



State of Wisconsin  
1997 - 1998 LEGISLATURE  
April 1998 Special Session

LRB-5202/1  
JEO:kmg&kaf:jf

## ASSEMBLY BILL 1

April 30, 1998 - Introduced by COMMITTEE ON RULES, by request of Governor Tommy G. Thompson. Referred to Committee on Rules.

1     **AN ACT to renumber and amend** 301.048 (6) and 303.065 (1); **to amend** 11.61  
2           (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 19.85 (1) (d), 20.410  
3           (1) (b), 20.410 (1) (bn), 20.410 (1) (d), 20.410 (1) (g), 20.410 (1) (gb), 20.410 (1)  
4           (gc), 20.410 (1) (ge), 20.410 (1) (gf), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), 29.99  
5           (1m) (c), 29.99 (11m) (a), 29.99 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g)  
6           (d), 30.80 (3m), 36.25 (6) (d), 46.21 (1) (d), 46.23 (2) (a), 46.48 (8) (d) 1., 47.03 (3)  
7           (d), 48.78 (2) (d) 5., 49.124 (6), 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c),  
8           49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.145  
9           (2) (rm), 49.32 (10) (a) 2. a., 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3),  
10          49.49 (3m) (b), 49.49 (4) (b), 49.95 (1), 51.15 (1) (b) 2., 51.15 (12), 51.20 (1) (ar)  
11          (intro.), 51.20 (13) (g) 2m., 51.30 (4) (b) 10. (intro.), 51.30 (4) (b) 10. a., 51.30 (4)  
12          (b) 10. b., 51.30 (4) (b) 10. d., 51.37 (8) (a), 51.37 (8) (b), 51.37 (11), 55.06 (11) (am),  
13          66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
14          86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.26 (2), 100.26 (5), 100.26 (7),

1 101.143 (10) (b), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 106.215  
2 (8g) (b), 108.225 (11), 108.225 (18), 111.32 (3), 114.20 (18) (c), 125.075 (2),  
3 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c),  
4 132.13 (1) (a), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)  
5 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c),  
6 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
7 154.15 (2), 154.29 (2), 165.76 (1) (a), 165.76 (1) (e), 165.76 (2) (b) 1., 165.76 (2)  
8 (b) 2., 165.76 (2) (b) 3m., 165.76 (2) (b) 5., 165.76 (2) (b) 6., 165.84 (5), 166.20 (11)  
9 (b) 1., 166.20 (11) (b) 2., 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2),  
10 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
11 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 227.03 (4),  
12 230.36 (1), 230.36 (3) (c) (intro.), 230.36 (3) (c) 2., 230.36 (3) (c) 3., 253.06 (4) (b),  
13 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c), 299.53 (4) (c) 2., 301.03 (2r),  
14 301.03 (3), 301.03 (3g), 301.03 (13), 301.046 (3) (intro.), 301.048 (1) (a), 301.048  
15 (2) (b), 301.048 (2) (d), 301.048 (4) (a), 301.048 (4) (am), 301.048 (4m) (b) (intro.),  
16 301.048 (4m) (b) 1., 301.048 (4m) (b) 2., 301.049 (2) (a) 2., 301.049 (3) (e), 301.08  
17 (1) (c) 2., 3., 3m. and 5., 301.08 (3) (b) (intro.), 301.132 (2), 301.132 (3), 301.21  
18 (1m) (a) 8., 301.21 (2m) (a) 6., 301.32 (3) (a), 301.32 (3) (b), 301.38 (1) (am),  
19 301.45 (1) (b), 301.45 (1) (bm), 301.45 (1) (dh), 301.45 (2) (a) 4. b., 301.45 (2) (e)  
20 1., 301.45 (2) (e) 2., 301.45 (3) (a) 1m., 301.45 (3) (a) 2., 301.45 (3) (b) 2., 301.45  
21 (3) (b) 4., 301.45 (5) (a) 1m., 301.46 (2) (b) 4. b., 302.045 (1), 302.045 (3), 302.045  
22 (4), 302.095 (2), 302.11 (1), 302.11 (1g) (am), 302.11 (1i), 302.11 (1p), 302.11 (6),  
23 302.11 (9), 302.14, 302.17 (2), 302.25 (4) (c), 302.33 (2) (a) (intro.), 302.33 (2) (b),  
24 302.335 (title), 302.335 (2) (intro.), 302.335 (2) (a) (intro.), 302.335 (2) (a) 1.,  
25 302.335 (2) (a) 2., 302.335 (2) (a) 3., 302.335 (2) (b), 302.335 (3), 302.335 (4),

1 303.21 (1) (a), 303.215, 304.02 (3) (c), 304.02 (4), 304.02 (5), 304.06 (1) (b), 304.06  
2 (1y), 304.062 (title), 304.062 (1), 304.062 (2), 304.063 (title), 304.063 (2) (intro.),  
3 304.063 (3), 304.071 (2), 304.072 (title), 304.072 (1), 304.072 (2), 304.072 (3),  
4 304.072 (4), 304.073 (2), 304.073 (2m) (a), 304.073 (4), 304.074 (title), 304.074  
5 (2), 304.074 (3) (intro.), 304.074 (3) (d), 304.074 (4), 304.074 (4m) (a), 304.075,  
6 304.13 (1) (intro.), 304.13 (2), 304.13 (3), 304.13 (7), 304.13 (8) (b), 304.135,  
7 304.137, 304.14, 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156  
8 (6) (b), 342.30 (3) (a), 342.32 (3), 343.06 (1) (i), 343.30 (2d), 344.48 (2), 346.17 (3)  
9 (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.65 (5), 346.74 (5) (b), 346.74  
10 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5),  
11 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4),  
12 563.14 (2), 563.27 (1), 563.51 (29) (b), 565.50 (2), 565.50 (3), 601.64 (4), 641.19  
13 (4) (a), 641.19 (4) (b), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07,  
14 801.50 (5), 938.183 (3), 938.78 (2) (d) 5., 938.991 (1), 938.991 (3) (c), 938.991 (5)  
15 (a), 938.991 (5) (am), 938.991 (6), 938.991 (7) (title), 938.991 (7) (a), 938.991 (7)  
16 (b), 938.991 (7) (c), 938.991 (14), 938.993 (2), 939.50 (3) (b), 939.50 (3) (bc),  
17 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.62 (2m) (b), 940.20 (2m) (title),  
18 940.20 (2m) (a) 2., 940.20 (2m) (b), 942.06 (2m) (a), 942.06 (2q) (a) (intro.),  
19 946.42 (1) (a), 946.46, 946.85 (1), 950.04 (1v) (v), 961.41 (1) (a), 961.41 (1) (b),  
20 961.41 (1) (cm) 1., 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41  
21 (1) (cm) 5., 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4.,  
22 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1)  
23 (e) 3., 961.41 (1) (e) 4., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (f) 1., 961.41  
24 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41  
25 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41

1 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) 1., 961.41 (1m) (cm) 2., 961.41 (1m)  
2 (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 1., 961.41 (1m)  
3 (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (d) 5., 961.41 (1m) (d)  
4 6., 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4.,  
5 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41  
6 (1m) (f) 3., 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m)  
7 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j),  
8 961.41 (1n) (c), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (c), 961.41 (2) (d), 961.41  
9 (3g) (a) 1., 961.41 (3g) (a) 2., 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.455  
10 (1), 961.49 (2) (a), 961.49 (2) (b), 968.31 (1) (intro.), 968.34 (3), 969.01 (4), 971.11  
11 (1), 972.13 (6), 972.15 (5) (intro.), 973.013 (1) (b), 973.013 (2), 973.0135 (2)  
12 (intro.), 973.014 (title), 973.014 (1) (intro.), 973.014 (1) (c), 973.014 (2), 973.032  
13 (1), 973.10 (1), 973.15 (2) (b), 973.15 (6), 973.155 (1) (b), 973.155 (2), 973.155 (5),  
14 973.20 (1r), 973.20 (10), 975.10 (1), 976.03 (3), 976.03 (13), 976.03 (22), 976.03  
15 (23) (b), 976.03 (27) (a), 976.05 (3) (a), 976.05 (4) (b), 977.05 (6) (h) (intro.),  
16 977.05 (6) (h) 1., 977.05 (6) (h) 2., 977.06 (2) (b), 978.07 (1) (c) 1., 980.015 (2) (a),  
17 980.02 (1) (b) 2., 980.02 (2) (ag) and 980.02 (4) (am); **to repeal and recreate**  
18 968.43 (3); and **to create** 20.505 (3) (c), 46.03 (7) (f), 301.03 (14), 301.046 (3t),  
19 301.048 (2) (cm), 301.048 (2m), 301.048 (6) (b), 301.35 (2) (bm), 302.045 (2) (cm),  
20 302.045 (3m), 302.11 (1z), 302.113, 302.114, 304.02 (6), 950.04 (1v) (vm), 972.15  
21 (2c), 973.01 and 973.014 (1g) of the statutes; **relating to:** sentences for felony  
22 offenses, parole, extended supervision, creating a criminal code study

1 committee, granting rule-making authority, making an appropriation and  
2 providing penalties.

---

***Analysis by the Legislative Reference Bureau***

This bill makes changes relating to the length and structure of sentences in felony cases and establishes a criminal code study committee. Specifically, the bill does all of the following:

***Felony penalties***

Current law provides penalties for felonies, which are crimes punishable by imprisonment of one year or more in state prison. A felony created in the criminal code is put into one of 6 classes (Class A, B, BC, C, D or E) and each class has a specific maximum term of imprisonment and a maximum fine. The maximum terms of imprisonment under current law for the classes of felonies (other than Class A felonies, which are punishable by life imprisonment) are as follows:

Class B	40 years
Class BC	20 years
Class C	10 years
Class D	5 years
Class E	2 years

This bill increases the length of sentences for the classes of felonies created in the criminal code, other than those punishable by life imprisonment, that are committed on or after July 1, 1999. The maximum terms of imprisonment for the classes of felonies under the bill are as follows:

Class B	60 years
Class BC	30 years
Class C	15 years
Class D	10 years
Class E	5 years

The bill also increases penalties for all felony offenses that are created in statutes outside of the criminal code. The bill increases the maximum term of imprisonment for these felonies by 50% or one year, whichever is greater. Thus, under the bill, a maximum penalty under current law of one year of imprisonment is increased to 2 years of imprisonment, while a maximum penalty under current law of 5 years of imprisonment is increased to 7 years and 6 months.

***Sentences for felony offenses***

Currently, person serving a sentence of imprisonment to a state prison usually has 3 possible ways of being released on parole: discretionary parole granted by the parole commission (for which a person is usually eligible after serving 25% of the

sentence or 6 months, whichever is greater); mandatory release on parole (usually granted automatically after the person serves two-thirds of the sentence); or special action parole release by the secretary of corrections (a program designed to relieve prison crowding).

However, current law also provides different parole eligibility provisions for certain serious felony offenders. If a serious felony offender has one or more prior convictions for a serious felony, a judge may set a discretionary parole eligibility date for the offender that is later than 25% of the sentence or 6 months but not later than the mandatory release date of two-thirds of the sentence. In addition, certain serious felony offenders need not be automatically released when they reach their mandatory release dates. Instead, the parole commission may deny mandatory release to such an offender in order to protect the public or because the offender refused to participate in counseling or treatment. The serious felony offenders covered by these parole provisions include persons convicted of serious violations such as homicide, battery, sexual assault, mayhem, kidnapping, taking hostages, arson, armed burglary, armed robbery, carjacking, assault by a prisoner, crimes against children and controlled substances.

Under this bill, if a court chooses to sentence a felony offender to a term of imprisonment in state prison for a felony committed on or after July 1, 1999, the court must do so by providing a bifurcated sentence that includes a term of confinement in prison followed by a term of extended supervision. The offender is not eligible for parole. A bifurcated sentence imposed under the bill must be structured as follows:

1. The total length of the bifurcated sentence may not exceed the maximum term of imprisonment allowable for the felony.

2. The court must set the term of confinement in prison portion of the sentence to be at least one year but not more than 40 years for a Class B felony, 20 years for a Class BC felony, 10 years for a Class C felony, 5 years for a Class D felony or 2 years for a Class E felony. If the person is being sentenced for a felony that is not in one of these classes, the term of confinement in prison portion of the sentence must be at least one year but not more than 75% of the total length of the bifurcated sentence.

3. The term of extended supervision must equal at least 25% of the length of the term of confinement in prison.

Thus, for example, if a person is convicted of a Class B felony and a judge sentenced the person to the maximum allowable 40-year term of confinement in prison, the term of extended supervision would have to be at least 10 years but could not be more than 20 years.

After the person completes the term of confinement in prison portion of the sentence, he or she serves the term of extended supervision during which he or she is subject to conditions set by both the court and the department of corrections (DOC) and is subject to supervision by DOC. If a person violates a condition of extended supervision, extended supervision may be revoked and the person may be returned to serve a period of time in prison.

Under current law, a person serving a life sentence usually must serve 20 years minus time calculated under the mandatory release formula before he or she is eligible for release on parole. If the person does not receive extensions due to

violations of prison rules, he or she reaches parole eligibility after serving 13 years and 4 months. However, a judge may set a parole eligibility date for a person serving a life sentence that is later than the usual parole eligibility date or may provide that the person is not eligible for parole. Also, if a person has 2 convictions for any of certain serious felonies and is then convicted a 3rd time for another serious felony, he or she must be sentenced to life without parole (the so-called "3 strikes, you're out" law). No person serving a life sentence is entitled to mandatory release.

This bill provides that a person sentenced to life imprisonment for a crime committed on or after July 1, 1999, is not eligible for parole. Instead, the bill requires a judge who is sentencing a person to life imprisonment to do one of the following: 1) provide that the person is eligible for extended supervision after serving 20 years; 2) set a date on which the person becomes eligible for extended supervision, as long as that date requires the person to serve at least 20 years; or 3) provide that the person is not eligible for extended supervision. If the court provides that the person is eligible for extended supervision, the person may petition the sentencing court for release to extended supervision on or after the extended supervision eligibility date. A person sentenced to life imprisonment who is released to extended supervision is on extended supervision for the remainder of his or her life and, like a person on extended supervision under a bifurcated sentence (see above), may have his or her extended supervision revoked and be returned to prison if he or she violates a condition of extended supervision. The bill does not affect persons sentenced to life imprisonment without the possibility of release under the "3 strikes, you're out" law.

### ***Criminal code study committee***

This bill creates a committee called the criminal code study committee that consists of all of the following members: 2 judges appointed by the supreme court; the majority leader in each house, or his or her designee; the minority leader in each house, or his or her designee; one faculty member from the law school of the University of Wisconsin-Madison appointed by the governor; one faculty member from the law school of Marquette University appointed by the governor; the attorney general or his or her designee; one current district attorney appointed by the attorney general; the state public defender or his or her designee; one representative of crime victims appointed by the attorney general; one attorney in private practice engaged primarily in the practice of criminal defense, appointed by the governor; one representative of law enforcement agencies appointed by the governor; 3 public members appointed by the governor; and the secretary of corrections or his or her designee.

Under the bill, the committee is required to study the classification of criminal offenses in the criminal code, the penalties for all felonies and issues relating to the implementation of the changes made in this bill relating to the structure of sentences for felony offenses. The committee must also make recommendations concerning all of the following: 1) creating a sentencing commission to promulgate sentencing guidelines for use by judges when imposing sentence under the new felony sentencing structure created in this bill; 2) changing the administrative rules of the department of corrections to ensure that a person is returned to prison promptly and for an appropriate period of time if he or she violates a condition of extended

supervision; and 3) creating a uniform classification system for all felonies, including felonies outside of the criminal code, classifying every felony in a manner that places crimes of similar severity into the same classification and consolidating all felonies into a single criminal code.

Finally, the bill requires the committee to submit a report of its findings and recommendations to the legislature and to the governor no later than March 1, 1999. The committee's report must include any proposed legislation that is necessary to implement the recommendations made by the committee in its report.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

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

1           **SECTION 1.** 11.61 (1) (a) of the statutes is amended to read:

2           11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
3 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) may be fined not more than \$10,000  
4 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

5           **SECTION 2.** 11.61 (1) (b) of the statutes is amended to read:

6           11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
7 or 11.38 where the intentional violation does not involve a specific figure, or where  
8 the intentional violation concerns a figure which exceeds \$100 in amount or value  
9 may be fined not more than \$10,000 or imprisoned for not more than ~~3~~ 4 years and  
10 6 months or both.

11           **SECTION 3.** 12.60 (1) (a) of the statutes is amended to read:

12           12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f),  
13 (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned for not  
14 more than ~~3~~ 4 years ~~in the Wisconsin state prisons~~ and 6 months or both.

15           **SECTION 4.** 13.05 of the statutes is amended to read:

16           **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
17 offers or promises to give his or her vote or influence in favor of or against any



1 measure or proposition pending or proposed to be introduced, in the legislature in  
2 consideration or upon condition that any other person elected to the same legislature  
3 will give or will promise or agree to give his or her vote or influence in favor of or  
4 against any other measure or proposition pending or proposed to be introduced in  
5 such legislature, or who gives, offers or promises to give his or her vote or influence  
6 for or against any measure on condition that any other member will give his or her  
7 vote or influence in favor of any change in any other bill pending or proposed to be  
8 introduced in the legislature may be fined not less than \$500 nor more than \$1,000  
9 or imprisoned for not less than one year nor more than ~~3~~ 4 years and 6 months or both.

