disable or disfigure another, cuts or mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, ~~may be fined not more than \$5,000 or imprisoned not more than 15 years or both~~ is guilty of a Class B felony.

SECTION 18. 940.22 of the statutes is repealed.

SECTION 19. 940.225 (1) (intro.), (2) (intro.), (3) and (3m) of the statutes are amended to read:

940.225 (1) (intro.) FIRST DEGREE SEXUAL ASSAULT. Whoever does any of the following ~~shall be fined not more than \$15,000 or imprisoned not more than 15 years or both~~ is guilty of a Class B felony:

(2) (intro.) SECOND DEGREE SEXUAL ASSAULT. Whoever does any of the following ~~shall be fined not more than \$10,000 or imprisoned not more than 10 years or both~~ is guilty of a Class C felony:

(3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse with a person without the consent of that person ~~shall be fined not more than \$5,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony.

(3m) **FOURTH DEGREE SEXUAL ASSAULT.** Whoever has sexual contact with a person without the consent of that person ~~shall be fined not more than \$500 or imprisoned not more than one year in the county jail or both~~ is guilty of a Class A misdemeanor.

SECTION 20. 940.23 of the statutes is amended to read:

940.23 Injury by conduct regardless of life. Whoever causes great bodily harm to another human being by conduct imminently dangerous to another and evincing a depraved mind, regardless of human life, ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony.

SECTION 21. 940.24 (1) of the statutes is amended to read:

940.24 (1) Whoever causes bodily harm to another by a high degree of negligence in the operation or handling of a firearm, airgun, knife or bow and arrow, ~~may be fined not more than \$1,000 or imprisoned not more than one year or both~~ is guilty of a Class E felony.

SECTION 22. 940.28 of the statutes is amended to read:

940.28 Abandonment of young child. Whoever, with intent to abandon ~~him~~ the child, leaves any child under the age of 6 years in a place where ~~he~~ the child may suffer because of neglect ~~may be imprisoned not more than 3 years~~ is guilty of a Class D felony.

SECTION 23. 940.29 (intro.) of the statutes is amended to read:

940.29 Abuse of inmates of institutions. (intro.) Any person in charge of or employed in any of the following institutions who abuses, neglects or ill-treats any person confined in or an inmate of any such institution or who knowingly permits another person to do so ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class E felony:

SECTION 24. 940.30 of the statutes is amended to read:

940.30 False imprisonment. Whoever intentionally confines or restrains another without ~~his~~ the person's consent and with knowledge that he ~~or she~~ has no lawful authority to do so ~~may be fined not more than \$1,000 or imprisoned not more than 2 years or both~~ is guilty of a Class E felony.

SECTION 25. 940.31 (1) (intro.) and (2) of the statutes are amended to read:

940.31 (1) (intro.) Whoever does any of the following ~~may be imprisoned not more than 15 years~~ is guilty of a Class B felony:

(2) Whoever violates sub. (1) with intent to cause another to transfer property in order to obtain the release of the victim ~~shall be sentenced to life imprisonment~~ is guilty of a Class A felony; but if ~~his~~ the victim is released without permanent physical injury prior to the time the first witness is sworn at the trial the defendant ~~may be imprisoned not more than 30 years~~ is guilty of a Class B felony.

SECTION 26. 940.32 (intro.) of the statutes is amended to read:

940.32 Abduction. (intro.) Whoever, for any unlawful or immoral purpose, does any of the following ~~may be imprisoned not more than 15 years~~ is guilty of a Class C felony:

SECTION 27. 941.01 (1) of the statutes is amended to read:

941.01 (1) Whoever endangers another's safety by a high degree of negligence in the operation of a vehicle, not upon a highway as defined in s. 340.01, ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 28. 941.03 (1) of the statutes is amended to read:

941.03 (1) Whoever creates an unreasonable risk and high probability of causing death or great bodily harm to another by intentionally placing an obstacle in or upon a highway, damaging a highway, removing or tampering with a sign or signal used for the guidance of vehicles, giving a false traffic signal, or otherwise interfering with the

orderly flow of traffic and realizes that he or she thereby creates such risk and probability ~~may be fined not more than \$2,000 or imprisoned not more than 10 years or both~~ is guilty of a Class C felony.

SECTION 29. 941.04 (1) (intro.) of the statutes is amended to read:

941.04 (1) (intro.) Whoever does either of the following ~~may be fined not more than \$1,000 or imprisoned not more than 30 days~~ under circumstances endangering human life is guilty of a Class D felony:

SECTION 30. 941.04 (2) of the statutes is repealed.

SECTION 31. 941.10 (1) of the statutes is amended to read:

941.10 (1) Whoever handles burning material in a highly negligent manner ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 32. 941.11 (intro.) of the statutes is amended to read:

941.11 Unsafe burning of buildings. (intro.) Whoever does either of the following ~~may be imprisoned not more than 5 years~~ is guilty of a Class D felony:

SECTION 33. 941.12 of the statutes is repealed and recreated to read:

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

(2) Whoever interferes with, tampers with or removes, without authorization, any fire extinguisher, fire hose or any other fire fighting equipment, is guilty of a Class A misdemeanor.

(3) Whoever interferes with accessibility to a fire hydrant by piling or dumping material near it without first obtaining permission from the appropriate municipal authority is guilty of a Class C misdemeanor. Every day during which the interference continues constitutes a separate offense.

SECTION 34. 941.13 of the statutes is repealed and recreated to read:

941.13 False alarms. Whoever intentionally gives a false alarm to any public officer or employe, whether by means of a fire alarm system or otherwise, is guilty of a Class A misdemeanor.

SECTION 35. 941.20 (1) (intro.) and (2) (intro.) of the statutes are amended to read:

941.20 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

(2) (intro.) Whoever does any of the following ~~may be fined not more than \$1,000 or imprisoned not more than 3 years or both~~ is guilty of a Class E felony:

SECTION 36. 941.22 (1) of the statutes is amended to read:

941.22 (1) Any minor who goes armed with a pistol or any person who intentionally sells, loans or gives a pistol to a minor ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class A misdemeanor.

SECTION 37. 941.23 (1) of the statutes is amended to read:

941.23 (1) Any person except a peace officer who goes armed with a concealed and dangerous weapon ~~shall be imprisoned not more than one year in the county jail~~ is guilty of a Class A misdemeanor.

SECTION 38. 941.24 (1) of the statutes is amended to read:

941.24 (1) Whoever manufactures, sells or offers to sell, transports, purchases, possesses or goes armed with any knife having a blade which opens by pressing a button, spring or other device in the handle or by gravity or by a thrust or movement

~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both is guilty of a Class A misdemeanor.~~

SECTION 39. 941.25, 941.26 and 941.27 of the statutes are created to read:

941.25 Manufacturer to register machine guns. Every manufacturer shall keep a register of all machine guns manufactured or handled by him or her. This register shall show the model and serial number, date of manufacture, sale, loan, gift, delivery or receipt, of every machine gun, the name, address, and occupation of the person to whom the machine gun was sold, loaned, given or delivered, or from whom it was received; and the purpose for which it was acquired by the person to whom the machine gun was sold, loaned, given or delivered, or from whom received. Upon demand every manufacturer shall permit any marshal, sheriff or police officer to inspect his or her entire stock of machine guns, parts, and supplies therefor, and shall produce the register required under this section for inspection. Whoever violates any provision of this section is subject to a Class B forfeiture.

941.26 Machine guns and other weapons; use in certain cases; penalty. (1) No person may sell, possess, use or transport any machine gun or other full automatic firearm. No person may sell, possess, use or transport any bomb, hand grenade, projectile, shell or other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

(2) Any person violating any of the provisions of this section is guilty of a Class E felony.

(3) The provisions of this section shall not apply to the sale, possession, use or transportation of any such weapons or containers to or by any armed forces or national guard personnel in line of duty, any civil enforcement officer of the state or of any city or county, or any person duly authorized by the chief of police of any city or the sheriff of any county to sell, possess, use or transport such weapons or containers. The restriction on transportation contained in this section shall not apply to common carriers.

941.27 Machine guns. (1) DEFINITION. In ss. 941.25 and 941.26, "machine gun" includes a weapon of any description by whatever name known which was manufactured to discharge more than 2 shots or bullets by a single function of the firing device.

(2) EXCEPTIONS. Sections 941.25 and 941.26 shall not prohibit or interfere with the manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose; the possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament or keepsake; or the possession of a machine gun other than one adapted to use pistol cartridges for a purpose manifestly not aggressive or offensive.

SECTION 40. 941.30 to 941.34 of the statutes are amended to read:

941.30 Endangering safety by conduct regardless of life. Whoever endangers another's safety by conduct imminently dangerous to another and evincing a depraved mind, regardless of human life, ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both is guilty of a Class D felony.~~

941.31 Possession of explosives for unlawful purpose. Whoever makes, buys, transports, possesses, or transfers any explosive compound or offers to do the same, either with intent to use such explosive to commit a crime or knowing that another intends to use it to commit a crime, ~~may be fined not more than \$1,000 or imprisoned not more than 10 years or both is guilty of a Class C felony.~~

941.32 Administering dangerous or stupefying drug. Whoever administers to another or causes another to take any poisonous, stupefying, overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the commission of a crime ~~may be~~

~~fined not more than \$1,000 or imprisoned not more than 10 years or both~~ is guilty of a Class C felony.

941.325 Placing foreign objects in edibles. Whoever places objects, drugs or other substances in candy or other edibles with the intent to cause bodily harm to another person ~~may be fined not more than \$500 or imprisoned not more than one year in the county jail or both~~ is guilty of a Class E felony.

941.33 Hazing. Whoever engages in or incites hazing which results in or is likely to result in bodily harm to another in any school ~~may be fined not more than \$200 or imprisoned not more than 60 days or both~~ is guilty of a Class C misdemeanor.

941.34 Fluoroscopic shoe-fitting machines. Whoever uses, or possesses or controls with intent to so use, any fluoroscopic or X-ray machine for the purpose of shoe-fitting or attempting to fit shoes, or who knowingly permits such machine, whether in use or not, to remain on his or her premises, ~~shall be fined not more than \$200 or imprisoned not more than 60 days or both~~ is subject to a Class B forfeiture. Each day of such use, possession or control shall constitute a separate violation of this section.

SECTION 41. 941.35 (2) and (3) of the statutes are amended to read:

941.35 (2) Whoever intentionally refuses to yield or surrender the use of a party line to another person immediately upon being informed by such other person that he or she wants to report a fire or summon police, medical or other aid in case of emergency, ~~shall be fined not less than \$50 nor more than \$500~~ is subject to a Class B forfeiture.

(3) Whoever intentionally asks for or requests the use of a party line on the pretext that an emergency exists, knowing that no emergency in fact exists, ~~shall be fined not less than \$50 nor more than \$500~~ is subject to a Class B forfeiture.

SECTION 42. 942.01 (1) of the statutes is amended to read:

942.01 (1) Whoever with intent to defame communicates any defamatory matter to a third person without the consent of the person defamed ~~may be fined not more than \$1,000 or imprisoned not more than one year or both~~ is guilty of a Class A misdemeanor.

SECTION 43. 942.03 of the statutes is amended to read:

942.03 Giving false information for publication. Whoever, with intent that it be published and that it injure any person, and with knowledge that it is false, communicates to a newspaper, magazine, or other publication any false statement concerning any person or any false and unauthorized advertisement ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 44. 942.04 (1) (intro.) of the statutes is amended to read:

942.04 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

SECTION 45. 942.05 (intro.) of the statutes is amended to read:

942.05 Opening letters. (intro.) Whoever does either of the following ~~may be fined not more than \$100 or imprisoned not more than 3 months or both~~ is guilty of a Class A misdemeanor:

SECTION 46. 943.01 (1) and (2) (intro.) of the statutes are amended to read:

943.01 (1) Whoever intentionally causes damage to any physical property of another without his the person's consent ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

(2) (intro.) Any person violating sub. (1) ~~may be fined not more than \$1,000 or imprisoned not more than 3 years or both~~ under the following circumstances is guilty of a Class D felony:

SECTION 47. 943.01 (3) of the statutes is renumbered 943.01 (2) (d) and amended to read:

943.01 (2) (d) If the total property damaged in violation of this section is reduced in value by more than \$1,000, ~~the person may be fined not more than \$1,000 or imprisoned not more than 5 years or both.~~ For the purposes of this ~~subsection~~ paragraph, property is reduced in value by the amount which it would cost either to repair or replace it, whichever is less.

SECTION 48. 943.01 (4) and (5) of the statutes are renumbered 943.01 (3) and (4).

SECTION 49. 943.02 (1) (intro.) of the statutes is amended to read:

943.02 (1) (intro.) Whoever does any of the following ~~may be imprisoned not more than 15 years~~ is guilty of a Class B felony:

SECTION 50. 943.03 and 943.04 of the statutes are amended to read:

943.03 Arson of property other than building. Whoever, by means of fire, intentionally damages any property (other than a building) of another without ~~his~~ the person's consent, ~~may,~~ if the property is of the value of \$100 or more, ~~be fined not more than \$1,000 or imprisoned not more than 3 years or both~~ is guilty of a Class E felony.

943.04 Arson with intent to defraud. Whoever, by means of fire, damages any property (other than a building) with intent to defraud an insurer of that property ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony. Proof that the actor recovered or attempted to recover on a policy of insurance by reason of the fire is relevant but not essential to establish ~~his~~ the actor's intent to defraud the insurer.

SECTION 51. 943.06 (2) of the statutes is amended to read:

943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or transfers a fire bomb ~~may be fined not more than \$500 or imprisoned not more than 6 months or both~~ is guilty of a Class E felony.

SECTION 52. 943.07 of the statutes is amended to read:

943.07 Criminal damage to railroads. (1) Whoever intentionally causes damage or who causes another person to damage, tamper, change or destroy any railroad track, switch, bridge, trestle, tunnel or signal or any railroad property used in providing rail services, which could cause an injury, accident or derailment ~~shall be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both~~ is guilty of a Class A misdemeanor.

(2) Whoever intentionally shoots a firearm at any portion of a railroad train, car, caboose or engine ~~shall be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both~~ is guilty of a Class A misdemeanor.