10 **SECTION 5.** 13.06 of the statutes, as affected by 1997 Wisconsin Act 35, is  
11 amended to read:

12 **13.06 Executive favor.** Any member of the legislature who gives, offers or  
13 promises to give his or her vote or influence in favor of or against any measure or  
14 proposition pending or proposed to be introduced in the legislature, or that has  
15 already been passed by either house of the legislature, in consideration of or on  
16 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
17 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
18 introduced in the legislature or that has already been passed by the legislature, or  
19 either house thereof, or in consideration or upon condition that the governor  
20 nominate for appointment or appoint or remove any person to or from any office or  
21 position under the laws of this state, may be fined not less than \$500 nor more than  
22 \$1,000 or imprisoned for not less than one year nor more than ~~2~~ 3 years or both.

23 **SECTION 6.** 13.69 (6m) of the statutes, as affected by 1997 Wisconsin Act ....  
24 (Assembly Bill 57), is amended to read:

1           13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a  
2 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
3 he or she does not believe to be true may be fined not more than \$10,000 or  
4 imprisoned for not more than 5 7 years and 6 months or both.

5           **SECTION 7.** 19.85 (1) (d) of the statutes is amended to read:

6           19.85 **(1)** (d) Except as provided by rule promulgated under s. 304.06 (1) (em),  
7 considering specific applications of probation, extended supervision or parole, or  
8 considering strategy for crime detection or prevention.

9           **SECTION 8.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
10 the following amounts for the purposes indicated:

	<b>1997-98</b>	<b>1998-99</b>
<b>20.505 Administration, department of</b>		

11  
12  
13 (3) COMMITTEES AND INTERSTATE BODIES

14 (c) Criminal code study committee	GPR	B	200,000	-0-
--------------------------------------	-----	---	---------	-----

15           **SECTION 9.** 20.410 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 27,  
16 is amended to read:

17           20.410 **(1)** (b) *Services for community corrections.* The amounts in the schedule  
18 to provide services related to probation, extended supervision and parole, the  
19 intensive sanctions program under s. 301.048, the community residential  
20 confinement program under s. 301.046, programs of intensive supervision of adult  
21 offenders and minimum security correctional institutions established under s.  
22 301.13. No payments may be made under this paragraph for payments in accordance  
23 with other states party to the interstate corrections compact under s. 302.25.

24           **SECTION 10.** 20.410 (1) (bn) of the statutes is amended to read:

1           20.410 (1) (bn) (title) *Reimbursing counties for probation, extended supervision*  
2 *and parole holds*. The amounts in the schedule for payments to counties under s.  
3 302.33 (2) (a) for costs relating to maintaining persons in custody pending the  
4 disposition of their parole, extended supervision or probation revocation  
5 proceedings.

6           **SECTION 11.** 20.410 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 27,  
7 is amended to read:

8           20.410 (1) (d) *Purchased services for offenders*. The amounts in the schedule  
9 for the purchase of goods, care and services, including community-based residential  
10 care, authorized under s. 301.08 (1) (b) 1., for inmates, probationers ~~and~~, parolees  
11 and persons on extended supervision. In addition, funds from this appropriation  
12 shall be used to reimburse programs under s. 38.04 (12).

13           **SECTION 12.** 20.410 (1) (g) of the statutes is amended to read:

14           20.410 (1) (g) (title) *Loan fund for persons on probation, extended supervision*  
15 *or parole*. The amounts in the schedule for the purposes specified in ss. 301.32 (3)  
16 and 304.075. All moneys received belonging to absconding probationers ~~and~~,  
17 parolees, and persons on extended supervision under ss. 301.32 (3) and 304.075 shall  
18 be credited to this appropriation.

19           **SECTION 13.** 20.410 (1) (gb) of the statutes is amended to read:

20           20.410 (1) (gb) *Drug testing*. All moneys received from probation, extended  
21 supervision and parole clients who are required to pay for their drug testing, as  
22 prescribed by rule in accordance with s. 301.03 (3), for expenditures related to the  
23 drug testing program for probationers ~~and~~, parolees and persons on extended  
24 supervision under s. 301.03 (3).

25           **SECTION 14.** 20.410 (1) (gc) of the statutes is amended to read:

1           20.410 (1) (gc) *Sex offender honesty testing.* All moneys received from  
2 probation, extended supervision and parole clients who are required to pay for  
3 polygraph examinations, as prescribed by rule in accordance with s. 301.132 (3), for  
4 expenditures related to the lie detector test program for probationers, extended  
5 supervision and parolees under s. 301.132.

6           **SECTION 15.** 20.410 (1) (ge) of the statutes, as affected by 1997 Wisconsin Act  
7 27, is amended to read:

8           20.410 (1) (ge) *Administrative and minimum supervision.* The amounts in the  
9 schedule for the supervision of probationers ~~and~~, parolees and persons on extended  
10 supervision under minimum or administrative supervision and for the department's  
11 costs associated with contracts under s. 301.08 (1) (c) 2. All moneys received from  
12 vendors under s. 301.08 (1) (c) 4. and from fees charged under s. 304.073 (2) shall be  
13 credited to this appropriation account.

14           **SECTION 16.** 20.410 (1) (gf) of the statutes, as affected by 1997 Wisconsin Act  
15 27, is amended to read:

16           20.410 (1) (gf) (title) *Probation ~~and~~, parole and extended supervision.* The  
17 amounts in the schedule for probation ~~and~~, parole and extended supervision. All  
18 moneys received from fees charged under s. 304.074 (2) shall be credited to this  
19 appropriation account.

20           **SECTION 17.** 20.505 (3) (c) of the statutes is created to read:

21           20.505 (3) (c) *Criminal code study committee.* Biennially, the amounts in the  
22 schedule for the operation of the criminal code study committee established under  
23 1997 Wisconsin Act .... (this act), section 449.

24           **SECTION 18.** 23.33 (13) (cg) of the statutes is amended to read:

1           23.33 (13) (cg) *Penalties related to causing death or injury; interference with*  
2 *signs and standards.* A person who violates sub. (8) (f) 1. shall be fined not more than  
3 \$10,000 or imprisoned for not more than 2 3 years or both if the violation causes the  
4 death or injury, as defined in s. 30.67 (3) (b), of another person.

5           **SECTION 19.** 26.14 (8) of the statutes is amended to read:

6           26.14 (8) Any person who intentionally sets fire to the land of another or to a  
7 marsh shall be fined not more than \$10,000 or imprisoned for not more than 5 7 years  
8 and 6 months or both.

9           **SECTION 20.** 29.99 (1) (c) of the statutes is amended to read:

10          29.99 (1) (c) For having fish in his or her possession in violation of this chapter  
11 or rules promulgated under it and the value of the fish under par. (d) exceeds \$1,000,  
12 by a fine of not more than \$10,000 or imprisonment for not more than 2 3 years or  
13 both.

14          **SECTION 21.** 29.99 (1m) (c) of the statutes is amended to read:

15          29.99 (1m) (c) For possessing clams in violation of s. 29.38 or rules adopted  
16 thereunder, if the value of the clams under par. (d) exceeds \$1,000, by a fine of not  
17 more than \$10,000 or imprisonment for not more than 2 3 years or both.

18          **SECTION 22.** 29.99 (11m) (a) of the statutes, as affected by 1997 Wisconsin Act  
19 1, is amended to read:

20          29.99 (11m) (a) For shooting, shooting at, killing, taking, catching or  
21 possessing a bear without a valid Class A bear license, or for possessing a bear which  
22 does not have a carcass tag attached or possessing a bear during the closed season,  
23 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
24 more than 6 months or both for the first violation, or by a fine of not more than \$5,000  
25 or imprisonment for not more than ~~one year~~ 2 years or both for any subsequent

1 violation, and, in addition, the court shall revoke all hunting approvals issued to the  
2 person under this chapter and shall prohibit the issuance of any new hunting  
3 approval under this chapter to the person for 3 years.

4 **SECTION 23.** 29.99 (11p) (a) of the statutes is amended to read:

5 29.99 **(11p)** (a) For entering the den of a hibernating black bear and harming  
6 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~one~~  
7 year 2 years or both.

8 **SECTION 24.** 30.80 (2g) (b) of the statutes is amended to read:

9 30.80 **(2g)** (b) Shall be fined not less than \$300 nor more than \$5,000 or  
10 imprisoned for not more than ~~one year~~ 2 years or both if the accident involved injury  
11 to a person but the person did not suffer great bodily harm.

12 **SECTION 25.** 30.80 (2g) (c) of the statutes is amended to read:

13 30.80 **(2g)** (c) Shall be fined not more than \$10,000 or imprisoned for not more  
14 than ~~2~~ 3 years or both if the accident involved injury to a person and the person  
15 suffered great bodily harm.

16 **SECTION 26.** 30.80 (2g) (d) of the statutes is amended to read:

17 30.80 **(2g)** (d) Shall be fined not more than \$10,000 or imprisoned for not more  
18 than ~~5~~ 7 years and 6 months or both if the accident involved death to a person.

19 **SECTION 27.** 30.80 (3m) of the statutes, as created by 1997 Wisconsin Act ....  
20 (Senate Bill 285), is amended to read:

21 30.80 **(3m)** Any person violating s. 30.547 (1), (3) or (4) shall be fined not more  
22 than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

23 **SECTION 28.** 36.25 (6) (d) of the statutes is amended to read:

24 36.25 **(6)** (d) Any officer, agent, clerk or employe of the survey or department  
25 of revenue who makes known to any person except the officers of the survey or

1 department of revenue, in any manner, any information given to such person in the  
2 discharge of such person's duties under par. (c), which information was given to such  
3 person with the request that it not be made known, upon conviction thereof, shall be  
4 fined not less than \$50 nor more than \$500, or imprisoned ~~in the county jail~~ for not  
5 less than one month nor more than ~~6 months, or imprisoned in the Wisconsin state~~  
6 ~~prisons for not more than 2 3~~ years. This paragraph shall not prevent the use for  
7 assessment purposes of any information obtained under this subsection.

8 **SECTION 29.** 46.03 (7) (f) of the statutes is created to read:

9 46.03 (7) (f) As part of its biennial budget request under s. 16.42, submit a  
10 request for funding for child abuse prevention efforts in an amount equal to or  
11 greater than 1% of the total proposed budget of the department of corrections for the  
12 same biennium, as indicated by the estimate provided by the department of  
13 corrections under s. 301.03 (14).

14 **SECTION 30.** 46.21 (1) (d) of the statutes, as affected by 1997 Wisconsin Acts 27  
15 and ... (Senate Bill 384), is amended to read:

16 46.21 (1) (d) "Human services" means the total range of services to people,  
17 including mental illness treatment, developmental disabilities services, physical  
18 disabilities services, relief funded by a relief block grant under ch. 49, income  
19 maintenance, youth probation, extended supervision and parole services, alcohol  
20 and drug abuse services, services to children, youth and families, family counseling,  
21 early intervention services for children from birth to the age of 3 and manpower  
22 services. "Human services" does not include child welfare services under s. 48.48 (17)  
23 administered by the department in a county having a population of 500,000 or more.

24 **SECTION 31.** 46.23 (2) (a) of the statutes, as affected by 1997 Wisconsin Act ...  
25 (Senate Bill 384), is amended to read:

1           46.23 (2) (a) "Human services" means the total range of services to people  
2 including, but not limited to, health care, mental illness treatment, developmental  
3 disabilities services, relief funded by a block grant under ch. 49, income  
4 maintenance, probation, extended supervision and parole services, alcohol and drug  
5 abuse services, services to children, youth and aging, family counseling, special  
6 education services and manpower services.

7           **SECTION 32.** 46.48 (8) (d) 1. of the statutes is amended to read:

8           46.48 (8) (d) 1. The use of liaisons to meet with prospective program  
9 participants to provide information about the program and to assist program  
10 participants, prior to their release on extended supervision or parole, in planning for  
11 and obtaining the housing, employment, education and treatment that they will  
12 need upon release.

13           **SECTION 33.** 47.03 (3) (d) of the statutes is amended to read:

14           47.03 (3) (d) Any person who violates this subsection shall be fined not more  
15 than \$1,000 or imprisoned for not more than one year 2 years or both.

16           **SECTION 34.** 48.78 (2) (d) 5. of the statutes is amended to read:

17           48.78 (2) (d) 5. On parole under s. 302.11 or ch. 304 or on extended supervision  
18 under s. 302.113 or 302.114.

19           **SECTION 35.** 49.124 (6) of the statutes, as created by 1997 Wisconsin Act 27, is  
20 amended to read:

21           49.124 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the food  
22 stamp program in a month in which that person is a fugitive felon under 7 USC 2015  
23 (k) (1) or is violating a condition of probation, extended supervision or parole imposed  
24 by a state or federal court.



1           **SECTION 36.** 49.127 (8) (a) 2. of the statutes, as affected by 1997 Wisconsin Act  
2 27, is amended to read:

3           49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than  
4 \$5,000, a person who violates this section may be fined not more than \$10,000 or  
5 imprisoned for not more than ~~5~~ 7 years and 6 months or both.

6           **SECTION 37.** 49.127 (8) (b) 2. of the statutes, as affected by 1997 Wisconsin Act  
7 27, is amended to read:

8           49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than  
9 \$5,000, a person who violates this section may be fined not more than \$10,000 or  
10 imprisoned for not more than ~~5~~ 7 years and 6 months or both.

11           **SECTION 38.** 49.127 (8) (c) of the statutes, as created by 1997 Wisconsin Act 27,  
12 is amended to read:

13           49.127 (8) (c) For any offense under this section, if the value of the food coupons  
14 is \$5,000 or more, a person who violates this section may be fined not more than  
15 \$250,000 or imprisoned for not more than ~~20~~ 30 years or both.

16           **SECTION 39.** 49.141 (7) (a) of the statutes is amended to read:

17           49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with  
18 the furnishing by that person of items or services for which payment is or may be  
19 made under Wisconsin works may be fined not more than \$25,000 or imprisoned for  
20 not more than ~~5~~ 7 years and 6 months or both.

21           **SECTION 40.** 49.141 (7) (b) of the statutes is amended to read:

22           49.141 (7) (b) A person, other than a person under par. (a), who is convicted of  
23 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
24 ~~one year~~ 2 years or both.

25           **SECTION 41.** 49.141 (9) (a) of the statutes is amended to read:

1           49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,  
2 in return for referring an individual to a person for the furnishing or arranging for  
3 the furnishing of any item or service for which payment may be made in whole or in  
4 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
5 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
6 service, or item for which payment may be made in whole or in part under Wisconsin  
7 works, may be fined not more than \$25,000 or imprisoned for not more than 5 7 years  
8 and 6 months or both.

9           **SECTION 42.** 49.141 (9) (b) of the statutes is amended to read:

10           49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to  
11 any person to induce the person to refer an individual to a person for the furnishing  
12 or arranging for the furnishing of any item or service for which payment may be made  
13 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange  
14 for or recommend purchasing, leasing, or ordering any good, facility, service or item  
15 for which payment may be made in whole or in part under any provision of Wisconsin  
16 works, may be fined not more than \$25,000 or imprisoned for not more than 5 7 years  
17 and 6 months or both.

18           **SECTION 43.** 49.141 (10) (b) of the statutes is amended to read:

19           49.141 (10) (b) A person who violates this subsection may be fined not more  
20 than \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

21           **SECTION 44.** 49.145 (2) (rm) of the statutes, as created by 1997 Wisconsin Act  
22 27, is amended to read:

23           49.145 (2) (rm) The individual is not violating a condition of probation,  
24 extended supervision or parole imposed under federal or state law.

1           **SECTION 45.** 49.32 (10) (a) 2. a. of the statutes, as affected by 1997 Wisconsin  
2 Act 27, is amended to read:

3           49.32 **(10)** (a) 2. a. That the recipient or participant is a fugitive felon under 42  
4 USC 608 (a) (9), is violating a condition of probation, extended supervision or parole  
5 imposed under state or federal law or has information that is necessary for the officer  
6 to conduct the official duties of the officer.

7           **SECTION 46.** 49.49 (1) (b) 1. of the statutes is amended to read:

8           49.49 **(1)** (b) 1. In the case of such a statement, representation, concealment,  
9 failure, or conversion by any person in connection with the furnishing by that person  
10 of items or services for which medical assistance is or may be made, a person  
11 convicted of violating this subsection may be fined not more than \$25,000 or  
12 imprisoned for not more than 5 7 years and 6 months or both.

13           **SECTION 47.** 49.49 (2) (a) of the statutes is amended to read:

14           49.49 **(2)** (a) *Solicitation or receipt of remuneration.* Any person who solicits  
15 or receives any remuneration, including any kickback, bribe, or rebate, directly or  
16 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual  
17 to a person for the furnishing or arranging for the furnishing of any item or service  
18 for which payment may be made in whole or in part under a medical assistance  
19 program, or in return for purchasing, leasing, ordering, or arranging for or  
20 recommending purchasing, leasing, or ordering any good, facility, service, or item for  
21 which payment may be made in whole or in part under a medical assistance program,  
22 may be fined not more than \$25,000 or imprisoned for not more than 5 7 years and  
23 6 months or both.

24           **SECTION 48.** 49.49 (2) (b) of the statutes is amended to read:

1           49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
2 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
3 or covertly, in cash or in kind to any person to induce such person to refer an  
4 individual to a person for the furnishing or arranging for the furnishing of any item  
5 or service for which payment may be made in whole or in part under a medical  
6 assistance program, or to purchase, lease, order, or arrange for or recommend  
7 purchasing, leasing, or ordering any good, facility, service or item for which payment  
8 may be made in whole or in part under a medical assistance program, may be fined  
9 not more than \$25,000 or imprisoned for not more than 5 7 years and 6 months or  
10 both.