(3) Whoever intentionally throws, shoots or propels any stone, brick or other missile at any railroad train, car, caboose or engine ~~shall be fined not more than \$500 or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

(4) Whoever intentionally throws or deposits any type of debris or waste material on or along any railroad track or right-of-way which could cause an injury or accident ~~shall be fined not more than \$200 or imprisoned not more than 90 days~~ is guilty of a Class B misdemeanor.

SECTION 53. 943.10 (1) (intro.) and (2) (intro.) of the statutes are amended to read:

943.10 (1) (intro.) Whoever intentionally enters any of the following places without the consent of the person in lawful possession and with intent to steal or commit a felony ~~therein may be imprisoned not more than 10 years~~ in such place is guilty of a Class C felony:

(2) (intro.) Whoever violates sub. (1) under any of the following circumstances ~~may be imprisoned not more than 20 years~~ is guilty of a Class B felony:

SECTION 54. 943.11 of the statutes is amended to read:

943.11 Entry into locked vehicle. Whoever intentionally enters the locked and enclosed portion or compartment of the vehicle of another without consent and with intent to steal therefrom ~~may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both~~ is guilty of a Class A misdemeanor.

SECTION 55. 943.12 of the statutes is amended to read:

943.12 Possession of burglarious tools. Whoever has in ~~his~~ personal possession any device or instrumentality intended, designed ~~and or~~ adapted for use in breaking into any depository designed for the safekeeping of any valuables or into any building or room, with intent to use such device or instrumentality to break into a depository, building or room, and to steal therefrom, ~~may be fined not more than \$1,000 or imprisoned not more than 10 years or both~~ is guilty of a Class E felony.

SECTION 56. 943.125 of the statutes is created to read:

943.125 Entry into locked coin box. (1) Whoever intentionally enters a locked coin box of another without consent and with intent to steal therefrom is guilty of a Class A misdemeanor.

(2) Whoever has in personal possession any device or instrumentality intended, designed or adapted for use in breaking into any coin box, with intent to use the device or instrumentality to break into a coin box and to steal therefrom, is guilty of a Class A misdemeanor.

(3) In this section, "coin box" means any device or receptacle designed to receive money or any other thing of value. The term includes a depository box, parking meter, vending machine, pay telephone, money changing machine, coin-operated phonograph and amusement machine if they are designed to receive money or other thing of value.

SECTION 57. 943.13 (1) (intro.) and (3) of the statutes are amended to read:

943.13 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$50 and in default of payment thereof shall be imprisoned not more than 30 days~~ is guilty of a Class C misdemeanor:

(3) Whoever erects on the land of another signs which are the same as or similar to those described in sub. (2) without obtaining the express consent of the lawful occupant of or holder of legal title to such land ~~may be fined not more than \$100~~ is subject to a Class C forfeiture.

SECTION 58. 943.14 of the statutes is amended to read:

943.14 Criminal trespass to dwellings. Whoever intentionally enters the dwelling of another without the consent of some person lawfully upon the premises, under circumstances tending to create or provoke a breach of the peace, ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 59. 943.20 (3) (intro.), (a), (b), (c) and (d) (intro.) of the statutes are amended to read:

943.20 (3) PENALTIES. (intro.) ~~Penalties for violation of~~ Whoever violates this section ~~shall be as follows:~~

(a) If the value of the property does not exceed \$100, ~~a fine of not more than \$200 or imprisonment for not more than 6 months or both~~ \$500, is guilty of a Class A misdemeanor.

(b) If the value of the property exceeds ~~\$100~~ \$500 but not \$2,500, ~~a fine of not more than \$5,000 or imprisonment for not more than 5 years or both~~ is guilty of a Class E felony.

(c) If the value of the property exceeds \$2,500, ~~a fine of not more than \$10,000 or imprisonment for not more than 15 years or both~~ is guilty of a Class C felony.

(d) (intro.) If the value of the property is less than \$2,500 and any of the following circumstances exist, ~~a fine of not more than \$5,000 or imprisonment for not more than 5 years or both~~ is guilty of a Class D felony:

SECTION 60. 943.205 (3) of the statutes is amended to read:

943.205 (3) Any one who violates this section ~~may be fined not more than \$5,000, or imprisoned for not more than 3 years or both~~ is guilty of a Class E felony.

SECTION 61. 943.207 (3) (a) and (b) of the statutes are amended to read:

943.207 (3) (a) Any person violating sub. (1) (a) ~~may be fined not more than \$2,000 or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor for the first offense, and ~~may be fined not more than \$8,000 or imprisoned not more than 9 months or both~~ for any subsequent offense is guilty of a Class A misdemeanor.

(b) Any person violating sub. (1) (b) ~~may be fined not more than \$1,000 or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

SECTION 62. 943.21 (1) (intro.) of the statutes is amended to read:

943.21 (1) (intro.) Whoever does either of the following may be ~~fined not more than \$500 or imprisoned in the county jail not more than 6 months or both~~ penalized as provided in sub. (3):

SECTION 63. 943.21 (3) of the statutes is created to read:

943.21 (3) Whoever violates this section:

(a) Is guilty of a Class A misdemeanor when the value of any food, lodging, accommodation or other service is \$500 or less.

(b) Is guilty of a Class E felony when the value of any food, lodging, accommodation or other service exceeds \$500.

SECTION 64. 943.22 of the statutes is amended to read:

943.22 Use of cheating tokens. Whoever obtains the property or services of another by depositing anything which he or she knows is not lawful money or an authorized token in any receptacle used for the deposit of coins or tokens ~~may be fined not more than \$50 or imprisoned not more than 60 days or both~~ is subject to a Class C forfeiture.

SECTION 65. 943.23 of the statutes is renumbered 943.23 (1) and amended to read:

943.23 (1) Whoever intentionally takes and drives any vehicle without the consent of the owner ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both~~ is guilty of a Class E felony.

SECTION 66. 943.23 (2) of the statutes is created to read:

943.23 (2) Whoever violates sub. (1) and abandons a vehicle without damage within 24 hours is guilty of a Class A misdemeanor.

SECTION 67. 943.24 (1) of the statutes is amended to read:

943.24 (1) Whoever issues any check or other order for the payment of money less than \$500 which, at the time of issuance, he or she intends shall not be paid is guilty of a Class A misdemeanor ~~and may be fined not more than \$1,000 or imprisoned not more than one year or both.~~

SECTION 68. 943.24 (2) of the statutes is renumbered 943.24 (3) and amended to read:

943.24 (3) Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

(a) Proof that, at the time of issuance, ~~he~~ the person did not have an account with the drawee; ~~or~~

(b) Proof that, at the time of issuance, ~~he~~ the person did not have sufficient funds or credit with the drawee and that ~~he~~ the person failed within 5 days after receiving notice of nonpayment or dishonor to pay the check or other order; or

(c) Proof that, when presentment was made within a reasonable time, the ~~issuer~~ person did not have sufficient funds or credit with the drawee and ~~he~~ the person failed within 5 days after receiving notice of nonpayment or dishonor to pay the check or other order.

SECTION 69. 943.24 (2) of the statutes is created to read:

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

SECTION 70. 943.24 (3) of the statutes is renumbered 943.24 (4).

SECTION 71. 943.25 (1) and (2) (intro.) of the statutes are amended to read:

943.25 (1) Whoever, with intent to defraud, conveys real property which he or she knows is encumbered, without informing the grantee of the existence of the encumbrance ~~may be fined not more than \$5,000 or imprisoned not more than 3 years or both~~ is guilty of a Class E felony.

(2) (intro.) Whoever, with intent to defraud, does any of the following ~~may be fined not more than \$1,000 or imprisoned not more than 2 years or both~~ is guilty of a Class E felony:

SECTION 72. 943.26 and 943.27 of the statutes are amended to read:

943.26 Removing or damaging encumbered real property. (1) Any mortgagor of real property or vendee under a land contract who, without the consent of the mortgagee or vendor, intentionally removes or damages the real property so as to substantially impair the mortgagee's or vendor's security ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

(2) If the security is impaired by more than \$1,000, the mortgagor or vendee ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both~~ is guilty of a Class E felony.

943.27 Possession of records of certain usurious loans. Except as otherwise authorized by law, any person who knowingly possesses any writing representing or constituting a record of a charge of, contract for, receipt of or demand for a rate of interest or consideration exceeding \$20 upon \$100 for one year computed upon the declining principal balance of the loan, use or forbearance of money, goods or things in action or upon the loan, use or sale of credit ~~may be fined not more than \$5,000 or imprisoned not more than 2 years or both~~ is guilty of a Class E felony.

SECTION 73. 943.28 (2) to (4) of the statutes are amended to read:

943.28 (2) Whoever makes any extortionate extension of credit, or conspires to do so, if one or more of the parties to the conspiracy does an act to effect its object, ~~may be fined not more than \$10,000 or imprisoned not more than 20 years or both~~ is guilty of a Class C felony.

(3) Whoever advances money or property, whether as a gift, as a loan, as an investment, pursuant to a partnership or profit-sharing agreement, or otherwise, for the purpose of making extortionate extensions of credit, ~~may be fined not more than \$10,000 or imprisoned not more than 20 years or both~~ is guilty of a Class C felony.

(4) Whoever knowingly participates in any way in the use of any extortionate means a) to collect or attempt to collect any extension of credit, or b) to punish any person for the nonrepayment thereof, ~~may be fined not more than \$10,000 or imprisoned not more than 20 years or both~~ is guilty of a Class C felony.

SECTION 74. 943.30 (1), (2) and (3) (a) of the statutes are amended to read:

943.30 (1) Whoever, either verbally or by any written or printed communication, maliciously threatens to accuse or accuses another of any crime or offense, or ~~to do threatens or commits~~ any injury to the person, property, business, profession, calling or trade, or the profits and income of any business, profession, calling or trade of another, with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened to do any act against ~~his~~ the person's will or omit to do any lawful act, ~~may be fined not more than \$2,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony.

(2) Whoever violates sub. (1) by obstructing, delaying or affecting commerce or business or the movement of any article or commodity in commerce or business ~~by threats or extortion or attempts or conspires so to do or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of sub. (1)~~ may be fined not more than \$10,000 or imprisoned not more than 20 years or both is guilty of a Class D felony.

(3) (a) Whoever ~~by violating~~ violates sub. (1) ~~attempts by attempting~~ to influence any witness in any matter, cause, action or proceeding before any court, officer or body mentioned in s. 946.31 (1), whether de facto or de jure, or any petit or grand juror, in the performance of his or her functions as such, or to deter any such witness from testifying, ~~may be fined not more than \$10,000 or imprisoned not more than 10 years or both~~ is guilty of a Class D felony.

SECTION 75. 943.30 (4) of the statutes is created to read:

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

SECTION 76. 943.31 of the statutes is amended to read:

943.31 Threats to communicate derogatory information. Whoever threatens to communicate to anyone information, whether true or false, which would injure the reputation of the threatened person or another unless the threatened person transfers property to a person known not to be entitled to it ~~may be fined not more than \$1,000 or imprisoned not more than one year or both~~ is guilty of a Class E felony.

SECTION 77. 943.32 (1) (intro.) and (2) of the statutes are amended to read:

943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person or presence of the owner by either of the following means ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony:

(2) Whoever violates sub. (1) while armed with a dangerous weapon ~~may be imprisoned not more than 30 years~~ is guilty of a Class B felony.

SECTION 78. 943.34 of the statutes is repealed and recreated to read:

943.34 Receiving stolen property. Whoever intentionally receives or conceals stolen property is guilty of:

(1) A Class A misdemeanor, if the value of the property does not exceed \$500 but if the property is received from a person under the age of 18 years, the person is guilty of a Class E felony.

(2) A Class E felony, if the value of the property exceeds \$500 but not more than \$2,500.

(3) A Class C felony, if the value of the property exceeds \$2,500.

SECTION 79. 943.35 (intro.) of the statutes is amended to read:

943.35 Receiving property from children. (intro.) Whoever does either of the following ~~may be fined not more than \$100 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

SECTION 80. 943.37 (intro.) of the statutes is amended to read:

943.37 Alteration of property identification marks. (intro.) Whoever does any of the following with intent to prevent the identification of the property involved ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

SECTION 81. 943.38 (1) (intro.), (2) and (3) (intro.) of the statutes are amended to read:

943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a writing or object of any of the following kinds so that it purports to have been made by another, or at another time, or with different provisions, or by authority of one who did not give such authority, ~~may be fined not more than \$5,000 or imprisoned not more than 10 years or both~~ is guilty of a Class C felony:

(2) Whoever utters as genuine or possesses with intent to utter as false or as genuine any forged writing or object mentioned in sub. (1), knowing it to have been thus falsely made or altered, ~~may be fined or imprisoned or both as provided in said subsection~~ is guilty of a Class C felony.

(3) (intro.) Whoever, with intent to defraud, does any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

SECTION 82. 943.39 (intro.) of the statutes is amended to read:

943.39 Fraudulent writings. (intro.) Whoever, with intent to injure or defraud, does any of the following ~~may be fined not more than \$2,500 or imprisoned not more than 3 years or both~~ is guilty of a Class D felony:

SECTION 83. 943.395 (intro.) of the statutes is amended to read:

943.395 Fraudulent insurance and employe benefit program claims. (intro.) Whoever, knowing it to be false or fraudulent, does any of the following ~~shall be fined not less than \$100 nor more than \$500 or imprisoned in the county jail for not less than 30 days nor more than one year or both~~ is guilty of a Class A misdemeanor:

SECTION 84. 943.40 (intro.) of the statutes is amended to read:

943.40 Fraudulent destruction of certain writings. (intro.) Whoever with intent to defraud does either of the following ~~may be fined not more than \$2,500 or imprisoned not more than 3 years or both~~ is guilty of a Class D felony:

SECTION 85. 943.41 (8) of the statutes is amended to read:

943.41 (8) PENALTIES. (a) Any person violating any provision of sub. (2), (3) (a) to (d) or (4) (b) ~~may be fined not more than \$1,000 or imprisoned in the county jail not more than one year or both~~ is guilty of a Class A misdemeanor.

(b) Any person violating any provision of sub. (3) (e), (4) (a) or (6) (c) ~~may be fined not less than \$500 nor more than \$3,000 or imprisoned not less than 6 months nor more than 3 years or both~~ is guilty of a Class E felony.