11           **SECTION 49.** 49.49 (3) of the statutes is amended to read:

12           49.49 (3) **FRAUDULENT CERTIFICATION OF FACILITIES.** No person may knowingly  
13 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
14 false statement or representation of a material fact with respect to the conditions or  
15 operation of any institution or facility in order that such institution or facility may  
16 qualify either upon initial certification or upon recertification as a hospital, skilled  
17 nursing facility, intermediate care facility, or home health agency. Violators of this  
18 subsection may be fined not more than \$25,000 or imprisoned for not more than 5 7  
19 years and 6 months or both.

20           **SECTION 50.** 49.49 (3m) (b) of the statutes is amended to read:

21           49.49 (3m) (b) A person who violates this subsection may be fined not more  
22 than \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

23           **SECTION 51.** 49.49 (4) (b) of the statutes is amended to read:

24           49.49 (4) (b) A person who violates this subsection may be fined not more than  
25 \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

1           **SECTION 52.** 49.95 (1) of the statutes is amended to read:

2           49.95 (1) Any person who, with intent to secure public assistance under this  
3 chapter, whether for himself or herself or for some other person, wilfully makes any  
4 false representations may, if the value of the assistance so secured does not exceed  
5 \$300, be required to forfeit not more than \$1,000; if the value of the assistance  
6 exceeds \$300 but does not exceed \$1,000, be fined not more than \$250 or imprisoned  
7 for not more than 6 months or both; if the value of the assistance exceeds \$1,000 but  
8 does not exceed \$2,500, be fined not more than \$500 or imprisoned for not more than  
9 ~~5~~ 7 years and 6 months or both; and if the value of the assistance exceeds \$2,500, be  
10 punished as prescribed under s. 943.20 (3) (c).

11           **SECTION 53.** 51.15 (1) (b) 2. of the statutes is amended to read:

12           51.15 (1) (b) 2. A specific recent overt act or attempt or threat to act or omission  
13 by the individual which is reliably reported to the officer or person by any other  
14 person, including any probation, extended supervision and parole agent authorized  
15 by the department of corrections to exercise control and supervision over a  
16 probationer ~~or~~, parolee or person on extended supervision.

17           **SECTION 54.** 51.15 (12) of the statutes is amended to read:

18           51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)  
19 knowing the information contained therein to be false may be fined not more than  
20 \$5,000 or imprisoned for not more than 5 7 years, and 6 months or both.

21           **SECTION 55.** 51.20 (1) (ar) (intro.) of the statutes is amended to read:

22           51.20 (1) (ar) (intro.) If the individual is an inmate of a state prison, the petition  
23 may allege that the inmate is mentally ill, is a proper subject for treatment and is  
24 in need of treatment. The petition shall allege that appropriate less restrictive forms  
25 of treatment have been attempted with the individual and have been unsuccessful

1 and it shall include a description of the less restrictive forms of treatment that were  
2 attempted. The petition shall also allege that the individual has been fully informed  
3 about his or her treatment needs, the mental health services available to him or her  
4 and his or her rights under this chapter and that the individual has had an  
5 opportunity to discuss his or her needs, the services available to him or her and his  
6 or her rights with a licensed physician or a licensed psychologist. The petition shall  
7 include the inmate's sentence and his or her expected date of release as determined  
8 under s. 302.11 or 302.113, whichever is applicable. The petition shall have attached  
9 to it a signed statement by a licensed physician or a licensed psychologist of a state  
10 prison and a signed statement by a licensed physician or a licensed psychologist of  
11 a state treatment facility attesting either of the following:

12 **SECTION 56.** 51.20 (13) (g) 2m. of the statutes is amended to read:

13 51.20 (13) (g) 2m. In addition to the provisions under subds. 1., 2. and 2g., no  
14 commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's date  
15 of release on parole or extended supervision, as determined under s. 302.11 or  
16 302.113, whichever is applicable.

17 **SECTION 57.** 51.30 (4) (b) 10. (intro.) of the statutes is amended to read:

18 51.30 (4) (b) 10. (intro.) To a correctional facility or to a probation, extended  
19 supervision and parole agent who is responsible for the supervision of an individual  
20 who is receiving inpatient or outpatient evaluation or treatment under this chapter  
21 in a program that is operated by, or is under contract with, the department or a  
22 county department under s. 51.42 or 51.437, or in a treatment facility, as a condition  
23 of the probation, extended supervision and parole supervision plan, or whenever  
24 such an individual is transferred from a state or local correctional facility to such a  
25 treatment program and is then transferred back to the correctional facility. Every

1     probationer or, parolee or person on extended supervision who receives evaluation  
2     or treatment under this chapter shall be notified of the provisions of this subdivision  
3     by the individual's probation, extended supervision and parole agent. Release of  
4     records under this subdivision is limited to:

5             **SECTION 58.** 51.30 (4) (b) 10. a. of the statutes is amended to read:

6             51.30 (4) (b) 10. a. The report of an evaluation which is provided pursuant to  
7     the written probation, extended supervision and parole supervision plan.

8             **SECTION 59.** 51.30 (4) (b) 10. b. of the statutes is amended to read:

9             51.30 (4) (b) 10. b. The discharge summary, including a record or summary of  
10    all somatic treatments, at the termination of any treatment which is provided as part  
11    of the probation, extended supervision and parole supervision plan.

12            **SECTION 60.** 51.30 (4) (b) 10. d. of the statutes is amended to read:

13            51.30 (4) (b) 10. d. Any information necessary to establish, or to implement  
14    changes in, the individual's treatment plan or the level and kind of supervision on  
15    probation, extended supervision or parole, as determined by the director of the  
16    facility or the treatment director. In cases involving a person transferred back to a  
17    correctional facility, disclosure shall be made to clinical staff only. In cases involving  
18    a person on probation, extended supervision or parole, disclosure shall be made to  
19    a probation, extended supervision and parole agent only. The department shall  
20    promulgate rules governing the release of records under this subdivision.

21            **SECTION 61.** 51.37 (8) (a) of the statutes is amended to read:

22            51.37 (8) (a) Rights to reexamination under s. 51.20 (16) apply to a prisoner or  
23    inmate who is found to be mentally ill or drug dependent except that the petition  
24    shall be made to the court that made the finding or, if the prisoner or inmate is  
25    detained by transfer, to the circuit court of the county in which he or she is detained.

1 If upon rehearing it is found that the standards for recommitment under s. 51.20 (13)  
2 (g) no longer apply to the prisoner or inmate or that he or she is not in need of  
3 psychiatric or psychological treatment, the prisoner or inmate shall be returned to  
4 the prison or county jail or house of correction unless it is past his or her release date  
5 as determined under s. 302.11 or 302.113, whichever is applicable, in which case he  
6 or she shall be discharged.

7 **SECTION 62.** 51.37 (8) (b) of the statutes is amended to read:

8 51.37 (8) (b) If the condition of any prisoner or inmate committed or transferred  
9 under this section requires psychiatric or psychological treatment after his or her  
10 date of release as determined under s. 302.11 or 302.113, whichever is applicable, the  
11 director of the state treatment facility shall, within a reasonable time before the  
12 release date of the prisoner or inmate, make a written application to the court which  
13 committed the prisoner or inmate under sub. (5) (a). Thereupon, the proceeding shall  
14 be upon application made under s. 51.20, but no physician or psychologist who is  
15 connected with a state prison, Winnebago or Mendota mental health institute or any  
16 county jail or house of correction may be appointed as an examiner. If the court does  
17 not commit the prisoner or inmate, it may dismiss the application and order the  
18 prisoner or inmate returned to the institution from which he or she was transferred  
19 until the release date of the prisoner or inmate. If the court commits the prisoner or  
20 inmate for the period commencing upon his or her release date, the commitment  
21 shall be to the care and custody of the county department under s. 51.42 or 51.437.

22 **SECTION 63.** 51.37 (11) of the statutes is amended to read:

23 51.37 (11) When an individual who is in the custody of or under the supervision  
24 of a correctional officer of the department of corrections is transferred, discharged  
25 or is on unauthorized absence from a treatment facility, the probation, extended



1 supervision and parole agent or other individual within the department of  
2 corrections who is responsible for that individual's supervision shall be notified as  
3 soon as possible by the director of the treatment facility.

4 **SECTION 64.** 55.06 (11) (am) of the statutes is amended to read:

5 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the  
6 information contained therein to be false may be fined not more than \$5,000 or  
7 imprisoned for not more than ~~5~~ 7 years, and 6 months or both.

8 **SECTION 65.** 66.4025 (1) (b) of the statutes is amended to read:

9 66.4025 (1) (b) Any person who secures or assists in securing dwelling  
10 accommodations under s. 66.402 by intentionally making false representations in  
11 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
12 which the person would not otherwise be entitled shall be fined not more than  
13 \$10,000 or imprisoned for not more than ~~2~~ 3 years or both.

14 **SECTION 66.** 66.4025 (1) (c) of the statutes is amended to read:

15 66.4025 (1) (c) Any person who secures or assists in securing dwelling  
16 accommodations under s. 66.402 by intentionally making false representations in  
17 order to receive more than \$25,000 in financial assistance for which the person would  
18 not otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not  
19 more than ~~5~~ 7 years and 6 months or both.

20 **SECTION 67.** 69.24 (1) (intro.) of the statutes is amended to read:

21 69.24 (1) (intro.) Any person who does any of the following shall be fined not  
22 more than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both:

23 **SECTION 68.** 70.47 (18) (a) of the statutes is amended to read:

1           70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,  
2 removes or conceals any of the items specified under subs. (8) (f) and (17) may be fined  
3 not more than \$1,000 or imprisoned for not more than ~~2~~ 3 years or both.

4           **SECTION 69.** 71.83 (2) (b) of the statutes is amended to read:

5           71.83 (2) (b) *Felony.* 1. 'False income tax return; fraud.' Any person, other than  
6 a corporation or limited liability company, who renders a false or fraudulent income  
7 tax return with intent to defeat or evade any assessment required by this chapter  
8 shall be guilty of a felony and may be fined not to exceed more than \$10,000 or  
9 imprisoned for not to exceed ~~5~~ more than 7 years and 6 months or both, together with  
10 the cost of prosecution. In this subdivision, "return" includes a separate return filed  
11 by a spouse with respect to a taxable year for which a joint return is filed under s.  
12 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
13 the spouses with respect to a taxable year for which a separate return is filed under  
14 s. 71.03 (2) (m) after the filing of that joint return.

15           2. 'Officer of a corporation; false franchise or income tax return.' Any officer  
16 of a corporation or manager of a limited liability company required by law to make,  
17 render, sign or verify any franchise or income tax return, who makes any false or  
18 fraudulent franchise or income tax return, with intent to defeat or evade any  
19 assessment required by this chapter shall be guilty of a felony and may be fined not  
20 to exceed more than \$10,000 or imprisoned for not to exceed ~~5~~ more than 7 years and  
21 6 months or both, together with the cost of prosecution.

22           3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,  
23 depositing or concealing any property upon which a levy is authorized with intent  
24 to evade or defeat the assessment or collection of any tax administered by the

1 department may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ 4  
2 years and 6 months or both, together with the costs of prosecution.

3 4. 'Fraudulent claim for credit.' The claimant who filed a claim for credit under  
4 s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was filed  
5 with fraudulent intent and any person who assisted in the preparation or filing of the  
6 false or excessive claim or supplied information upon which the false or excessive  
7 claim was prepared, with fraudulent intent, may be fined not to exceed more than  
8 \$10,000 or imprisoned for not to exceed ~~5~~ more than 7 years and 6 months or both,  
9 together with the cost of prosecution.

10 **SECTION 70.** 86.192 (4) of the statutes is amended to read:

11 86.192 (4) Any person who violates this section shall be fined up to not more  
12 than \$10,000 or imprisoned for not more than ~~2~~ 3 years, or both ~~fin~~ed and ~~imprisoned~~,  
13 if the injury, defacement or removal causes the death of a person.

14 **SECTION 71.** 97.43 (4) of the statutes is amended to read:

15 97.43 (4) Whoever violates this section may be fined not less than \$500 nor  
16 more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

17 **SECTION 72.** 97.45 (2) of the statutes is amended to read:

18 97.45 (2) Whoever violates this section may be fined not less than \$500 nor  
19 more than \$5,000 or imprisoned for not more than ~~5~~ 7 years, and 6 months or both.

20 **SECTION 73.** 100.171 (7) (b) of the statutes, as affected by 1997 Wisconsin Act  
21 111, is amended to read:

22 100.171 (7) (b) Whoever intentionally violates this section may be fined not  
23 more than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both. A person  
24 intentionally violates this section if the violation occurs after the department or a

1 district attorney has notified the person by certified mail that the person is in  
2 violation of this section.

3 **SECTION 74.** 100.26 (2) of the statutes is amended to read:

4 100.26 (2) Any person violating s. 100.02 shall be ~~guilty of a felony and upon~~  
5 ~~conviction shall be punished by a fine of~~ fined not less than ~~fifty dollars~~ \$50 nor more  
6 than ~~three thousand dollars, \$3,000 or by imprisonment~~ imprisoned for not less than  
7 ~~thirty~~ 30 days nor more than ~~three~~ 4 years, ~~and 6 months~~ or both.

8 **SECTION 75.** 100.26 (5) of the statutes is amended to read:

9 100.26 (5) Any person violating s. 100.06 or any order or regulation of the  
10 department thereunder, or s. 100.18 (9), shall be fined not less than \$100 nor more  
11 than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both. Each day of  
12 violation constitutes a separate offense.

13 **SECTION 76.** 100.26 (7) of the statutes is amended to read:

14 100.26 (7) Any person violating s. 100.182 shall be fined not less than \$500 nor  
15 more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both for each  
16 offense. Each unlawful advertisement published, printed or mailed on separate days  
17 or in separate publications, hand bills or direct mailings is a separate violation of this  
18 section.

19 **SECTION 77.** 101.143 (10) (b) of the statutes is amended to read:

20 101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
21 or service provider who intentionally destroys a document that is relevant to a claim  
22 for reimbursement under this section may be fined not more than \$10,000 or  
23 imprisoned for not more than ~~10~~ 15 years or both.

24 **SECTION 78.** 101.94 (8) (b) of the statutes is amended to read:

1           101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
2           knowingly and wilfully violates this subchapter in a manner which threatens the  
3           health or safety of a purchaser shall be fined not more than \$1,000 or imprisoned for  
4           not more than ~~one year~~ 2 years or both.

5           **SECTION 79.** 102.835 (11) of the statutes is amended to read:

6           102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in  
7           removing, depositing or concealing any property upon which a levy is authorized  
8           under this section with intent to evade or defeat the assessment or collection of any  
9           debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ 4 years  
10          and 6 months or both, and shall be liable to the state for the costs of prosecution.

11          **SECTION 80.** 102.835 (18) of the statutes is amended to read:

12          102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
13          employer may discharge or otherwise discriminate with respect to the terms and  
14          conditions of employment against any employe by reason of the fact that his or her  
15          earnings have been subject to levy for any one levy or because of compliance with any  
16          provision of this section. Whoever wilfully violates this subsection may be fined not  
17          more than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

18          **SECTION 81.** 102.85 (3) of the statutes is amended to read:

19          102.85 (3) An employer who violates an order to cease operations under s.  
20          102.28 (4) may be fined not more than \$10,000 or imprisoned for not more than ~~2~~ 3  
21          years or both.

22          **SECTION 82.** 106.215 (8g) (b) of the statutes is amended to read:

23          106.215 (8g) (b) If the department of corrections is a sponsor of a project that  
24          is approved under this subsection, the corps members on the project shall be  
25          prisoners in state prison, probationers ~~or~~, parolees or persons on extended

1 supervision and the members of the project shall receive applicable alcohol or other  
2 drug abuse treatment and educational programming services for a portion of each  
3 work week, but not to exceed 8 hours per work week.

4 **SECTION 83.** 108.225 (11) of the statutes is amended to read:

5 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in  
6 removing, depositing or concealing any property upon which a levy is authorized  
7 under this section with intent to evade or defeat the assessment or collection of any  
8 debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ 4 years  
9 and 6 months or both, and shall be liable to the state for the costs of prosecution.

10 **SECTION 84.** 108.225 (18) of the statutes is amended to read:

11 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
12 employer may discharge or otherwise discriminate with respect to the terms and  
13 conditions of employment against any employe by reason of the fact that his or her  
14 earnings have been subject to levy for any one levy or because of compliance with any  
15 provision of this section. Whoever wilfully violates this subsection may be fined not  
16 more than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

17 **SECTION 85.** 111.32 (3) of the statutes is amended to read:

18 111.32 (3) "Conviction record" includes, but is not limited to, information  
19 indicating that an individual has been convicted of any felony, misdemeanor or other  
20 offense, has been adjudicated delinquent, has been less than honorably discharged,  
21 or has been placed on probation, fined, imprisoned, placed on extended supervision  
22 or paroled pursuant to any law enforcement or military authority.

23 **SECTION 86.** 114.20 (18) (c) of the statutes is amended to read:

24 114.20 (18) (c) Any person who knowingly makes a false statement in any  
25 application or in any other document required to be filed with the department,

1 foregoes the submission of any application, document, or any registration certificate  
2 or transfer shall be fined not more than \$5,000 or imprisoned for not more than 5 7  
3 years and 6 months or both.

4 **SECTION 87.** 125.075 (2) of the statutes is amended to read:

5 125.075 (2) Whoever violates sub. (1) may be fined not more than \$10,000 or  
6 imprisoned for not more than 5 7 years and 6 months or both.

7 **SECTION 88.** 125.085 (3) (a) 2. of the statutes is amended to read:

8 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
9 consideration may be fined not more than \$10,000 or imprisoned for not more than  
10 2 3 years or both.

11 **SECTION 89.** 125.105 (2) (b) of the statutes is amended to read:

12 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,  
13 a crime may be fined not more than \$10,000 or imprisoned for not more than 5 7 years  
14 and 6 months or both.

15 **SECTION 90.** 125.66 (3) of the statutes is amended to read:

16 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without  
17 holding appropriate permits under this chapter, or any person who sells such liquor,  
18 shall be fined not more than \$10,000 or imprisoned for not more than 10 15 years or  
19 both. Second or subsequent convictions shall be punished by both the fine and  
20 imprisonment.

21 **SECTION 91.** 125.68 (12) (b) of the statutes is amended to read:

22 125.68 (12) (b) Whoever violates par. (a) shall be fined not less than \$1,000 nor  
23 more than \$5,000 or imprisoned for not less than one year nor more than 10 15 years  
24 or both.

25 **SECTION 92.** 125.68 (12) (c) of the statutes is amended to read:

1           125.68 (12) (c) Any person causing the death of another human being through  
2 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol  
3 or alcohol or alcoholic liquid redistilled from denatured alcohol, shall be imprisoned  
4 for not more than ~~10~~ 15 years.

5           **SECTION 93.** 132.13 (1) (a) of the statutes is amended to read:

6           132.13 (1) (a) All goods, wares, and merchandise made wholly or in part by  
7 convict labor in any penitentiary, prison, reformatory or other establishment in  
8 which convict labor is employed except convicts or prisoners on parole, extended  
9 supervision or probation, shall before being exposed for sale be branded, labeled,  
10 marked or tagged as herein provided and shall not be exposed for sale or sold in this  
11 state without such brand, label, mark or tag. Such brand, label, mark or tag shall  
12 contain at the head or top thereof the words "convict-made" followed by the name of  
13 the penitentiary, prison, or other establishment in which it was made in plain  
14 English lettering of the style and size known as eighteen point Cheltenham bold type  
15 capitals. The brand or mark shall in all cases where the nature of the articles will  
16 permit be placed on each individual article or part of such article that is sold, and only  
17 where such branding or marking is impossible shall a label or tag be used and where  
18 a label is used it shall be securely pasted onto each such article and when a tag is used  
19 it shall be a paper tag securely fastened to such article or part of article sold. In  
20 addition to the marking of each article or part of article sold a similar brand, mark,  
21 label or tag shall be placed upon the outside or upon its box, crate, or other covering.  
22 All brands, labels, marks, and tags shall be placed on a conspicuous part of such  
23 article or part of article and its container.

24           **SECTION 94.** 132.20 (2) of the statutes is amended to read:



1           132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic  
2 in this state in a counterfeit mark or in any goods or service bearing or provided  
3 under a counterfeit mark shall, if the person is an individual, be fined not more than  
4 \$250,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both, or, if the  
5 person is not an individual, be fined not more than \$1,000,000.

6           **SECTION 95.** 133.03 (1) of the statutes is amended to read:

7           133.03 (1) Every contract, combination in the form of trust or otherwise, or  
8 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
9 contract or engages in any combination or conspiracy in restraint of trade or  
10 commerce may be fined not more than \$100,000 if a corporation, or, if any other  
11 person, may be fined not more than \$50,000, or be imprisoned for not more than ~~5~~  
12 7 years, and 6 months or both.

13           **SECTION 96.** 133.03 (2) of the statutes is amended to read:

14           133.03 (2) Every person who monopolizes, or attempts to monopolize, or  
15 combines or conspires with any other person or persons to monopolize any part of  
16 trade or commerce may be fined not more than \$100,000 if a corporation, or, if any  
17 other person, may be fined not more than \$50,000, or be imprisoned for not more than  
18 ~~5~~ 7 years, and 6 months or both.

19           **SECTION 97.** 134.05 (4) of the statutes is amended to read:

20           134.05 (4) Whoever violates sub. (1), (2) or (3) shall be punished by a fine of not  
21 less than \$10 nor more than \$500, or by such fine and by imprisonment for not more  
22 than ~~one year~~ 2 years.

23           **SECTION 98.** 134.16 of the statutes is amended to read:

24           **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,  
25 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,

1 brokerage or deposit company, corporation or institution, or of any person, company  
2 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit  
3 business in any way, or any person engaged in such business in whole or in part who  
4 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any  
5 money, or any bills, notes or other paper circulating as money, or any notes, drafts,  
6 bills of exchange, bank checks or other commercial paper for safekeeping or for  
7 collection, when he or she knows or has good reason to know that such bank, company  
8 or corporation or that such person is unsafe or insolvent shall be imprisoned in the  
9 Wisconsin state prisons for not less than one year nor more than 10 15 years nor less  
10 ~~than one year~~ or fined not more than \$10,000.

11 **SECTION 99.** 134.20 (1) (intro.) of the statutes is amended to read:

12 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following  
13 shall be fined not more than \$5,000 or imprisoned for not more than 5 7 years, and  
14 6 months or both:

15 **SECTION 100.** 134.205 (4) of the statutes is amended to read:

16 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt  
17 without entering the same in a register as required by this section shall be fined not  
18 more than \$5,000 or imprisoned for not more than 5 7 years, and 6 months or both.

19 **SECTION 101.** 134.58 of the statutes is amended to read:

20 **134.58 Use of unauthorized persons as officers.** Any person who,  
21 individually, in concert with another or as agent or officer of any firm, joint-stock  
22 company or corporation, uses, employs, aids or assists in employing any body of  
23 armed persons to act as militia, police or peace officers for the protection of persons  
24 or property or for the suppression of strikes, not being authorized by the laws of this

1 state to so act, shall be fined not more than \$1,000 or imprisoned for not less than  
2 one year nor more than ~~3~~ 4 years and 6 months or both.

3 **SECTION 102.** 139.44 (1) of the statutes is amended to read:

4 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits  
5 any stamp or procures or causes the same to be done, or who knowingly utters,  
6 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who  
7 affixes the same to any package or container of cigarettes, or who possesses with the  
8 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps  
9 have been affixed shall be imprisoned for not less than one year nor more than ~~10~~ 15  
10 years.

11 **SECTION 103.** 139.44 (1m) of the statutes is amended to read:

12 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
13 meter in order to evade the tax under s. 139.31 shall be imprisoned for not less than  
14 one year nor more than ~~10~~ 15 years.

15 **SECTION 104.** 139.44 (2) of the statutes, as affected by 1997 Wisconsin Act 27,  
16 is amended to read:

17 139.44 (2) Any person who makes or signs any false or fraudulent report or who  
18 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
19 evasion or attempted evasion of that tax shall be fined not less than \$1,000 nor more  
20 than \$5,000 or imprisoned not less than 90 days nor more than ~~one year~~ 2 years or  
21 both.

22 **SECTION 105.** 139.44 (8) (c) of the statutes is amended to read:

23 139.44 (8) (c) If the number of cigarettes exceeds 36,000, a fine of not more than  
24 \$10,000 or imprisonment for not more than ~~2~~ 3 years or both.

25 **SECTION 106.** 139.95 (2) of the statutes is amended to read:

1           139.95 (2) A dealer who possesses a schedule I controlled substance or schedule  
2           II controlled substance that does not bear evidence that the tax under s. 139.88 has  
3           been paid may be fined not more than \$10,000 or imprisoned for not more than ~~5~~ 7  
4           years and 6 months or both.

5           **SECTION 107.** 139.95 (3) of the statutes is amended to read:

6           139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
7           any stamp or procures or causes the same to be done or who knowingly utters,  
8           publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
9           affixes a counterfeit stamp to a schedule I controlled substance or schedule II  
10          controlled substance or who possesses a schedule I controlled substance or schedule  
11          II controlled substance to which a false, altered or counterfeit stamp is affixed may  
12          be fined not more than \$10,000 or imprisoned for not less than one year nor more  
13          than ~~10~~ 15 years or both.

14          **SECTION 108.** 146.345 (3) of the statutes is amended to read:

15          146.345 (3) Any person who violates this section may be fined not more than  
16          \$50,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

17          **SECTION 109.** 146.35 (5) of the statutes is amended to read:

18          146.35 (5) Whoever violates sub. (2) may be fined not more than \$10,000 or  
19          imprisoned for not more than ~~5~~ 7 years and 6 months or both.

20          **SECTION 110.** 146.60 (9) (am) of the statutes is amended to read:

21          146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person shall  
22          be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than  
23          ~~one year~~ 2 years or both.

24          **SECTION 111.** 146.70 (10) (a) of the statutes is amended to read:

1           146.70 (10) (a) Any person who intentionally dials the telephone number "911"  
2 to report an emergency, knowing that the fact situation which he or she reports does  
3 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
4 than 90 days or both for the first offense and shall be fined not more than \$10,000  
5 or imprisoned for not more than 5 7 years and 6 months or both for any other offense  
6 committed within 4 years after the first offense.

7           **SECTION 112.** 154.15 (2) of the statutes is amended to read:

8           154.15 (2) Any person who, with the intent to cause a withholding or  
9 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
10 the declarant, illegally falsifies or forges the declaration of another or conceals a  
11 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally  
12 withholds actual knowledge of a revocation under s. 154.05 shall be fined not more  
13 than \$10,000 or imprisoned for not more than 10 15 years or both.

14           **SECTION 113.** 154.29 (2) of the statutes is amended to read:

15           154.29 (2) Any person who, with the intent to cause the withholding or  
16 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
17 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
18 under s. 154.21 of a do-not-resuscitate order or any responsible person who  
19 withholds personal knowledge of a revocation under s. 154.21 shall be fined not more  
20 than \$10,000 or imprisoned for not more than 10 15 years or both.

21           **SECTION 114.** 165.76 (1) (a) of the statutes is amended to read:

22           165.76 (1) (a) Is in prison or a secured correctional facility, as defined in s.  
23 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on  
24 probation, extended supervision, parole, supervision or aftercare supervision on or

1 after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or  
2 948.025.

3 **SECTION 115.** 165.76 (1) (e) of the statutes is amended to read:

4 165.76 (1) (e) Is on parole, extended supervision or probation in this state from  
5 another state under s. 304.13 or 304.135 on or after July 9, 1996, for a violation of  
6 the law of another state that the department of corrections determines, under s.  
7 304.137, is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or  
8 948.025.

9 **SECTION 116.** 165.76 (2) (b) 1. of the statutes is amended to read:

10 165.76 (2) (b) 1. If the person has been placed on probation or supervision, he  
11 or she shall provide the specimen under par. (a) at the office of a county sheriff as soon  
12 after the placement as practicable, as directed by his or her probation, extended  
13 supervision and parole agent or, if a child, the agency providing supervision for the  
14 child.

15 **SECTION 117.** 165.76 (2) (b) 2. of the statutes is amended to read:

16 165.76 (2) (b) 2. If the person has been sentenced to prison or placed in a secured  
17 correctional facility or a secured child caring institution, he or she shall provide the  
18 specimen under par. (a) at the office of a county sheriff as soon as practicable after  
19 release on parole, extended supervision or aftercare supervision, as directed by his  
20 or her probation, extended supervision and parole agent or aftercare agent, except  
21 that the department of corrections may require the person to provide the specimen  
22 while he or she is in prison or in a secured correctional facility or a secured child  
23 caring institution.

24 **SECTION 118.** 165.76 (2) (b) 3m. of the statutes is amended to read:

1           165.76 (2) (b) 3m. If the person is on parole, extended supervision or probation  
2           in this state from another state under s. 304.13 or 304.135, he or she shall provide  
3           the specimen under par. (a) at the office of a county sheriff as soon as practicable after  
4           entering this state, as directed by his or her probation, extended supervision and  
5           parole agent.

6           **SECTION 119.** 165.76 (2) (b) 5. of the statutes is amended to read:

7           165.76 (2) (b) 5. Notwithstanding subds. 1. to 3., for persons who are subject  
8           to sub. (1) and who are in prison, a secured correctional facility or a secured child  
9           caring institution or on probation, extended supervision, parole, supervision or  
10          aftercare supervision on August 12, 1993, the departments of justice, corrections  
11          and health and family services shall cooperate to have these persons provide  
12          specimens under par. (a) before July 1, 1998.

13          **SECTION 120.** 165.76 (2) (b) 6. of the statutes is amended to read:

14          165.76 (2) (b) 6. Notwithstanding subd. 3m., for a person who is subject to sub.  
15          (1) (e) and who is on parole, extended supervision or probation in this state from  
16          another state on July 9, 1996, the department of justice and the department of  
17          corrections shall cooperate to have these persons provide specimens under par. (a)  
18          before July 1, 2000.

19          **SECTION 121.** 165.84 (5) of the statutes is amended to read:

20          165.84 (5) All persons in charge of law enforcement and tribal law enforcement  
21          agencies, all clerks of court, all municipal judges where they have no clerks, all  
22          persons in charge of state and county penal and correctional institutions, and all  
23          persons in charge of state and county probation, extended supervision and parole  
24          offices, shall supply the department with the information described in s. 165.83 (2)

1 (f) on the basis of the forms and instructions to be supplied by the department under  
2 s. 165.83 (2) (g).

3 **SECTION 122.** 166.20 (11) (b) 1. of the statutes is amended to read:

4 166.20 (11) (b) 1. For the first offense, be fined not less than \$100 nor more than  
5 \$25,000 or imprisoned for not more than ~~2~~ 3 years or both.

6 **SECTION 123.** 166.20 (11) (b) 2. of the statutes is amended to read:

7 166.20 (11) (b) 2. For the 2nd and subsequent offenses, be fined not less than  
8 \$200 nor more than \$50,000 or imprisoned for not more than ~~2~~ 3 years or both.

9 **SECTION 124.** 167.10 (9) (g) of the statutes is amended to read:

10 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
11 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned for not more  
12 than ~~10~~ 15 years or both.

13 **SECTION 125.** 175.20 (3) of the statutes is amended to read:

14 175.20 (3) Any person who ~~shall violate~~ violates any of the provisions of this  
15 section shall be ~~punished by a fine of~~ fined not less than \$25 and ~~not~~ nor more than  
16 \$1,000, ~~or by imprisonment~~ and may be imprisoned for not less than 30 days ~~in the~~  
17 ~~county jail and not~~ nor more than ~~one year in the state prison,~~ 2 years or ~~by both such~~  
18 ~~fine and imprisonment, and as an additional penalty thereto.~~ In addition, the court  
19 may revoke the license or licenses of the person or persons convicted.

20 **SECTION 126.** 180.0129 (2) of the statutes is amended to read:

21 180.0129 (2) Whoever violates this section may be fined not more than \$10,000  
22 or imprisoned for not more than ~~2~~ 3 years or both.

23 **SECTION 127.** 181.0129 (2) of the statutes, as affected by 1997 Wisconsin Act  
24 79, is amended to read:



1           181.0129 (2) PENALTY. Whoever violates this section may be fined not more  
2 than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both.

3           **SECTION 128.** 185.825 of the statutes is amended to read:

4           **185.825 Penalty for false document.** Whoever causes a document to be  
5 filed, knowing it to be false in any material respect, may be fined not more than  
6 \$1,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

7           **SECTION 129.** 200.09 (2) of the statutes, as affected by 1997 Wisconsin Act ...  
8 (Assembly Bill 553), is amended to read:

9           200.09 (2) Every director, president, secretary or other official or agent of any  
10 public service corporation, who shall practice fraud or knowingly make any false  
11 statement to secure a certificate of authority to issue any security, or issue under a  
12 certificate so obtained and with knowledge of such fraud, or false statement, or  
13 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall  
14 be ~~punished by a fine of~~ fined not less than ~~five hundred dollars,~~ \$500 or by  
15 imprisonment imprisoned in the state prison for not less than one or nor more than  
16 ~~10~~ 15 years, or by both ~~fine and imprisonment.~~

17           **SECTION 130.** 214.93 of the statutes is amended to read:

18           **214.93 False statements.** A person may not knowingly make, cause, or allow  
19 another person to make or cause to be made, a false statement, under oath if required  
20 by this chapter or on any report or statement required by the division or by this  
21 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
22 section may be imprisoned for not more than ~~20~~ 30 years.

23           **SECTION 131.** 215.02 (6) (b) of the statutes is amended to read:

24           215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
25 debtor of any association or any information about the private account or

1 transactions of such association, discloses any fact obtained in the course of any  
2 examination of any association, or discloses examination or other confidential  
3 information obtained from any state or federal regulatory authority, including an  
4 authority of this state or another state, for financial institutions, mortgage bankers,  
5 insurance or securities, except as provided in par. (a), he or she shall forfeit his or her  
6 office or position and may be fined not less than \$100 nor more than \$1,000, or  
7 imprisoned for not less than 6 months nor more than ~~2~~ 3 years or both.

8 **SECTION 132.** 215.12 of the statutes is amended to read:

9 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
10 director, employe or agent of any association who steals, abstracts, or wilfully  
11 misapplies any property of the association, whether owned by it or held in trust, or  
12 who, without authority, issues or puts forth any certificate of savings accounts,  
13 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
14 in any book, record, report or statement of the association with intent to injure or  
15 defraud the association or any person or corporation, or to deceive any officer or  
16 director of the association, or any other person, or any agent appointed to examine  
17 the affairs of such association, or any person who, with like intent, aids or abets any  
18 officer, director, employe or agent in the violation of this section, shall be imprisoned  
19 in the Wisconsin state prisons for not ~~to exceed 20~~ more than 30 years.