(c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d) ~~may, if the value of the money, goods, services or property illegally obtained does not exceed \$500 be fined not more than \$1,000 or imprisoned in the county jail not more than one year, or both~~ is guilty of a Class A misdemeanor; if the value of the money, goods, services or property exceeds \$500 but does not exceed \$2,500, in a single transaction or in separate transactions within a period not exceeding 6 months, ~~he may be fined not more than \$5,000 or imprisoned for not more than 5 years or both~~ the person is guilty of a Class E felony; or if the value of the money, goods, services or property exceeds \$2,500, ~~he may be fined not more than \$10,000 or imprisoned for not more than 10 years or both~~ the person is guilty of a Class C felony.

SECTION 86. 943.45 (3) of the statutes is repealed and recreated to read:

943.45 (3) Whoever violates this section is guilty of:

(a) A Class A misdemeanor, if the charges for the service obtained, or attempted to be obtained, do not exceed \$500.

(b) A Class E felony, if the charges for the service obtained, or attempted to be obtained, exceed \$500.

SECTION 87. 943.50 (4) of the statutes is repealed and recreated to read:

943.50 (4) Whoever violates this section is guilty of:

(a) A Class A misdemeanor, if the value of the merchandise does not exceed \$500.

(b) A Class E felony, if the value of the merchandise exceeds \$500 but not \$2,500.

(c) A Class C felony, if the value of the merchandise exceeds \$2,500.

SECTION 88. 944.05 (1) (intro.) of the statutes is amended to read:

944.05 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both~~ is guilty of a Class E felony:

SECTION 89. 944.06 of the statutes is amended to read:

944.06 Incest. Whoever marries or has nonmarital sexual intercourse with a person he or she knows is a blood relative and such relative is in fact related in a degree within which the marriage of the parties is prohibited by the law of this state ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony.

SECTION 90. 944.12 and 944.15 of the statutes are amended to read:

944.12 Enticing a child for immoral purposes. Any person 18 years of age or over, who, with intent to commit a crime against sexual morality, persuades or entices any child under 18 years of age into any vehicle, building, room or secluded place ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony.

944.15 Fornication. Whoever has sexual intercourse with a person not his or her spouse ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 91. 944.16 (intro.) of the statutes is repealed and recreated to read:

944.16 Adultery. (intro.) Whoever does either of the following is guilty of a Class E felony:

SECTION 92. 944.17 (intro.) of the statutes is amended to read:

944.17 Sexual perversion. (intro.) Whoever does either of the following ~~may be fined not more than \$500 or imprisoned not more than 5 years or both~~ is guilty of a Class A misdemeanor:

SECTION 93. 944.20 (intro.) of the statutes is amended to read:

944.20 Lewd and lascivious behavior. (intro.) Whoever does any of the following ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class A misdemeanor:

SECTION 94. 944.21 (1) (intro.) of the statutes is amended to read:

944.21 (1) (intro.) Whoever intentionally does any of the following ~~may be fined not more than \$5,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony:

SECTION 95. 944.21 (1) (b) of the statutes is repealed.

SECTION 96. 944.21 (1) (d) of the statutes is renumbered 944.21 (1) (b).

SECTION 97. 944.21 (2) of the statutes is amended to read:

944.21 (2) Whoever requires, as a condition to the purchase of periodicals, that a retailer accept material known by the distributor to be lewd, obscene or indecent ~~may~~

~~be fined not more than \$5,000 or imprisoned not more than 5 years or both is guilty of a Class D felony.~~

SECTION 98. 944.22 of the statutes is repealed.

SECTION 99. 944.23 of the statutes is amended to read:

944.23 Making lewd, obscene or indecent drawings. Whoever makes any lewd, obscene or indecent drawing or writing in any public or in a public place ~~may be fined not more than \$100 or imprisoned not more than 60 days or both~~ is guilty of a Class C misdemeanor.

SECTION 100. 944.25 (9) and (10) (a) of the statutes are amended to read:

944.25 (9) CONTEMPT. Any respondent, or any officer, agent, servant, employe or attorney of such respondent, or any person in active concert or participation by contract or arrangement with such respondent, who receives actual notice, by personal service or otherwise, of any injunction or restraining order entered under sub. (7) or (8), and who disobeys any of the provisions thereof, shall be guilty of contempt of court and upon conviction ~~may be fined not more than \$250 or imprisoned for not more than 6 months or both~~ is guilty of a Class A misdemeanor.

(10) (a) Subject to par. (b), no person with knowledge of the nature of the material, and with knowledge of the minor's age, shall may sell, exhibit or loan for monetary consideration to a minor any material which is harmful to minors. Upon conviction thereof such person ~~may be fined not more than \$500 or be imprisoned in the county jail for not more than one year for each offense or both~~ is guilty of a Class A misdemeanor.

SECTION 101. 944.30 of the statutes is amended to read:

944.30 Prostitution. Any female person who intentionally does any of the following ~~may be fined not more than \$500 or imprisoned not more than one year or both~~ is guilty of a Class A misdemeanor:

- (1) Has or offers to have or requests to have nonmarital sexual intercourse for any thing of value; ~~or~~
- (2) Commits or offers to commit or requests to commit an act of sexual perversion for any thing of value; ~~or~~
- (3) Is an inmate of a place of prostitution; ~~or~~

SECTION 102. 944.30 (4) of the statutes is created to read:

944.30 (4) Masturbates a person or offers to masturbate a person or requests to be masturbated by a person for any thing of value.

SECTION 103. 944.31 and 944.32 of the statutes are amended to read:

944.31 Patronizing prostitutes. Any male person who enters or remains in any place of prostitution with intent to have nonmarital sexual intercourse with a prostitute or with intent to commit an act of sexual perversion ~~may be fined not more than \$100 or imprisoned not more than 3 months or both~~ with a prostitute is guilty of a Class A misdemeanor.

944.32 Soliciting prostitutes. Whoever intentionally solicits or causes any female person to practice prostitution or establishes any female person in a place of prostitution ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony. If the female person is under the age of 18, the defendant ~~may be fined not more than \$2,000 or imprisoned not more than 10 years or both~~ is guilty of a Class C felony.

SECTION 104. 944.33 (1) (intro.) and (a) and (2) of the statutes are amended to read:

944.33 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor:

(a) Solicits another to have nonmarital sexual intercourse or to commit an act of sexual perversion with a ~~female~~ he person the solicitor knows is a prostitute; or

(2) If the ~~accused person~~ received compensation from the earnings of the prostitute, he may be fined not more than \$5,000 or imprisoned not more than 10 years or both such person is guilty of a Class C felony.

SECTION 105. 944.34 (intro.) of the statutes is amended to read:

944.34 Keeping place of prostitution. (intro.) Whoever intentionally does any of the following ~~may be fined not more than \$5,000 or imprisoned not more than 5 years or both is guilty of a Class D felony:~~

SECTION 106. 944.35 of the statutes is repealed.

SECTION 107. 944.36 of the statutes is amended to read:

944.36 (title) Solicitation of drinks prohibited. Any licensee or bartender of a retail liquor establishment licensed under ch. 176 or retail fermented malt beverage establishment licensed under s. 66.054 who permits the solicitation by any entertainer or employe of a drink of intoxicating liquor, fermented malt beverage or other drink from any customer in the licensed premises, and any entertainer or employe who solicits ~~said such~~ drinks from any customer, may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both is guilty of a Class B misdemeanor.