20 **SECTION 133.** 215.21 (21) of the statutes is amended to read:

21 **215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS.** Every officer,  
22 director, employe or agent of any association, or any appraiser making appraisals for  
23 any association, who accepts or receives, or offers or agrees to accept or receive  
24 anything of value in consideration of its loaning any money to any person; or any  
25 person who offers, gives, presents or agrees to give or present anything of value to

1 any officer, director, employe or agent of any association or to any appraiser making  
2 appraisals for any association in consideration of its loaning money to the person,  
3 shall be fined not to exceed more than \$10,000 or imprisoned in the Wisconsin state  
4 prisons for not to exceed 2 more than 3 years or both. Nothing in this subsection  
5 prohibits an association from employing an officer, employe or agent to solicit  
6 mortgage loans and to pay the officer, employe or agent on a fee basis.

7 **SECTION 134.** 218.21 (7) of the statutes is amended to read:

8 218.21 (7) Any person who knowingly makes a false statement in an  
9 application for a motor vehicle salvage dealer license may be fined not more than  
10 \$5,000 or imprisoned for not more than 5 7 years and 6 months or both.

11 **SECTION 135.** 220.06 (2) of the statutes is amended to read:

12 220.06 (2) If any employe in the division or any member of the banking review  
13 board or any employe thereof discloses the name of any debtor of any bank or  
14 licensee, or anything relative to the private account or transactions of such bank or  
15 licensee, or any fact obtained in the course of any examination of any bank or  
16 licensee, except as herein provided, that person shall be subject, upon conviction, to  
17 forfeiture of office, or position and ~~to the payment of a fine of~~ may be fined not less  
18 than \$100 nor more than \$1,000, or ~~imprisonment in the Wisconsin state prisons~~  
19 imprisoned for not less than 6 months nor more than 2 3 years, or both.

20 **SECTION 136.** 221.0625 (2) (intro.) of the statutes is amended to read:

21 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
22 of this section, directly or indirectly does any of the following may be imprisoned for  
23 not more than ~~10~~ 15 years:

24 **SECTION 137.** 221.0636 (2) of the statutes is amended to read:

1           221.0636 (2) PENALTY. Any person who violates sub. (1) may be imprisoned for  
2 not more than ~~20~~ 30 years.

3           **SECTION 138.** 221.0637 (2) of the statutes is amended to read:

4           221.0637 (2) PENALTIES. Any person who violates sub. (1) may be fined not more  
5 than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both.

6           **SECTION 139.** 221.1004 (2) of the statutes is amended to read:

7           221.1004 (2) PENALTIES. Any person who violates sub. (1) may be fined not less  
8 than \$1,000 nor more than \$5,000, or imprisoned for not less than one year nor more  
9 than ~~10~~ 15 years, or both.

10          **SECTION 140.** 227.03 (4) of the statutes is amended to read:

11          227.03 (4) The provisions of this chapter relating to contested cases do not  
12 apply to proceedings involving the revocation of aftercare supervision under s.  
13 48.366 (5) or 938.357 (5), the revocation of parole, extended supervision or probation,  
14 the grant of probation, prison discipline, mandatory release under s. 302.11 or any  
15 other proceeding involving the care and treatment of a resident or an inmate of a  
16 correctional institution.

17          **SECTION 141.** 230.36 (1) of the statutes is amended to read:

18          230.36 (1) If a conservation warden, conservation patrol boat captain,  
19 conservation patrol boat engineer, state forest ranger, conservation field employe of  
20 the department of natural resources who is subject to call for fire control duty,  
21 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
22 investigator employed by the department of revenue, special criminal investigation  
23 agent employed by the department of justice, special tax agent, state drivers' license  
24 examiner, state fair park police officer, University of Wisconsin System police officer  
25 and other state facilities police officer and patrol officer, security officer, watcher,

1 engineer, engineering aide, building construction superintendent, fire fighter  
2 employed at the Wisconsin Veterans Home, or guard or institutional aide or a state  
3 probation, extended supervision and parole officer or any other employe whose  
4 duties include supervision and discipline of inmates or wards of the state at a state  
5 penal institution, including a secured correctional facility, as defined in s. 938.02  
6 (15m), or while on parole supervision or extended supervision outside of the confines  
7 of the institutions, or supervision of persons placed on probation by a court of record,  
8 or supervision and care of patients at a state mental institution, and the University  
9 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
10 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
11 in this subsection and who is ordered by his or her appointing authority to accompany  
12 any employe listed in this subsection while the listed employe is engaged in the  
13 duties defined in sub. (3), or any other state employe who is not listed in this  
14 subsection and who is ordered by his or her appointing authority to perform the  
15 duties, when permitted, in lieu of the listed employe and while so engaged in the  
16 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
17 continue to be fully paid by the employing agency upon the same basis as paid prior  
18 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
19 accumulations or vacation and no reduction in the rate of earning sick leave credit  
20 or vacation. The full pay shall continue while the employe is unable to return to work  
21 as the result of the injury or until the termination of his or her employment upon  
22 recommendation of the appointing authority. At any time during the employe's  
23 period of disability the appointing authority may order physical or medical  
24 examinations to determine the degree of disability at the expense of the employing  
25 agency.

1           **SECTION 142.** 230.36 (3) (c) (intro.) of the statutes is amended to read:

2           230.36 (3) (c) (intro.) A guard, institution aide, or other employe at the  
3 University of Wisconsin Hospitals and Clinics or at a state penal or mental  
4 institution, including a secured correctional facility, as defined in s. 938.02 (15m),  
5 and a state probation, extended supervision and parole officer, at all times while:

6           **SECTION 143.** 230.36 (3) (c) 2. of the statutes is amended to read:

7           230.36 (3) (c) 2. In the process of restraining patients, inmates, probationers  
8 ~~or~~, parolees or persons on extended supervision and apprehending runaways or  
9 escapees, including probationers ~~and~~, parolees and persons on extended supervision;

10          **SECTION 144.** 230.36 (3) (c) 3. of the statutes is amended to read:

11          230.36 (3) (c) 3. When injury is occasioned as the result of an act by a patient,  
12 inmate, probationer ~~or~~, parolee or person on extended supervision;

13          **SECTION 145.** 253.06 (4) (b) of the statutes, as created by 1997 Wisconsin Act  
14 27, is amended to read:

15          253.06 (4) (b) A person who violates any provision of this subsection may be  
16 fined not more than \$10,000 or imprisoned for not more than ~~2~~ 3 years, or both, for  
17 the first offense and may be fined not more than \$10,000 or imprisoned for not more  
18 than ~~5~~ 7 years and 6 months, or both, for the 2nd or subsequent offense.

19          **SECTION 146.** 285.87 (2) (b) of the statutes is amended to read:

20          285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
21 another conviction under par. (a), the person shall be fined not more than \$50,000  
22 per day of violation or imprisoned for not more than ~~2~~ 3 years or both.

23          **SECTION 147.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

1           291.97 (2) (b) (intro.) Any person who willfully does any of the following shall  
2 be fined not less than \$1,000 nor more than \$100,000 or imprisoned for not more than  
3 ~~5~~ 7 years and 6 months or both:

4           **SECTION 148.** 291.97 (2) (c) of the statutes is amended to read:

5           291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall  
6 be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than  
7 ~~one year in the Wisconsin state prisons~~ 2 years or both.

8           2. For a 2nd or subsequent violation under par. (b), a person shall be fined not  
9 less than \$5,000 nor more than \$150,000 or imprisoned for not more than ~~10~~ 15 years  
10 or both.

11          **SECTION 149.** 299.53 (4) (c) 2. of the statutes is amended to read:

12          299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
13 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
14 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
15 subsequent violation, the person shall be fined not more than \$50,000 or imprisoned  
16 for not more than ~~2~~ 3 years or both.

17          **SECTION 150.** 301.03 (2r) of the statutes is amended to read:

18          301.03 (2r) Conduct drug testing of prospective parolees or persons to be placed  
19 on extended supervision who have undergone treatment while in state prison.

20          **SECTION 151.** 301.03 (3) of the statutes is amended to read:

21          301.03 (3) Administer parole, extended supervision and probation matters,  
22 except that the decision to grant or deny parole to inmates shall be made by the parole  
23 commission and the decision to revoke probation, extended supervision or parole in  
24 cases in which there is no waiver of the right to a hearing shall be made by the  
25 division of hearings and appeals in the department of administration. The secretary

1 may grant special action parole releases under s. 304.02. The department shall  
2 promulgate rules establishing a drug testing program for probationers and, parolees  
3 and persons placed on extended supervision. The rules shall provide for assessment  
4 of fees upon probationers and, parolees and persons placed on extended supervision  
5 to partially offset the costs of the program.

6 **SECTION 152.** 301.03 (3g) of the statutes is amended to read:

7 301.03 (3g) Provide treatment for alcoholics and intoxicated persons on parole  
8 or extended supervision.

9 **SECTION 153.** 301.03 (13) of the statutes, as created by 1997 Wisconsin Act 27,  
10 is amended to read:

11 301.03 (13) Annually notify each person who has been discharged from  
12 probation, extended supervision or parole and who owed any supervision fees at the  
13 time of discharge of any supervision fees owed by the person to the department.

14 **SECTION 154.** 301.03 (14) of the statutes is created to read:

15 301.03 (14) On or before August 1 of each even-numbered year, provide to the  
16 department of health and family services an estimate of the total proposed budget  
17 that the department of corrections will submit in its biennial budget request under  
18 s. 16.42.

19 **SECTION 155.** 301.046 (3) (intro.) of the statutes is amended to read:

20 301.046 (3) ELIGIBILITY. (intro.) The department shall determine those  
21 prisoners who are confined under sub. (1). Except as provided in sub. subs. (3m) and  
22 (3t), a prisoner is eligible for this confinement only under all of the following  
23 conditions:

24 **SECTION 156.** 301.046 (3t) of the statutes is created to read:



1           301.046 **(3t)** PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY. A  
2 prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for  
3 confinement under sub. (1) during the term of confinement in prison portion of the  
4 bifurcated sentence.

5           **SECTION 157.** 301.048 (1) (a) of the statutes is amended to read:

6           301.048 **(1)** (a) Punishment that is less costly than ordinary imprisonment and  
7 more restrictive than ordinary probation or parole supervision or extended  
8 supervision.

9           **SECTION 158.** 301.048 (2) (b) of the statutes is amended to read:

10           301.048 **(2)** (b) He or she is a prisoner serving a felony sentence not punishable  
11 by life imprisonment and the department directs him or her to participate in the  
12 program. This paragraph does not apply to a prisoner serving a bifurcated sentence  
13 imposed under s. 973.01.

14           **SECTION 159.** 301.048 (2) (cm) of the statutes is created to read:

15           301.048 **(2)** (cm) A court or the department requires his or her participation in  
16 the program as a condition of extended supervision under s. 302.113 (7) or 302.114  
17 (5) (d) or (8) or 973.01 (5).

18           **SECTION 160.** 301.048 (2) (d) of the statutes is amended to read:

19           301.048 **(2)** (d) The department and the person agree to his or her participation  
20 in the program as an alternative to revocation of probation, extended supervision or  
21 parole.

22           **SECTION 161.** 301.048 (2m) of the statutes is created to read:

23           301.048 **(2m)** PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY.  
24 A prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for

1 the intensive sanctions program during the term of confinement in prison portion of  
2 the bifurcated sentence.

3 **SECTION 162.** 301.048 (4) (a) of the statutes is amended to read:

4 301.048 (4) (a) A participant is in the custody and under the control of the  
5 department, subject to its rules and discipline. A participant entering the program  
6 under sub. (2) (a) or (b) is a prisoner. A participant entering the program under sub.  
7 (2) (c) is a prisoner, except that he or she is a parolee for purposes of revocation. A  
8 participant entering the program under sub. (2) (cm) is a prisoner, except that he or  
9 she remains a person on extended supervision for purposes of revocation. A  
10 participant entering the program under sub. (2) (d) is a prisoner, except that he or  
11 she remains a probationer ~~or~~, parolee or person on extended supervision, whichever  
12 is applicable, for purposes of revocation.

13 **SECTION 163.** 301.048 (4) (am) of the statutes is amended to read:

14 301.048 (4) (am) A participant who is a parolee for purposes of revocation is  
15 subject to revocation for violation of any condition of parole or any rule or condition  
16 applicable because he or she is a program participant. A participant who is a person  
17 on extended supervision for purposes of revocation is subject to revocation for  
18 violation of any condition of extended supervision or any rule or condition applicable  
19 because he or she is a program participant. A participant who is a probationer for  
20 purposes of revocation is subject to revocation for violation of any condition of  
21 probation or any rule or condition applicable because he or she is a program  
22 participant.

23 **SECTION 164.** 301.048 (4m) (b) (intro.) of the statutes is amended to read:

24 301.048 (4m) (b) (intro.) As soon as possible after a prisoner, probationer ~~or~~,  
25 parolee or person on extended supervision who has violated s. 940.03, 940.05,

1 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07 enters the intensive  
2 sanctions program, the department shall make a reasonable effort to notify all of the  
3 following persons, if they can be found, in accordance with par. (c) and after receiving  
4 a completed card under par. (d):

5 **SECTION 165.** 301.048 (4m) (b) 1. of the statutes is amended to read:

6 301.048 (4m) (b) 1. The victim of the crime committed by the prisoner,  
7 probationer ~~or~~, parolee or person on extended supervision or, if the victim died as a  
8 result of the crime, an adult member of the victim's family or, if the victim is younger  
9 than 18 years old, the victim's parent or legal guardian.

10 **SECTION 166.** 301.048 (4m) (b) 2. of the statutes is amended to read:

11 301.048 (4m) (b) 2. Any witness who testified against the prisoner, probationer  
12 ~~or~~, parolee or person on extended supervision in any court proceeding involving the  
13 offense.

14 **SECTION 167.** 301.048 (6) of the statutes is renumbered 301.048 (6) (a) and  
15 amended to read:

16 301.048 (6) (a) The Except as provided in par. (b), the department may  
17 discharge a participant from participation in the program and from departmental  
18 custody and control at any time.

19 **SECTION 168.** 301.048 (6) (b) of the statutes is created to read:

20 301.048 (6) (b) The department may discharge a participant who is on extended  
21 supervision under s. 302.113 from participation in the program at any time, but the  
22 person remains under departmental supervision under the terms of the person's  
23 bifurcated sentence imposed under s. 973.01 until the end of that sentence.

24 **SECTION 169.** 301.049 (2) (a) 2. of the statutes is amended to read:

1           301.049 (2) (a) 2. On probation, extended supervision or parole and who, if  
2 approved by the department under par. (b), would participate in the program as an  
3 alternative to revocation of probation, extended supervision or parole.

4           **SECTION 170.** 301.049 (3) (e) of the statutes is amended to read:

5           301.049 (3) (e) Prepare each mother to be able to live in a safe, lawful and stable  
6 manner in the community upon parole, extended supervision or discharge.

7           **SECTION 171.** 301.08 (1) (c) 2., 3., 3m. and 5. of the statutes, as affected by 1997  
8 Wisconsin Act 27, are amended to read:

9           301.08 (1) (c) 2. Beginning on January 1, 1996, the department may contract  
10 with public, private or voluntary vendors for the supervision or for any component  
11 of the supervision of probationers ~~and~~, parolees and persons on extended supervision  
12 who are under minimum supervision or administrative supervision.

13           3. Except as provided in subd. 3m., a contract under subd. 2. shall authorize  
14 a vendor to charge a fee to probationers ~~and~~, parolees and persons on extended  
15 supervision sufficient to cover the cost of supervision and administration of the  
16 contract.

17           3m. A contract under subd. 2. shall permit the department to prohibit a vendor  
18 from charging a fee to a probationer ~~or~~, parolee or person on extended supervision  
19 who is supervised under the contract if the probationer ~~or~~, parolee or person on  
20 extended supervision demonstrates that he or she is unable to pay the fee because  
21 of any of the following:

22           a. The probationer ~~or~~, parolee or person on extended supervision is undergoing  
23 treatment approved by the department and is unable to work.

24           b. The probationer ~~or~~, parolee or person on extended supervision has a  
25 statement from a physician certifying to the department that the probationer ~~or~~,

1 parolee or person on extended supervision should be excused from working for  
2 medical reasons.

3 5. The department shall promulgate rules for fees, collections, reporting and  
4 verification regarding probationers ~~and~~, parolees and persons on extended  
5 supervision supervised by a vendor who contracts with the department under subd.  
6 2. and shall promulgate rules defining “administrative supervision” and “minimum  
7 supervision”.

8 **SECTION 172.** 301.08 (3) (b) (intro.) of the statutes, as created by 1997 Wisconsin  
9 Act 27, is amended to read:

10 301.08 (3) (b) (intro.) Before contracting under this section for transitional  
11 housing for the temporary placement of persons on parole, extended supervision or  
12 probation, the department shall notify all of the following of the proposed contract:

13 **SECTION 173.** 301.132 (2) of the statutes is amended to read:

14 301.132 (2) The department may require, as a condition of probation ~~or~~, parole  
15 or extended supervision, that a probationer ~~or~~, parolee or person on extended  
16 supervision who is a sex offender submit to a lie detector test when directed to do so  
17 by the department.

18 **SECTION 174.** 301.132 (3) of the statutes is amended to read:

19 301.132 (3) The department shall promulgate rules establishing a lie detector  
20 test program for probationers ~~and~~, parolees and persons on extended supervision  
21 who are sex offenders. The rules shall provide for assessment of fees upon  
22 probationers ~~and~~, parolees and persons on extended supervision to partially offset  
23 the costs of the program.

24 **SECTION 175.** 301.21 (1m) (a) 8. of the statutes, as affected by 1997 Wisconsin  
25 Act 27, is amended to read:

1           301.21 **(1m)** (a) 8. Provisions concerning procedures for probation, parole,  
2 extended supervision and discharge.

3           **SECTION 176.** 301.21 (2m) (a) 6. of the statutes, as created by 1997 Wisconsin  
4 Act 27, is amended to read:

5           301.21 **(2m)** (a) 6. Provisions concerning procedures for probation, parole,  
6 extended supervision and discharge.

7           **SECTION 177.** 301.32 (3) (a) of the statutes is amended to read:

8           301.32 **(3)** (a) All money or other property paid or delivered to a probation,  
9 extended supervision and parole agent or other employe of the department by or for  
10 the benefit of any person on probation, extended supervision or parole shall be  
11 immediately transmitted to the department and it shall enter the same upon its  
12 books to his or her credit. The property shall be used only under the direction of the  
13 department.

14           **SECTION 178.** 301.32 (3) (b) of the statutes is amended to read:

15           301.32 **(3)** (b) If the person on probation, extended supervision or parole  
16 absconds, the money shall be credited to the revolving fund created by s. 304.075; and  
17 other property if not called for within one year shall be sold by the department and  
18 the proceeds shall be credited to the fund.

19           **SECTION 179.** 301.35 (2) (bm) of the statutes is created to read:

20           301.35 **(2)** (bm) A person on extended supervision.

21           **SECTION 180.** 301.38 (1) (am) of the statutes is amended to read:

22           301.38 **(1)** (am) "Prisoner" has the meaning given in s. 301.01 (2), but does not  
23 include any person in the intensive sanctions program under s. 301.048 or any person  
24 who is imprisoned as an alternative to the revocation of probation, extended  
25 supervision or parole.

1           **SECTION 181.** 301.45 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
2 440, is amended to read:

3           301.45 (1) (b) Is in prison, a secured correctional facility, as defined in s. 938.02  
4 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or on  
5 probation, extended supervision, parole, supervision or aftercare supervision on or  
6 after December 25, 1993, for any violation, or for the solicitation, conspiracy or  
7 attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
8 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30, or of s.  
9 940.30 or 940.31 if the victim was a minor and the person was not the victim's parent.

10           **SECTION 182.** 301.45 (1) (bm) of the statutes, as created by 1995 Wisconsin Act  
11 440, is amended to read:

12           301.45 (1) (bm) Is in prison, a secured correctional facility, as defined in s.  
13 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or  
14 on probation, extended supervision, parole, supervision or aftercare supervision on  
15 or after December 25, 1993, for a violation, or for the solicitation, conspiracy or  
16 attempt to commit a violation, of a law of this state that is comparable to s. 940.22  
17 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
18 948.07, 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or  
19 940.31 if the victim was a minor and the person was not the victim's parent.

20           **SECTION 183.** 301.45 (1) (dh) of the statutes, as created by 1995 Wisconsin Act  
21 440, is amended to read:

22           301.45 (1) (dh) Is on parole, extended supervision or probation in this state  
23 from another state under s. 304.13 or 304.135 on or after December 25, 1993, for a  
24 violation, or for the solicitation, conspiracy or attempt to commit a violation, of the  
25 law of another state that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2)

1 or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08,  
2 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if the victim  
3 was a minor and the person was not the victim's parent.

4 **SECTION 184.** 301.45 (2) (a) 4. b. of the statutes, as created by 1995 Wisconsin  
5 Act 440, is amended to read:

6 301.45 (2) (a) 4. b. The date the person was or is to be released from  
7 confinement, whether on parole, extended supervision or otherwise, or discharged  
8 or terminated from a sentence or commitment.

9 **SECTION 185.** 301.45 (2) (e) 1. of the statutes, as created by 1995 Wisconsin Act  
10 440, is amended to read:

11 301.45 (2) (e) 1. Within 10 days after the person being placed on parole,  
12 extended supervision, probation, supervision, aftercare supervision, conditional  
13 release or supervised release.

14 **SECTION 186.** 301.45 (2) (e) 2. of the statutes, as created by 1995 Wisconsin Act  
15 440, is amended to read:

16 301.45 (2) (e) 2. If the person is on parole, extended supervision or probation  
17 from another state under s. 304.13 or 304.135, within 10 days after the person enters  
18 this state.

19 **SECTION 187.** 301.45 (3) (a) 1m. of the statutes, as created by 1995 Wisconsin  
20 Act 440, is amended to read:

21 301.45 (3) (a) 1m. If the person is on parole, extended supervision or probation  
22 from another state under s. 304.13 or 304.135, he or she is subject to this subsection  
23 upon entering this state.

24 **SECTION 188.** 301.45 (3) (a) 2. of the statutes, as affected by 1995 Wisconsin Act  
25 440, is amended to read:



1           301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured  
2           correctional facility or a secured child caring institution, he or she is subject to this  
3           subsection upon being released on parole, extended supervision or aftercare  
4           supervision.

5           **SECTION 189.** 301.45 (3) (b) 2. of the statutes, as affected by 1995 Wisconsin Act  
6           440, is amended to read:

7           301.45 (3) (b) 2. The department shall notify a person who is being released  
8           from prison because he or she has reached the expiration date of his or her sentence  
9           and who is covered under sub. (1) of the need to comply with this section. Also,  
10          probation, extended supervision and parole agents, aftercare agents and agencies  
11          providing supervision shall notify any client who is covered under sub. (1) of the need  
12          to comply with this section at the time the client is placed on probation, extended  
13          supervision, parole, supervision or aftercare supervision or, if the client is on  
14          probation, extended supervision or parole from another state under s. 304.13 or  
15          304.135, when the client enters this state.

16          **SECTION 190.** 301.45 (3) (b) 4. of the statutes, as affected by 1995 Wisconsin Act  
17          440, is amended to read:

18          301.45 (3) (b) 4. Failure to receive notice under this paragraph from the  
19          department of health and family services, the department of corrections, a probation,  
20          extended supervision and parole agent, an aftercare agent or an agency providing  
21          supervision is not a defense to liability under sub. (6).

22          **SECTION 191.** 301.45 (5) (a) 1m. of the statutes, as created by 1995 Wisconsin  
23          Act 440, is amended to read:

1           301.45 (5) (a) 1m. If the person is on parole, extended supervision or probation  
2 from another state under s. 304.13 or 304.135, 15 years after discharge from that  
3 parole, extended supervision or probation.

4           **SECTION 192.** 301.46 (2) (b) 4. b. of the statutes, as created by 1995 Wisconsin  
5 Act 440, is amended to read:

6           301.46 (2) (b) 4. b. The date the person was released from confinement, whether  
7 on parole, extended supervision or otherwise, or discharged or terminated from a  
8 sentence or commitment.

9           **SECTION 193.** 302.045 (1) of the statutes is amended to read:

10          302.045 (1) PROGRAM. The department shall provide a challenge incarceration  
11 program for inmates selected to participate under sub. (2). The program shall  
12 provide participants with strenuous physical exercise, manual labor, personal  
13 development counseling, substance abuse treatment and education, military drill  
14 and ceremony and counseling in preparation for release on parole or extended  
15 supervision. The department shall design the program to include not less than 50  
16 participants at a time and so that a participant may complete the program in not  
17 more than 180 days. The department may restrict participant privileges as  
18 necessary to maintain discipline.

19          **SECTION 194.** 302.045 (2) (cm) of the statutes is created to read:

20          302.045 (2) (cm) If the inmate is serving a bifurcated sentence imposed under  
21 s. 973.01, the sentencing court decided under s. 973.01 (3m) that the inmate is  
22 eligible for the challenge incarceration program.

23          **SECTION 195.** 302.045 (3) of the statutes is amended to read:

24          302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
25 determines that an inmate has successfully completed the challenge incarceration

1 program, the parole commission shall parole the inmate under s. 304.06, regardless  
2 of the time the inmate has served, unless the person is serving a sentence imposed  
3 under s. 973.01. When the parole commission grants parole under this subsection,  
4 it must require the parolee to participate in an intensive supervision program for  
5 drug abusers as a condition of parole.

6 **SECTION 196.** 302.045 (3m) of the statutes is created to read:

7 302.045 (3m) RELEASE TO EXTENDED SUPERVISION. (a) Except as provided in sub.  
8 (4), if the department determines that an inmate serving the term of confinement in  
9 prison portion of a bifurcated sentence imposed under s. 973.01 has successfully  
10 completed the challenge incarceration program, the department shall inform the  
11 court that sentenced the inmate.

12 (b) Upon being informed by the department under par. (a) that an inmate whom  
13 the court sentenced under s. 973.01 has successfully completed the challenge  
14 incarceration program, the court shall modify the inmate's bifurcated sentence as  
15 follows:

16 1. The court shall reduce the term of confinement in prison portion of the  
17 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
18 to extended supervision within 30 days of the date on which the court receives the  
19 information from the department under par. (a).

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

22 (c) The court may not increase the total length of the bifurcated sentence when  
23 modifying a bifurcated sentence under par. (b).

24 **SECTION 197.** 302.045 (4) of the statutes is amended to read:

1           302.045 (4) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. The department may  
2 place any intensive sanctions program participant in the challenge incarceration  
3 program. The participant is not subject to subs. (2) ~~and~~, (3) and (3m).

4           **SECTION 198.** 302.095 (2) of the statutes is amended to read:

5           302.095 (2) Any officer or other person who delivers or procures to be delivered  
6 or has in his or her possession with intent to deliver to any inmate confined in a jail  
7 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts  
8 of a jail or prison, or in any vehicle going into the premises belonging to a jail or  
9 prison, any article or thing whatever, with intent that any inmate confined in the jail  
10 or prison shall obtain or receive the same, or who receives from any inmate any  
11 article or thing whatever with intent to convey the same out of a jail or prison,  
12 contrary to the rules or regulations and without the knowledge or permission of the  
13 sheriff or other keeper of the jail, in the case of a jail, or of the warden or  
14 superintendent of the prison, in the case of a prison, shall be imprisoned for not more  
15 than ~~2~~ 3 years or fined not more than \$500.

16           **SECTION 199.** 302.11 (1) of the statutes is amended to read:

17           302.11 (1) The warden or superintendent shall keep a record of the conduct of  
18 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),  
19 (1m), (1z), (7) and (10), each inmate is entitled to mandatory release on parole by the  
20 department. The mandatory release date is established at two-thirds of the  
21 sentence. Any calculations under this subsection or sub. (2) (b) resulting in fractions  
22 of a day shall be rounded in the inmate's favor to a whole day.

23           **SECTION 200.** 302.11 (1g) (am) of the statutes is amended to read:

1           302.11 **(1g)** (am) The mandatory release date established in sub. (1) is a  
2 presumptive mandatory release date for an inmate who is serving a sentence for a  
3 serious felony committed on or after April 21, 1994, but before July 1, 1999.

4           **SECTION 201.** 302.11 (1i) of the statutes is amended to read:

5           302.11 **(1i)** ~~An~~ Except as provided in sub. (1z), an inmate serving a sentence to  
6 the intensive sanctions program is entitled to mandatory release. The mandatory  
7 release date under sub. (1) is established at two-thirds of the sentence under s.  
8 973.032 (3) (a).

9           **SECTION 202.** 302.11 (1p) of the statutes is amended to read:

10          302.11 **(1p)** An inmate serving a term subject to s. 961.49 (2) for a crime  
11 committed before July 1, 1999, is entitled to mandatory release, except the inmate  
12 may not be released before he or she has complied with s. 961.49 (2).

13          **SECTION 203.** 302.11 (1z) of the statutes is created to read:

14          302.11 **(1z)** An inmate who is sentenced to a term of confinement in prison  
15 under s. 973.01 for a felony that is committed on or after July 1, 1999, is not entitled  
16 to mandatory release on parole under this section.

17          **SECTION 204.** 302.11 (6) of the statutes is amended to read:

18          302.11 **(6)** Any inmate released on parole under sub. (1) or (1g) (b) or s. 304.02  
19 or 304.06 (1) is subject to all conditions and rules of parole until the expiration of the  
20 sentence or until he or she is discharged by the department. Except as provided in  
21 ch. 304, releases from prison shall be on the Tuesday or Wednesday preceding the  
22 release date. The department may discharge a parolee on or after his or her  
23 mandatory release date or after 2 years of supervision. Any inmate sentenced to the  
24 intensive sanctions program who is released on parole under sub. (1) or s. 304.02 or

1 304.06 (1) remains in the program unless discharged by the department under s.  
2 301.048 (6) (a).

3 **SECTION 205.** 302.11 (9) of the statutes is amended to read:

4 302.11 (9) Except as provided in ~~sub.~~ subs. (1g) (am) and (1z), this section  
5 applies to persons committing offenses occurring on or after June 1, 1984, or persons  
6 filing requests in accordance with 1983 Wisconsin Act 528, section 29 (2) or (3).

7 **SECTION 206.** 302.113 of the statutes is created to read:

8 **302.113 Release to extended supervision for felony offenders not**  
9 **servng life sentences. (1)** An inmate is subject to this section if he or she is  
10 serving a bifurcated sentence imposed under s. 973.01.

11 **(2)** Except as provided in subs. (3) and (9), an inmate subject to this section is  
12 entitled to release to extended supervision after he or she has served the term of  
13 confinement in prison portion of the sentence imposed under s. 973.01, as modified  
14 by the sentencing court under s. 302.045 (3m) (b) 1., if applicable.

15 **(3) (a)** The warden or superintendent shall keep a record of the conduct of each  
16 inmate subject to this section, specifying each infraction of the rules. If an inmate  
17 subject to this section violates any regulation of the prison or refuses or neglects to  
18 perform required or assigned duties, the department may extend the term of  
19 confinement in prison portion of the inmate's bifurcated sentence as follows:

- 20 1. Ten days for the first offense.  
21 2. Twenty days for the 2nd offense.  
22 3. Forty days for the 3rd or each subsequent offense.

23 **(b)** In addition to the sanctions under par. (a), if an inmate subject to this section  
24 is placed in adjustment, program or controlled segregation status, the department  
25 may extend his or her term of confinement in prison portion of the bifurcated

1 sentence by a number of days equal to 50% of the number of days spent in segregation  
2 status. In administering this paragraph, the department shall use the definition of  
3 adjustment, program or controlled segregation status under departmental rules in  
4 effect at the time an inmate is placed in that status.

5 (c) No extension of a term of confinement in prison under this subsection may  
6 require an inmate to serve more days in prison than the total length of the bifurcated  
7 sentence imposed under s. 973.01.

8 (d) If the term of confinement in prison portion of a bifurcated sentence is  
9 increased under this subsection, the term of extended supervision is reduced so that  
10 the total length of the bifurcated sentence does not change.

11 (4) All consecutive sentences shall be computed as one continuous sentence.  
12 The person shall serve any term of extended supervision after serving all terms of  
13 confinement in prison.

14 (5) An inmate may waive entitlement to release to extended supervision if the  
15 department agrees to the waiver.

16 (6) Before a person is released to extended supervision under this section, the  
17 department shall notify the municipal police department and the county sheriff for  
18 the area where the person will be residing. The notification requirement does not  
19 apply if a municipal department or county sheriff submits to the department a  
20 written statement waiving the right to be notified. If applicable, the department  
21 shall also comply with s. 304.063.

22 (7) Any inmate released to extended supervision under this section is subject  
23 to all conditions and rules of extended supervision until the expiration of the term  
24 of extended supervision portion of the bifurcated sentence. The department may set  
25 conditions of extended supervision in addition to any conditions of extended

1 supervision set by the court under s. 973.01 (5) if the conditions set by the department  
2 do not conflict with the court's conditions.

3 (8) Releases to extended supervision from prison shall be on the Tuesday or  
4 Wednesday preceding the date on which he or she completes the term of  
5 imprisonment.

6 (9) (a) If a person released to extended supervision under this section violates  
7 a condition of extended supervision, the division of hearings and appeals in the  
8 department of administration, upon proper notice and hearing, or the department  
9 of corrections, if the person on extended supervision waives a hearing, may revoke  
10 the extended supervision of the person and return the person to prison. If the person  
11 is returned to prison, he or she shall be returned to prison for any specified period  
12 of time that does not exceed the time remaining on the bifurcated sentence. The time  
13 remaining on the bifurcated sentence is the total length of the bifurcated sentence,  
14 less time served by the person in custody before release to extended supervision. The  
15 revocation order shall provide the person on extended supervision with credit in  
16 accordance with ss. 304.072 and 973.155.

17 (b) A person who is returned to prison after revocation of extended supervision  
18 shall be incarcerated for the entire period of time specified by the department of  
19 corrections in the case of a waiver or by the division of hearings and appeals in the  
20 department of administration in the case of a hearing under par. (a). The period of  
21 time specified under par. (a) may be extended in accordance with sub. (3).

22 (c) A person who is subsequently released to extended supervision after service  
23 of the period of time specified by the department of corrections in the case of a waiver  
24 or by the division of hearings and appeals in the department of administration in the  
25 case of a hearing under par. (a) is subject to all conditions and rules under sub. (7)



1 until the expiration of the term of extended supervision portion of the bifurcated  
2 sentence.

3 (10) The department may promulgate rules establishing guidelines and  
4 criteria for the exercise of discretion under this section.