SECTION 108. 945.02 (intro.) of the statutes is amended to read:

945.02 Gambling. (intro.) Whoever does any of the following ~~may be fined not more than \$500 or imprisoned not more than 6 months or both is guilty of a Class B misdemeanor:~~

SECTION 109. 945.03 (intro.) of the statutes is amended to read:

945.03 Commercial gambling. (intro.) Whoever intentionally does any of the following is engaged in commercial gambling and ~~may be fined not more than \$5,000 or imprisoned not more than one year or both is guilty of a Class E felony:~~

SECTION 110. 945.04 (intro.) of the statutes is amended to read:

945.04 Permitting premises to be used for commercial gambling. (intro.) Whoever intentionally does any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both is guilty of a Class A misdemeanor:~~

SECTION 110m. 945.041 (1) of the statutes is amended to read:

945.041 (1) A license or permit issued under ch. 176 or s. 66.054 to any person who knowingly permits any slot machine, roulette wheel, other similar mechanical gambling device, or number jar or other device designed for like form of gambling, or any horse race betting or other bookmaking as defined in s. 945.01, or ~~B-girl operations~~ solicitation of drinks from customers under s. 944.36 to be set up, kept, managed, used or conducted upon the licensed premises or in connection therewith upon premises controlled directly or indirectly by ~~such the~~ person, shall be revoked by the circuit courts by a special proceeding as ~~hereinafter provided in this section.~~ When ~~When~~ If a license or permit has been revoked no other license or permit of any character provided for by ch. 176 or s. 66.054 ~~shall may~~ may be issued to the person who held ~~such the~~ the license or permit, prior to the expiration of one year from the effective date of ~~such the~~ the revocation. If any appeal is taken from ~~such the~~ the revocation, any period during which the order is stayed shall be added to the one year.

SECTION 111. 945.05 (1) (intro.) of the statutes is amended to read:

945.05 (1) (intro.) Whoever manufactures, transfers commercially or possesses with intent to transfer commercially either of the following ~~may be fined not more than \$5,000 or imprisoned not more than one year or both is guilty of a Class E felony:~~

SECTION 112. 945.07 (1) of the statutes is amended to read:

945.07 (1) Any participant in, or any owner, employer, coach or trainer of a participant in, any contest of skill, speed, strength or endurance of persons, machines or animals at which admission is charged, who makes a bet upon any opponent in such

~~contest may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both is guilty of a Class A misdemeanor.~~

SECTION 113. 945.08 (1) and (2) of the statutes are amended to read:

945.08 (1) Any person who, with intent to influence any participant to refrain from exerting his full skill, speed, strength or endurance, transfers or promises any property or any personal advantage to or on behalf of any participant in a contest of skill, speed, strength or endurance ~~may be fined not more than \$5,000 or imprisoned not more than 5 years or both is guilty of a Class D felony.~~

(2) Any participant in any such contest who agrees or offers to refrain from exerting his full skill, speed, strength or endurance in return for any property or any personal advantage transferred or promised to himself the participant or another ~~may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both is guilty of a Class A misdemeanor.~~

SECTION 114. 946.01 (1) (intro.) of the statutes is amended to read:

946.01 (1) (intro.) Any person owing allegiance to this state who does any of the following ~~shall be sentenced to life imprisonment is guilty of a Class A felony:~~

SECTION 115. 946.02 (1) (intro.) of the statutes is amended to read:

946.02 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$10,000 or imprisoned not more than 10 years or both is guilty of a Class C felony:~~

SECTION 116. 946.03 (1) (intro.) and (2) of the statutes are amended to read:

946.03 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$5,000 or imprisoned not more than 10 years or both is guilty of a Class C felony:~~

(2) Whoever permits any premises under his or her care, control or supervision to be used by an assembly with knowledge that the purpose of the assembly is to advocate or teach the duty, necessity, desirability or propriety of overthrowing the government of the United States or this state by the use or threat of physical violence with intent that such government be overthrown or, after learning that the premises are being so used, permits such use to be continued ~~may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both is guilty of a Class E felony.~~

SECTION 117. 946.04 of the statutes is repealed.

SECTION 118. 946.05 (1) of the statutes is amended to read:

946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts contempt upon the flag ~~may be fined not more than \$500 or imprisoned not more than one year or both is guilty of a Class E felony.~~

SECTION 119. 946.06 (1) (intro.) of the statutes is amended to read:

946.06 (1) (intro.) Whoever intentionally does any of the following ~~may be fined not more than \$100 or imprisoned not more than 3 months or both is guilty of a Class A misdemeanor:~~

SECTION 120. 946.10 (intro.) of the statutes is amended to read:

946.10 Bribery of public officers and employees. (intro.) ~~Either~~ Whoever does either of the following ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both is guilty of a Class D felony:~~

SECTION 121. 946.11 (1) (intro.) of the statutes is amended to read:

946.11 (1) (intro.) ~~The~~ Whoever does the following ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both is guilty of a Class E felony:~~

SECTION 122. 946.12 (intro.) of the statutes is amended to read:

946.12 Misconduct in public office. (intro.) Any public officer or public employe who does any of the following ~~may be fined not more than \$500 or imprisoned not more than one year or both is guilty of a Class E felony:~~

SECTION 123. 946.13 (1) (intro.) of the statutes is amended to read:

946.13 (1) (intro.) Any public officer or public employe who does any of the following ~~may be fined not more than \$500 or imprisoned not more than one year or both is guilty of a Class E felony:~~

SECTION 124. 946.14 of the statutes is amended to read:

946.14 Purchasing claims at less than full value. Any public officer or public employe who in ~~his a~~ private capacity directly or indirectly intentionally purchases for less than full value or discounts any claim held by another against the state or a political subdivision thereof or against any public fund ~~may be fined not more than \$500 or imprisoned not more than one year or both is guilty of a Class E felony.~~

SECTION 125. 946.15 of the statutes is repealed.

SECTION 126. 946.16 of the statutes is amended to read:

946.16 Judicial officer collecting claims. Any judicial officer who causes to be brought in a court over which ~~he the officer~~ presides any action or proceeding upon a claim placed in his hands with the officer as agent or attorney for collection ~~may be fined not more than \$500 is guilty of a Class B misdemeanor.~~

SECTION 127. 946.31 (1) (intro.) of the statutes is amended to read:

946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false material statement which ~~he the person~~ does not believe to be true, in any matter, cause, action or proceeding, before any of the following, whether de jure or de facto, ~~may be fined not more than \$5,000 or imprisoned not more than 5 years or both is guilty of a Class D felony:~~

SECTION 128. 946.32 (1) (intro.) and (2) of the statutes are amended to read:

946.32 (1) (intro.) Whoever does either of the following ~~may be fined not more than \$1,000 or imprisoned not more than 3 years or both is guilty of a Class D felony:~~

(2) Whoever under oath or affirmation makes or subscribes a false statement which ~~he the person~~ does not believe is true ~~may be fined not more than \$200 or imprisoned not more than 6 months or both is guilty of a Class A misdemeanor.~~

SECTION 129. 946.40 (1) of the statutes is amended to read:

946.40 (1) Whoever, without reasonable excuse, refuses or fails, upon command, to aid any person known to ~~him by the person~~ to be a peace officer ~~may be fined not more than \$100 is guilty of a Class C misdemeanor.~~