5 **SECTION 207.** 302.114 of the statutes is created to read:

6 **302.114 Petition for release and release to extended supervision for**  
7 **felony offenders serving life sentences. (1)** An inmate is subject to this section  
8 if he or she is serving a life sentence imposed under s. 973.014 (1g) (a) 1. or 2. An  
9 inmate serving a life sentence under s. 939.62 (2m) or 973.014 (1g) (a) 3. is not eligible  
10 for release to extended supervision under this section.

11 (2) Except as provided in subs. (3) and (9), an inmate subject to this section may  
12 petition the sentencing court for release to extended supervision after he or she has  
13 served 20 years, if the inmate was sentenced under s. 973.014 (1g) (a) 1., or after he  
14 or she has reached the extended supervision eligibility date set by the court, if the  
15 inmate was sentenced under s. 973.014 (1g) (a) 2.

16 (3) (a) The warden or superintendent shall keep a record of the conduct of each  
17 inmate subject to this section, specifying each infraction of the rules. If any inmate  
18 subject to this section violates any regulation of the prison or refuses or neglects to  
19 perform required or assigned duties, the department may extend the extended  
20 supervision eligibility date set under s. 973.014 (1g) (a) 1. or 2., whichever is  
21 applicable, as follows:

- 22 1. Ten days for the first offense.
- 23 2. Twenty days for the 2nd offense.
- 24 3. Forty days for the 3rd or each subsequent offense.

1           (b) In addition to the sanctions under par. (a), if an inmate subject to this section  
2 is placed in adjustment, program or controlled segregation status, the department  
3 may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.  
4 or 2., whichever is applicable, by a number of days equal to 50% of the number of days  
5 spent in segregation status. In administering this paragraph, the department shall  
6 use the definition of adjustment, program or controlled segregation status under  
7 departmental rules in effect at the time an inmate is placed in that status.

8           (4) All consecutive sentences shall be computed as one continuous sentence.  
9 An inmate subject to this section shall serve any term of extended supervision after  
10 serving all terms of confinement in prison.

11           (5) (a) An inmate subject to this section who is seeking release to extended  
12 supervision shall file a petition for release to extended supervision with the court  
13 that sentenced him or her. An inmate may not file an initial petition under this  
14 paragraph earlier than 90 days before his or her extended supervision eligibility  
15 date. If an inmate files an initial petition for release to extended supervision at any  
16 time earlier than 90 days before his or her extended supervision eligibility date, the  
17 court shall deny the petition without a hearing.

18           (am) The inmate shall serve a copy of a petition for release to extended  
19 supervision on the district attorney's office that prosecuted him or her, and the  
20 district attorney shall file a written response to the petition within 45 days after the  
21 date he or she receives the petition.

22           (b) After reviewing a petition for release to extended supervision and the  
23 district attorney's response to the petition, the court shall decide whether to hold a  
24 hearing on the petition or, if it does not hold a hearing, whether to grant or deny the  
25 petition without a hearing. If the court decides to hold a hearing under this

1 paragraph, the hearing shall be before the court without a jury. The office of the  
2 district attorney that prosecuted the inmate shall represent the state at the hearing.

3 (c) Before deciding whether to grant or deny the inmate's petition, the court  
4 shall allow a victim or family member of a homicide victim to make a statement or  
5 submit a statement concerning the release of the inmate to extended supervision.  
6 The court may allow any other person to make or submit a statement under this  
7 paragraph. Any statement under this paragraph must be relevant to the release of  
8 the inmate to extended supervision.

9 (cm) A court may not grant an inmate's petition for release to extended  
10 supervision unless the inmate proves, by clear and convincing evidence, that he or  
11 she is not a danger to the public.

12 (d) If the court grants the inmate's petition for release to extended supervision,  
13 the court may impose conditions on the term of extended supervision.

14 (e) If the court denies the inmate's petition for release to extended supervision,  
15 the court shall specify the date on which the inmate may file a subsequent petition  
16 under this section. An inmate may file a subsequent petition at any time on or after  
17 the date specified by the court, but if the inmate files a subsequent petition for release  
18 to extended supervision before the date specified by the court, the court may deny  
19 the petition without a hearing.

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

25 **(6)** (a) In this subsection:

1           1. "Member of the family" means spouse, child, sibling, parent or legal  
2 guardian.

3           2. "Victim" means a person against whom a crime has been committed.

4           (b) If an inmate petitions a court under sub. (5) or (9) (b) for release to extended  
5 supervision under this section, the clerk of the circuit court in which the petition is  
6 filed shall send a copy of the petition and, if a hearing is scheduled, a notice of hearing  
7 to the victim of the crime committed by the inmate or, if the victim died as a result  
8 of the crime, an adult member of the victim's family or, if the victim is younger than  
9 18 years old, the victim's parent or legal guardian, if the victim, adult family member  
10 or parent or legal guardian has submitted a card under par. (e) requesting  
11 notification.

12           (c) The notice under par. (b) shall inform the persons under par. (b) that they  
13 may appear at the hearing under sub. (5) or (9) (b), if a hearing is scheduled, and shall  
14 inform them of the manner in which they may provide written statements  
15 concerning the inmate's petition for release to extended supervision.

16           (d) The clerk of the circuit court shall make a reasonable effort to send a copy  
17 of the inmate's petition to the last-known address of the persons under par. (b) within  
18 7 days of the date on which the petition is filed and shall make a reasonable effort  
19 to send the notice of hearing, if a hearing is scheduled, to the last-known address of  
20 the persons under par. (b), postmarked at least 10 days before the date of the hearing.

21           (e) The director of state courts shall design and prepare cards for a person  
22 specified under par. (b) to send to the clerk of the circuit court in which the inmate  
23 is convicted and sentenced. The cards shall have space for any such person to provide  
24 his or her name and address, the name of the applicable inmate and any other  
25 information the director of state courts determines is necessary. The director of state

1 courts shall provide the cards, without charge, to clerks of circuit court. Clerks of  
2 circuit court shall provide the cards, without charge, to persons specified in par. (b).  
3 These persons may send completed cards to the clerk of the circuit court in which the  
4 inmate was convicted and sentenced. All court records or portions of records that  
5 relate to mailing addresses of these persons are not subject to inspection or copying  
6 under s. 19.35 (1).

7 (7) Before a person is released to extended supervision under this section, the  
8 department shall notify the municipal police department and the county sheriff for  
9 the area where the person will be residing. The notification requirement does not  
10 apply if a municipal department or county sheriff submits to the department a  
11 written statement waiving the right to be notified. If applicable, the department  
12 shall also comply with s. 304.063.

13 (8) Any inmate released to extended supervision under this section is subject  
14 to all conditions and rules of extended supervision. The department may set  
15 conditions of extended supervision in addition to any conditions of extended  
16 supervision set by the court under sub. (5) (d) if the conditions set by the department  
17 do not conflict with the court's conditions.

18 (9) (a) If a person released to extended supervision under this section violates  
19 a condition of extended supervision, the division of hearings and appeals in the  
20 department of administration, upon proper notice and hearing, or the department  
21 of corrections, if the person on extended supervision waives a hearing, may revoke  
22 the extended supervision of the person and return the person to prison.

23 If the person is returned to prison, he or she shall be returned to prison for a specified  
24 period of time, as provided under par. (b).

1 (b) If a person is returned to prison under par. (a) after revocation of extended  
2 supervision, the department of corrections in the case of a waiver or the division of  
3 hearings and appeals in the department of administration in the case of a hearing  
4 under par. (a) shall specify a period of time for which the person shall be incarcerated  
5 before being eligible for release to extended supervision. The period of time specified  
6 under this paragraph may not be less than 5 years and may be extended in  
7 accordance with sub. (3).

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

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

21 (10) The department may promulgate rules establishing guidelines and  
22 criteria for the exercise of discretion under this section.

23 **SECTION 208.** 302.14 of the statutes is amended to read:

24 **302.14** (title) **Property of deceased inmates, parolees ~~or~~, probationers**  
25 **or persons on extended supervision, disposition.** When an inmate of a prison

1 or, a parolee of an institution, a person on extended supervision or a person on  
2 probation to the department dies leaving an estate of \$150 or less in the trust of the  
3 warden, superintendent or secretary, the warden, superintendent or secretary shall  
4 try to determine whether or not the estate is to be probated. If probate proceedings  
5 are not commenced within 90 days, the warden, superintendent or secretary shall  
6 turn over the money or securities to the nearest of kin as evidenced by the records  
7 of the institution and the department.

8 **SECTION 209.** 302.17 (2) of the statutes is amended to read:

9 302.17 (2) The department shall make entries on the register to reflect the  
10 progress made by each inmate while incarcerated and the inmate's release on parole  
11 or extended supervision, condition at the time of release on parole or extended  
12 supervision and progress made while on parole or extended supervision. This  
13 subsection does not apply to inmates subject to an order under s. 48.366.

14 **SECTION 210.** 302.25 (4) (c) of the statutes is amended to read:

15 302.25 (4) (c) Inmates confined in an institution pursuant to the terms of this  
16 compact shall at all times be subject to the jurisdiction of the sending state and may  
17 at any time be removed therefrom for transfer to a prison or other institution within  
18 the sending state, for transfer to another institution in which the sending state may  
19 have a contractual or other right to confine inmates, for release on probation,  
20 extended supervision or parole, for discharge, or for any other purpose permitted by  
21 the laws of the sending state; provided, that the sending state shall continue to be  
22 obligated to such payments as may be required pursuant to the terms of any contract  
23 entered into under the terms of sub. (3).

24 **SECTION 211.** 302.33 (2) (a) (intro.) of the statutes is amended to read:

1           302.33 (2) (a) (intro.) The department shall pay for the maintenance of persons  
2 in its custody who are placed in the county jail or other county facility, or in a tribal  
3 jail under s. 302.445, pending disposition of parole, extended supervision or  
4 probation revocation proceedings subject to the following conditions:

5           **SECTION 212.** 302.33 (2) (b) of the statutes is amended to read:

6           302.33 (2) (b) This subsection applies only to probationers ~~or~~, parolees or  
7 persons on extended supervision who were placed on that status in connection with  
8 a conviction for a felony. This subsection applies only to confinements initiated after  
9 July 2, 1983.

10          **SECTION 213.** 302.335 (title) of the statutes is amended to read:

11          **302.335 (title) Restrictions on detaining probationers and, parolees**  
12 **and persons on extended supervision in county or tribal jail.**

13          **SECTION 214.** 302.335 (2) (intro.) of the statutes is amended to read:

14          302.335 (2) (intro.) If a probationer ~~or~~, parolee or person on extended  
15 supervision is detained in a county jail or other county facility, or in a tribal jail under  
16 s. 302.445, pending disposition of probation ~~or~~, parole or extended supervision  
17 revocation proceedings, the following conditions apply:

18          **SECTION 215.** 302.335 (2) (a) (intro.) of the statutes is amended to read:

19          302.335 (2) (a) (intro.) The department shall begin a preliminary revocation  
20 hearing within 15 working days after the probationer ~~or~~, parolee or person on  
21 extended supervision is detained in the county jail, other county facility or the tribal  
22 jail. The department may extend, for cause, this deadline by not more than 5  
23 additional working days upon written notice to the probationer ~~or~~, parolee or person  
24 on extended supervision and the sheriff, the tribal chief of police or other person in



1 charge of the county facility. This paragraph does not apply under any of the  
2 following circumstances:

3 **SECTION 216.** 302.335 (2) (a) 1. of the statutes is amended to read:

4 302.335 (2) (a) 1. The probationer ~~or~~, parolee or person on extended supervision  
5 has waived, in writing, the right to a preliminary hearing.

6 **SECTION 217.** 302.335 (2) (a) 2. of the statutes is amended to read:

7 302.335 (2) (a) 2. The probationer ~~or~~, parolee or person on extended supervision  
8 has given and signed a written statement that admits the violation.

9 **SECTION 218.** 302.335 (2) (a) 3. of the statutes is amended to read:

10 302.335 (2) (a) 3. There has been a finding of probable cause in a felony criminal  
11 action and the probationer ~~or~~, parolee or person on extended supervision is bound  
12 over for trial for the same or similar conduct that is alleged to be a violation of  
13 supervision.

14 **SECTION 219.** 302.335 (2) (b) of the statutes is amended to read:

15 302.335 (2) (b) The division shall begin a final revocation hearing within 50  
16 calendar days after the person is detained in the county jail, other county facility or  
17 the tribal jail. The department may request the division to extend this deadline by  
18 not more than 10 additional calendar days, upon notice to the probationer ~~or~~, parolee  
19 or person on extended supervision, the sheriff, the tribal chief of police or other  
20 person in charge of the facility, and the division. The division may grant the request.  
21 This paragraph does not apply if the probationer ~~or~~, parolee or person on extended  
22 supervision has waived the right to a final revocation hearing.

23 **SECTION 220.** 302.335 (3) of the statutes is amended to read:

24 302.335 (3) If there is a failure to begin a hearing within the time requirements  
25 under sub. (2), the sheriff, the tribal chief of police or other person in charge of a

1 county facility shall notify the department at least 24 hours before releasing a  
2 probationer ~~or~~, parolee or person on extended supervision under this subsection.

3 **SECTION 221.** 302.335 (4) of the statutes is amended to read:

4 302.335 (4) This section applies to probationers ~~or~~, parolees or persons on  
5 extended supervision who begin detainment in a county jail, other county facility or  
6 a tribal jail on or after July 1, 1990, except that this section does not apply to any  
7 probationer ~~or~~, parolee or person on extended supervision who is in the county jail,  
8 other facility or the tribal jail and serving a sentence.

9 **SECTION 222.** 303.065 (1) of the statutes is renumbered 303.065 (1) (a) and  
10 amended to read:

11 303.065 (1) (a) The Except as provided in par. (b), the department may grant  
12 work release privileges to any person incarcerated within the state prisons, ~~except~~  
13 ~~that no~~.

14 (b) 1. A person serving a life sentence, other than a life sentence specified in  
15 subd. 2., may be considered for work release until only after he or she has reached  
16 parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever is  
17 applicable, and no or he or she has reached his or her extended supervision eligibility  
18 date under s. 302.114 (9) (b) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

19 2. A person serving a life sentence under s. 939.62 (2m) or 973.014 (1) (c) or (1g)  
20 (a) 3. may not be considered for work release.

21 **SECTION 223.** 303.21 (1) (a) of the statutes, as affected by 1997 Wisconsin Act  
22 3, is amended to read:

23 303.21 (1) (a) If an inmate of a state institution, in the performance of assigned  
24 work is injured so as to be permanently incapacitated or to have materially reduced  
25 earning power, the inmate may, upon being released from such institution, either

1 upon release on parole or extended supervision or upon final discharge, be allowed  
2 and paid such compensation as the department of workforce development finds the  
3 inmate entitled to. The inmate shall be compensated on the same basis as if the  
4 injury had been covered by ch. 102, except that the total paid to any inmate may not  
5 exceed \$10,000 and may be paid in instalments. If the injury results from  
6 employment in a prison industry, the payment shall be made from the revolving  
7 appropriation for its operation. If there is no revolving appropriation, payment shall  
8 be made from the general fund. In case of dispute, the procedure for hearing, award  
9 and appeal shall be as set forth in ss. 102.16 to 102.26.

10 **SECTION 224.** 303.215 of the statutes is amended to read:

11 **303.215 Compensation to prisoners or residents injured in prison**  
12 **industries employment.** In accordance with s. 102.03 (2), for an inmate of a state  
13 institution or a resident subject to s. 303.01 (1) (b) employed under s. 303.06 (2),  
14 compensation under ch. 102 on being released from the applicable institution, on  
15 parole, on extended supervision, on final discharge or in accordance with ch. 938,  
16 whichever is applicable, is the exclusive remedy against the department and any  
17 employe of the department for any injury sustained by the inmate or resident while  
18 performing service growing out of and incidental to that employment. The  
19 department shall make any payments required under this section from the revolving  
20 appropriation for the operation of prison industries or, if there is no revolving  
21 appropriation for the operation of prison industries, from the general fund.

22 **SECTION 225.** 304.02 (3) (c) of the statutes is amended to read:

23 304.02 (3) (c) The institution social worker or the probation, extended  
24 supervision and parole agent of record has reason to believe the prisoner will be able  
25 to maintain himself or herself in society without engaging in assaultive activity.

1           **SECTION 226.** 304.02 (4) of the statutes is amended to read:

2           304.02 (4) If a person is sentenced under s. 973.032, he or she is eligible for a  
3 release to parole supervision under this section and remains in the intensive  
4 sanctions program unless discharged by the department under s. 301.048 (6) (a).

5           **SECTION 227.** 304.02 (5) of the statutes is amended to read:

6           304.02 (5) Notwithstanding subs. (1) to (3), a prisoner who is serving a life  
7 sentence under s. 939.62 (2m) or 973.014 (1) (c) or (1g) is not eligible for release to  
8 parole supervision under this section.

9           **SECTION 228.** 304.02 (6) of the statutes is created to read:

10          304.02 (6) Notwithstanding subs. (1) to (3), a prisoner is not eligible for release  
11 to parole supervision under this section if he or she is serving a bifurcated sentence  
12 under s. 973.01.