SECTION 130. 946.41 (1) of the statutes is amended to read:

946.41 (1) Whoever knowingly resists or obstructs an officer while such officer is doing any act in ~~his an~~ official capacity and with lawful authority, ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both is guilty of a Class A misdemeanor.~~

SECTION 131. 946.42 (1) (intro.), (a) and (b) of the statutes are amended to read:

946.42 (1) Any person in custody under any of the following circumstances who intentionally escapes from custody ~~may be fined not more than \$200 or imprisoned not more than 6 months or both is guilty of a Class A misdemeanor:~~

(a) Pursuant to a legal arrest for a misdemeanor, statutory traffic regulation, statutory offense for which the penalty is a forfeiture or violation of a municipal ordinance; ~~or,~~

(b) Lawfully charged with or convicted of a misdemeanor, statutory traffic regulation, statutory offense for which the penalty is a forfeiture or ~~the~~ violation of a municipal ordinance; ~~or,~~

SECTION 132. 946.42 (1m) of the statutes is created to read:

946.42 (1m) Any person in custody under the circumstances described in sub. (1) who intentionally escapes from custody and leaves the state to avoid apprehension is

guilty of a Class E felony. Leaving the state and failing to return is prima facie evidence of intent to avoid apprehension.

SECTION 133. 946.42 (2) (intro.) and (3) (intro.) of the statutes are amended to read:

946.42 (2) (intro.) Any person in custody under any of the following circumstances who intentionally escapes from custody ~~may be fined not more than \$500 or imprisoned not more than one year or both~~ is guilty of a Class E felony:

(3) (intro.) Any person in custody under any of the following circumstances who intentionally escapes from custody ~~may be imprisoned not more than 5 years~~ is guilty of a Class D felony:

SECTION 134. 946.43 (intro.) of the statutes is amended to read:

946.43 Assaults by prisoners. (intro.) Any prisoner confined to a state prison or ~~to any other institution by virtue of a transfer from a state prison state, county or municipal detention facility~~ who intentionally does any of the following ~~may be imprisoned not more than 10 years~~ is guilty of a Class C felony:

SECTION 135. 946.43 (2) of the statutes is repealed.

SECTION 136. 946.43 (3) of the statutes is renumbered 946.43 (2).

SECTION 137. 946.44 (1) (intro.) of the statutes is amended to read:

946.44 (1) (intro.) ~~The~~ Whoever does the following may be fined not more than \$500 or imprisoned not more than 5 years or both is guilty of a Class D felony:

SECTION 138. 946.45 (1) of the statutes is amended to read:

946.45 (1) Any officer or employe of an institution where prisoners are detained who, through his or her neglect of duty, allows a prisoner in his or her custody to escape ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

SECTION 139. 946.46 of the statutes is amended to read:

946.46 Encouraging violation of probation or parole. Whoever intentionally aids or encourages a parolee or probationer or any person committed to the department of health and social services by reason of crime or delinquency to abscond or violate a term or condition of his parole or probation ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class A misdemeanor.

SECTION 140. 946.47 (1) (intro.) of the statutes is amended to read:

946.47 (1) (intro.) Whoever does either of the following ~~may be fined not more than \$500 or imprisoned not more than one year or both~~ is guilty of a Class E felony:

SECTION 141. 946.48 (1) of the statutes is amended to read:

946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any written or oral communication with intent to induce a false belief that the sender has knowledge of the whereabouts, physical condition, or terms imposed upon the return of a kidnapped or missing person ~~may be fined not more than \$2,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony.

SECTION 142. 946.49 of the statutes is amended to read:

946.49 Bail jumping. (1) Whoever, having been released from custody ~~pursuant to under~~ ch. 969, intentionally fails to comply with the terms of his or her bond ~~may~~ is:

(a) If the offense with which ~~he~~ the person is charged is a misdemeanor, ~~be fined not more than the maximum provided for such misdemeanor or imprisoned not more than 6 months or both~~ guilty of a Class A misdemeanor.

(b) If the offense with which ~~he~~ the person is charged is a felony, ~~be fined not more than \$5,000 or imprisoned not more than 5 years or both~~ guilty of a Class D felony.

(2) A witness for whom bail has been required ~~pursuant to~~ under s. 969.01 (3) ~~may be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both~~ is guilty of a Class E felony for failure to appear as provided.

SECTION 143. 946.61 (1) (intro.) of the statutes is amended to read:

946.61 (1) (intro.) Whoever does any of the following ~~may be fined not more than \$10,000 or imprisoned not more than 5 years or both~~ is guilty of a Class D felony:

SECTION 144. 946.62, 946.63 and 946.64 of the statutes are amended to read:

946.62 Concealing identity. Whoever commits a crime while his or her usual appearance has been concealed, disguised or altered, with intent to make it less likely that he or she will be identified with the crime, ~~may~~ in addition to the maximum punishment fixed for such crime, in case of conviction for a misdemeanor ~~be imprisoned not to exceed one year in county jail~~ is guilty of a Class E felony, and in case of conviction for a felony ~~be imprisoned not to exceed 5 years~~ is guilty of a Class D felony.

946.63 Concealing death of child. Any woman who conceals the corpse of any issue of her body with intent to prevent a determination of whether it was born dead or alive ~~may be imprisoned not more than one year or fined not more than \$500 or both~~ is guilty of a Class E felony.

946.64 Communicating with jurors. Whoever, with intent to influence any person, summoned or serving as a juror, in relation to any matter which is before ~~him~~ that person or which may be brought before ~~him~~ that person, communicates with him or her otherwise than in the regular course of proceedings in the trial or hearing of that matter ~~may be fined not more than \$1,000 or imprisoned not more than 6 months or both~~ is guilty of a Class E felony.

SECTION 145. 946.65 (1) of the statutes is amended to read:

946.65 (1) Whoever for a consideration knowingly gives false information to any officer of any court with intent to influence the ~~said~~ officer in the performance of ~~his~~ official functions ~~as such may be fined not more than \$5,000 or imprisoned not more than 2 years or both~~ is guilty of a Class E felony.

SECTION 146. 946.67 (1) of the statutes is amended to read:

946.67 (1) Whoever receives any property in return for a promise, express or implied, to refrain from prosecuting a crime or to refrain from giving information bearing on the probable success of a criminal prosecution ~~may be fined not more than \$1,000 or imprisoned not more than 6 months or both~~ is guilty of a Class A misdemeanor.

SECTION 147. 946.68 (1) of the statutes is amended to read:

946.68 (1) Whoever sends or delivers to another any document which simulates a summons, complaint, or court process with intent thereby to induce payment of a claim ~~may be fined not more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

SECTION 148. 946.69 (intro.) of the statutes is amended to read:

946.69 Falsely assuming to act as public officer or employee. (intro.) Whoever does any of the following ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ is guilty of a Class A misdemeanor:

SECTION 149. 946.70 of the statutes is amended to read:

946.70 Personating peace officers. Whoever personates a peace officer with intent to mislead others into believing that ~~he~~ the person is actually a peace officer ~~may be fined not more than \$100 or imprisoned not more than 30 days or both~~ is guilty of a Class B misdemeanor.

SECTION 150. 946.71 (intro.) of the statutes is amended to read:

946.71 Interference with custody of child. (intro.) Whoever intentionally does either of the following ~~may be fined not more than \$500 or imprisoned not more than one year or both is guilty of a Class E felony:~~

SECTION 151. 946.72 and 946.73 of the statutes are amended to read:

946.72 Tampering with public records and notices. (1) Whoever with intent to injure or defraud damages, removes or conceals any public record ~~may be fined not more than \$1,000 or imprisoned not more than 2 years or both is guilty of a Class D felony.~~

(2) Whoever intentionally damages, alters, removes or conceals any public notice, posted as authorized by law, before the expiration of the time for which the notice was posted, ~~may be fined not more than \$200 or imprisoned not more than 6 months or both is guilty of a Class B misdemeanor.~~

946.73 Penalty for violating laws governing state or county institutions. Whoever violates any state law or any lawful rule made pursuant to state law governing the state fairgrounds or any state or county charitable, curative, reformatory, or penal institution while within the same or the grounds thereof ~~may be fined not more than \$50 or imprisoned not more than 60 days is guilty of a Class C misdemeanor.~~

SECTION 152. 946.74 (1) (intro.) and (2) of the statutes are amended to read:

946.74 (1) (intro.) Whoever intentionally does or attempts to do any of the following ~~may be fined not more than \$200 or imprisoned not more than 6 months or both is guilty of a Class A misdemeanor:~~

(2) Whoever violates sub. (1) with intent to commit a crime against sexual morality with or upon the inmate of the institution ~~may be fined not more than \$1,000 or imprisoned not more than 5 years or both is guilty of a Class D felony.~~

SECTION 153. 946.75 and 946.76 of the statutes are amended to read:

946.75 Denial of right of counsel. Whoever ~~shall~~, while holding another person in custody and if that person requests a named attorney, ~~deny~~ denies that other person ~~his~~ the right to consult and be advised by an attorney at law at ~~his own personal~~ expense, whether or not such person is charged with a crime, ~~may be fined not less than \$100 nor more than \$1,000 or imprisoned for not less than 10 days nor more than 6 months, or both is guilty of a Class A misdemeanor.~~

946.76 Search warrant; premature disclosure. Whoever discloses prior to its execution that a search warrant has been applied for or issued, except so far as may be necessary to its execution, ~~may be fined not more than \$250 or imprisoned not more than 30 days or both is guilty of a Class E felony.~~

SECTION 154. 947.01 (intro.) of the statutes is amended to read:

947.01 Disorderly conduct. (intro.) Whoever does any of the following ~~may be fined not more than \$200 or imprisoned not more than 90 days or both is guilty of a Class B misdemeanor:~~

SECTION 155. 947.015 of the statutes is amended to read:

947.015 Bomb scares. Whoever intentionally conveys or causes to be conveyed any threat or false information, knowing such to be false, concerning an attempt or alleged attempt being made or to be made to destroy any property by the means of explosives ~~shall be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both is guilty of a Class E felony.~~

SECTION 156. 947.02 (intro.) and (3) of the statutes are amended to read:

947.02 Vagrancy. (intro.) Any of the following are vagrants and ~~may be imprisoned not more than 6 months~~ are guilty of a Class C misdemeanor:

(3) A prostitute who loiters on the streets or in a place where intoxicating liquors are sold, or a ~~woman~~ person who, in a public ~~place~~, solicits ~~men~~ another to commit a crime against sexual morality; or

SECTION 157. 947.02 (2) of the statutes is repealed.

SECTION 158. 947.04 (1) of the statutes is amended to read:

947.04 (1) Whoever while a passenger in a common carrier, publicly drinks intoxicants as a beverage or gives any other person intoxicants for that purpose under circumstances tending to provoke a disturbance, except in those portions of the common carrier in which intoxicants are specifically authorized by law to be sold or consumed, ~~may be fined not more than \$100 or imprisoned not more than 3 months~~ is guilty of a Class C misdemeanor.

SECTION 159. 947.047 of the statutes is amended to read:

947.047 Metal or glass debris in or on the shore of any body of water. Whoever throws or deposits any metal cans or glass bottles or any other debris made in whole or in part of metal or glass in or on the shores of any lake or body of water ~~may be fined not less than \$10 nor more than \$200 or imprisoned not more than 30 days or both~~ is subject to a Class C forfeiture, for each offense.

SECTION 160. 947.06 (3) of the statutes is amended to read:

947.06 (3) Whoever intentionally fails or refuses to withdraw from an unlawful assembly which ~~he~~ the person knows has been ordered to disperse ~~shall be~~ is guilty of a Class A misdemeanor ~~and may be fined not more than \$500 or imprisoned not more than one year in the county jail or both.~~

SECTION 161. 947.07 of the statutes is repealed.

SECTION 162. 947.08 (2) (intro.) of the statutes is amended to read:

947.08 (2) (intro.) Whoever does any of the following ~~may be fined not more than \$2,000 or imprisoned not more than 2 years, or both~~ is guilty of a Class B misdemeanor:

SECTION 163. 947.15 (1) (intro.) of the statutes is amended to read:

947.15 (1) (intro.) The following persons ~~may be fined not more than \$500 or imprisoned not more than one year in county jail or both~~ are guilty of a Class A misdemeanor, and if death is a consequence ~~may be fined \$1,000 or imprisoned not more than 5 years~~ are guilty of a Class D felony:

SECTION 164. 948.15 (1) of the statutes is amended to read:

948.15 (1) No person may ~~intentionally~~ abandon any animal.

SECTION 165. 948.18 (1) and (2) of the statutes are amended to read:

948.18 (1) Any person violating s. 948.02, 948.03, 948.05, 948.06, 948.07, 948.08, 948.09, 948.13, 948.14 or 948.15 (1) ~~may be fined not more than \$500 or imprisoned not more than one year in the county jail or both~~ is subject to a Class D forfeiture. Any person who intentionally or negligently violates such sections is guilty of a Class A misdemeanor.

(2) Any person violating s. 948.04, 948.10 or 948.11 ~~may be fined not more than \$200 or imprisoned not more than 60 days or both~~ is subject to a Class D forfeiture. Any person who intentionally or negligently violates the aforementioned sections is guilty of a Class B misdemeanor.

SECTION 166. 949.03 (1) (b) of the statutes is amended to read:

949.03 (1) (b) The commission or the attempt to commit any crime specified in s. 940.01, 940.02, ~~940.03,~~ 940.05, 940.06, 940.07, 940.08, 940.09, 940.19, 940.20, 940.201, ~~940.206,~~ 940.21, ~~940.22,~~ 940.225 (1) to (3), 940.23, 940.24, 940.28, 940.29, 940.30, 940.31, 940.32, 943.10, 943.20, 943.32 or 944.12.

SECTION 167. **Program responsibility citation.** In the list of program responsibilities specified for the secretary of state under section 14.361 of the statutes, reference to section "164.08" is deleted.

SECTION 168. **Cross reference changes.** In the sections of the statutes listed in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

| A | B | C |
|------------------|----------------------|----------------------|
| Statute Sections | Old Cross References | New Cross References |
| 165.70 (1)(b) | 940.206 | 940.20 (3) |
| 885.365 (2)(c) | 941.13 (1) | 941.13 |

SECTION 169. **Effective date.** This act shall take effect on the 1st day of the 7th month commencing after its publication and shall apply only to offenses committed on or after that date.