13          **SECTION 229.** 304.06 (1) (b) of the statutes is amended to read:

14          304.06 (1) (b) Except as provided in sub. (1m) or s. 302.045 (3), 961.49 (2),  
15 973.01 (6) or 973.0135, the parole commission may parole an inmate of the Wisconsin  
16 state prisons or any felon or any person serving at least one year or more in a county  
17 house of correction or a county reforestation camp organized under s. 303.07, when  
18 he or she has served 25% of the sentence imposed for the offense, or 6 months,  
19 whichever is greater. Except as provided in s. 939.62 (2m) or 973.014 (1) (b) or (c),  
20 (1g) or (2), the parole commission may parole an inmate serving a life term when he  
21 or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject  
22 to extension using the formulas under s. 302.11 (2). The person serving the life term  
23 shall be given credit for time served prior to sentencing under s. 973.155, including  
24 good time under s. 973.155 (4). The secretary may grant special action parole  
25 releases under s. 304.02. The department or the parole commission shall not provide

1 any convicted offender or other person sentenced to the department's custody any  
2 parole eligibility or evaluation until the person has been confined at least 60 days  
3 following sentencing.

4 **SECTION 230.** 304.06 (1y) of the statutes is amended to read:

5 304.06 (1y) If a person is sentenced under s. 973.032, he or she is eligible for  
6 a release to parole supervision under this section and remains in the intensive  
7 sanctions program unless discharged by the department under s. 301.048 (6) (a).

8 **SECTION 231.** 304.062 (title) of the statutes is amended to read:

9 **304.062 (title) Ordering parolees and persons on extended supervision**  
10 **to perform community service work.**

11 **SECTION 232.** 304.062 (1) of the statutes is amended to read:

12 304.062 (1) The department may order that a parolee or a person on extended  
13 supervision perform community service work for a public agency or a nonprofit  
14 charitable organization. An order may apply only if agreed to by the parolee or the  
15 person on extended supervision and the organization or agency. The department  
16 shall ensure that the parolee or the person on extended supervision is provided a  
17 written statement of the terms of the community service order and shall monitor the  
18 parolee's compliance of the parolee or person on extended supervision with the  
19 community service order.

20 **SECTION 233.** 304.062 (2) of the statutes is amended to read:

21 304.062 (2) Any organization or agency acting in good faith to which a parolee  
22 or person on extended supervision is assigned under an order under this section has  
23 immunity from any civil liability in excess of \$25,000 for acts or omissions by or  
24 impacting on the parolee or person on extended supervision. The department has

1 immunity from any civil liability for acts or omissions by or impacting on the parolee  
2 or person on extended supervision regarding the assignment under this section.

3 **SECTION 234.** 304.063 (title) of the statutes is amended to read:

4 **304.063 (title) Notification prior to release on extended supervision or**  
5 **parole.**

6 **SECTION 235.** 304.063 (2) (intro.) of the statutes is amended to read:

7 304.063 (2) (intro.) Before a prisoner is released on parole under s. 302.11,  
8 304.02 or 304.06 or on extended supervision under s. 302.113 or 302.114, if  
9 applicable, for a violation of s. 940.01, 940.03, 940.05, 940.225 (1) or (2), 948.02 (1)  
10 or (2), 948.025, 948.06 or 948.07, the department shall make a reasonable effort to  
11 notify all of the following persons, if they can be found, in accordance with sub. (3)  
12 and after receiving a completed card under sub. (4):

13 **SECTION 236.** 304.063 (3) of the statutes is amended to read:

14 304.063 (3) The department shall make a reasonable effort to send the notice,  
15 postmarked at least 7 days before a prisoner is released on parole or extended  
16 supervision, to the last-known address of the persons under sub. (2).

17 **SECTION 237.** 304.071 (2) of the statutes is amended to read:

18 304.071 (2) If a prisoner is not eligible for parole under s. 939.62 (2m), 961.49  
19 (2), 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he or she is not eligible for parole  
20 under this section.

21 **SECTION 238.** 304.072 (title) of the statutes is amended to read:

22 **304.072 (title) Period of probation, extended supervision or parole**  
23 **tolled.**

24 **SECTION 239.** 304.072 (1) of the statutes is amended to read:

1           304.072 (1) If the department of corrections in the case of a parolee ~~or~~,  
2           probationer or person on extended supervision who is reinstated or waives a hearing  
3           or the division of hearings and appeals in the department of administration in the  
4           case of a hearing determines that a parolee ~~or~~, probationer or person on extended  
5           supervision has violated the terms of his or her supervision, the department or  
6           division may toll all or any part of the period of time between the date of the violation  
7           and the date an order of revocation or reinstatement is entered, subject to credit  
8           according to the terms of s. 973.155 for any time the parolee ~~or~~, probationer or person  
9           on extended supervision spent confined in connection with the violation.

10           **SECTION 240.** 304.072 (2) of the statutes is amended to read:

11           304.072 (2) If a parolee ~~or~~, probationer or person on extended supervision is  
12           alleged to have violated the terms of his or her supervision but the department or  
13           division determines that the alleged violation was not proven, the period between the  
14           alleged violation and the determination shall be treated as service of the  
15           probationary, extended supervision or parole period.

16           **SECTION 241.** 304.072 (3) of the statutes is amended to read:

17           304.072 (3) Except as provided in s. 973.09 (3) (b), the department preserves  
18           jurisdiction over a probationer ~~or~~, parolee or person on extended supervision if it  
19           commences an investigation, issues a violation report or issues an apprehension  
20           request concerning an alleged violation prior to the expiration of the probationer's  
21           ~~or~~, parolee's or person's term of supervision.

22           **SECTION 242.** 304.072 (4) of the statutes is amended to read:

23           304.072 (4) The sentence of a revoked parolee or person on extended  
24           supervision resumes running on the day he or she is received at a correctional  
25           institution subject to sentence credit for the period of custody in a jail, correctional

1 institution or any other detention facility pending revocation according to the terms  
2 of s. 973.155.

3 **SECTION 243.** 304.073 (2) of the statutes, as affected by 1997 Wisconsin Act 27,  
4 is amended to read:

5 304.073 (2) Beginning on January 1, 1996, the department shall charge a fee  
6 to any probationer ~~or~~, parolee or person on extended supervision who is under  
7 minimum or administrative supervision and is supervised by the department. The  
8 fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The  
9 department shall set the fee sufficient to cover the cost of supervision. The  
10 department shall collect moneys for the fee charged under this subsection and credit  
11 those moneys to the appropriation account under s. 20.410 (1) (ge).

12 **SECTION 244.** 304.073 (2m) (a) of the statutes, as created by 1997 Wisconsin Act  
13 27, is amended to read:

14 304.073 (2m) (a) If a probationer ~~or~~, parolee or person on extended supervision  
15 who owes unpaid fees to the department under sub. (2) is discharged from probation  
16 or from his or her sentence before the department collects the unpaid fees, the  
17 department shall, at the time of discharge, issue a notice to the probationer ~~or~~,  
18 parolee or person on extended supervision that states that he or she owes unpaid fees  
19 under sub. (2) and that he or she is responsible for the payment of the unpaid fees.  
20 The notice under this paragraph shall be issued with the certificate of discharge  
21 required under s. 304.078 or 973.09 (5).

22 **SECTION 245.** 304.073 (4) of the statutes, as created by 1997 Wisconsin Act 27,  
23 is amended to read:

24 304.073 (4) The department may decide not to charge a fee under sub. (2) to  
25 any probationer ~~or~~, parolee or person on extended supervision if the probationer ~~or~~,



1 parolee or person on extended supervision demonstrates that he or she is unable to  
2 pay the fee because of any of the following:

3 (a) The probationer ~~or~~, parolee or person on extended supervision is undergoing  
4 treatment approved by the department and is unable to work.

5 (b) The probationer ~~or~~, parolee or person on extended supervision has a  
6 statement from a physician certifying to the department that the probationer ~~or~~,  
7 parolee or person on extended supervision should be excused from working for  
8 medical reasons.

9 **SECTION 246.** 304.074 (title) of the statutes is amended to read:

10 **304.074** (title) **Reimbursement fee for persons on probation and,**  
11 **parole, and extended supervision.**

12 **SECTION 247.** 304.074 (2) of the statutes is amended to read:

13 304.074 (2) Beginning on January 1, 1996, the department shall charge a fee  
14 to probationers ~~and~~, parolees and persons on extended supervision to partially  
15 reimburse the department for the costs of providing supervision and services. The  
16 department shall set varying rates for probationers ~~and~~, parolees or persons on  
17 extended supervision based on ability to pay and with the goal of receiving at least  
18 \$1 per day, if appropriate, from each probationer ~~and~~, parolee and person on  
19 extended supervision. The department shall not charge a fee while the probationer  
20 ~~or~~, parolee or person on extended supervision is exempt under sub. (3). The  
21 department shall collect moneys for the fees charged under this subsection and credit  
22 those moneys to the appropriation account under s. 20.410 (1) (gf).

23 **SECTION 248.** 304.074 (3) (intro.) of the statutes is amended to read:

1           304.074 (3) (intro.) The department may decide not to charge a fee under sub.  
2 (2) to any probationer ~~or~~, parolee or person on extended supervision while he or she  
3 meets any of the following conditions:

4           **SECTION 249.** 304.074 (3) (d) of the statutes is amended to read:

5           304.074 (3) (d) Has a statement from a physician certifying to the department  
6 that the probationer ~~or~~, parolee or person on extended supervision should be excused  
7 from working for medical reasons.

8           **SECTION 250.** 304.074 (4) of the statutes is amended to read:

9           304.074 (4) The fee under sub. (2) does not apply to any probationer ~~or~~, parolee  
10 or person on extended supervision who is under minimum or administrative  
11 supervision.

12           **SECTION 251.** 304.074 (4m) (a) of the statutes, as created by 1997 Wisconsin Act  
13 27, is amended to read:

14           304.074 (4m) (a) If a probationer ~~or~~, parolee or person on extended supervision  
15 who owes unpaid fees to the department under sub. (2) is discharged from probation  
16 or from his or her sentence before the department collects the unpaid fees, the  
17 department shall, at the time of discharge, issue a notice to the probationer ~~or~~,  
18 parolee or person on extended supervision that states that he or she owes unpaid fees  
19 under sub. (2) and that he or she is responsible for the payment of the unpaid fees.  
20 The notice under this paragraph shall be issued with the certificate of discharge  
21 required under s. 304.078 or 973.09 (5).

22           **SECTION 252.** 304.075 of the statutes is amended to read:

23           **304.075** (title)   ~~Probationer and parolee loan~~ **Loan fund for**  
24 **probationers, parolees and persons on extended supervision.** The  
25 department shall create a revolving fund out of any moneys in its hands belonging

1 to probationers ~~and~~, parolees or persons on extended supervision who absconded, or  
2 whose whereabouts are unknown. The fund shall be used to defray the expenses of  
3 clothing, transportation, maintenance and other necessities for probationers ~~and~~,  
4 parolees and persons on extended supervision who are without means to secure those  
5 necessities. All payments made from the fund shall be repaid by probationers ~~or~~,  
6 parolees or persons on extended supervision for whose benefit they are made  
7 whenever possible; and any moneys belonging to them so paid into the revolving fund  
8 shall be repaid to them in accordance with law, in case a claim therefor is filed with  
9 the department upon showing the legal right of the claimant to such money.

10 **SECTION 253.** 304.13 (1) (intro.) of the statutes is amended to read:

11 304.13 (1) (intro.) That it shall be competent for the duly constituted judicial  
12 and administrative authorities of a sending state to permit any person convicted of  
13 an offense within the sending state and placed on probation or released on extended  
14 supervision or parole to reside in any receiving state while on probation, extended  
15 supervision or parole, if:

16 **SECTION 254.** 304.13 (2) of the statutes is amended to read:

17 304.13 (2) That each receiving state will assume the duties of visitation of and  
18 supervision over probationers, persons on extended supervision or parolees of any  
19 sending state and in the exercise of those duties will be governed by the same  
20 standards that prevail for its own probationers, persons on extended supervision and  
21 parolees.

22 **SECTION 255.** 304.13 (3) of the statutes is amended to read:

23 304.13 (3) That the duly accredited officers of a sending state may at all times  
24 enter a receiving state and there apprehend and retake any person on probation,  
25 extended supervision or parole. For that purpose no formalities will be required

1 other than establishing the authority of the officer and the identity of the person to  
2 be retaken. All legal requirements to obtain extradition of fugitives from justice are  
3 expressly waived on the part of states party hereto, as to such persons. The decision  
4 of the sending state to retake a person on probation, extended supervision or parole  
5 shall be conclusive upon and not reviewable within the receiving state; provided,  
6 however, that if at the time when a state seeks to retake a probationer, person on  
7 extended supervision or parolee there should be pending against that person within  
8 the receiving state any criminal charge, or that person should be suspected of having  
9 committed within such state a criminal offense, that person shall not be retaken  
10 without the consent of the receiving state until discharged from prosecution or from  
11 imprisonment for such offense.

12 **SECTION 256.** 304.13 (7) of the statutes is amended to read:

13 304.13 (7) That this compact shall continue in force and remain binding upon  
14 such ratifying state until renounced by it. The duties and obligations hereunder of  
15 a renouncing state shall continue as to parolees, persons on extended supervision or  
16 probationers residing therein at the time of withdrawal or until finally discharged  
17 by the sending state. Renunciation of this compact shall be by the same authority  
18 which ratified it, by sending 6 months' notice in writing of its intention to withdraw  
19 the compact to the other states party thereto.

20 **SECTION 257.** 304.13 (8) (b) of the statutes is amended to read:

21 304.13 (8) (b) "Sending state" means a party to this compact permitting its  
22 probationers, persons on extended supervision and parolees to reside in a receiving  
23 state.

24 **SECTION 258.** 304.135 of the statutes is amended to read:

1           **304.135** (title) **Out-of-state parolee supervision of parolees and**  
2 **persons on extended supervision without compact.** The department may  
3 permit any person convicted of an offense within this state and placed on probation  
4 or released on extended supervision or parole to reside in any other state not a party  
5 to the compact authorized by s. 304.13 whenever the authorities of the receiving state  
6 agree to assume the duties of visitation of and supervision over the probationer,  
7 person on extended supervision or parolee, governed by the same standards that  
8 prevail for its own probationers, persons on extended supervision and parolees, on  
9 the same terms as are provided in s. 304.13 (1) and (2) in the case of states signatory  
10 to the compact. Before permitting any probationer, person on extended supervision  
11 or parolee to leave this state under this section, the department shall obtain from him  
12 or her a signed agreement to return to this state upon demand of the department and  
13 an irrevocable waiver of all procedure incidental to extradition. The department  
14 may, in like manner, receive for supervision probationers, persons on extended  
15 supervision and parolees convicted in states not signatory to the compact, and shall  
16 have the same custody and control of those persons as it has over probationers,  
17 persons on extended supervision and parolees of this state.

18           **SECTION 259.** 304.137 of the statutes is amended to read:

19           **304.137 Determination concerning submission of human biological**  
20 **specimen.** If the department accepts supervision of a probationer, person on  
21 extended supervision or parolee from another state under s. 304.13 or 304.135, the  
22 department shall determine whether the violation of law for which the person is on  
23 probation, extended supervision or parole is comparable to a violation of s. 940.225  
24 (1) or (2), 948.02 (1) or (2) or 948.025. If the department determines that a person  
25 on probation, extended supervision or parole from another state violated a law that

1 is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the  
2 department shall direct the probationer, person on extended supervision or parolee  
3 to provide a biological specimen under s. 165.76.

4 **SECTION 260.** 304.14 of the statutes is amended to read:

5 **304.14 (title) Cooperative return of parole, extended supervision and**  
6 **probation violators.** The secretary may deputize any person regularly employed  
7 by another state to act as an officer and agent of this state in effecting the return of  
8 any person who has violated the terms and conditions of parole, extended  
9 supervision or probation as granted by this state. In any matter relating to the  
10 return of such person, any agent so deputized shall have all the powers of a police  
11 officer of this state. Any deputization pursuant to this section shall be in writing and  
12 any person authorized to act as an agent under this section shall carry formal  
13 evidence of the deputization and shall produce the same upon demand.

14 **SECTION 261.** 341.605 (3) of the statutes is amended to read:

15 341.605 (3) Whoever violates sub. (1) or (2) may be fined not more than \$5,000  
16 or imprisoned for not more than ~~5~~ 7 years and 6 months, or both, for each violation.

17 **SECTION 262.** 342.06 (2) of the statutes is amended to read:

18 342.06 (2) Any person who knowingly makes a false statement in an  
19 application for a certificate of title may be fined not more than \$5,000 or imprisoned  
20 not more than ~~5~~ 7 years and 6 months or both.

21 **SECTION 263.** 342.065 (4) (b) of the statutes is amended to read:

22 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud may be  
23 fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months  
24 or both.

25 **SECTION 264.** 342.155 (4) (b) of the statutes is amended to read:

1           342.155 (4) (b) Any person who violates this section with intent to defraud may  
2 be fined not more than \$5,000 or imprisoned for not more than 5 7 years and 6 months  
3 or both.

4           **SECTION 265.** 342.156 (6) (b) of the statutes is amended to read:

5           342.156 (6) (b) Any person who violates this section with intent to defraud may  
6 be fined not more than \$5,000 or imprisoned for not more than 5 7 years and 6 months  
7 or both.

8           **SECTION 266.** 342.30 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
9 27, is amended to read:

10           342.30 (3) (a) Any person who violates sub. (1g) may be fined not more than  
11 \$5,000 or imprisoned for not more than 5 7 years and 6 months or both.

12           **SECTION 267.** 342.32 (3) of the statutes is amended to read:

13           342.32 (3) Whoever violates sub. (1) or (2) may be fined not more than \$5,000  
14 or imprisoned for not more than 5 7 years and 6 months, or both, for each violation.

15           **SECTION 268.** 343.06 (1) (i) of the statutes is amended to read:

16           343.06 (1) (i) To any person who has been convicted of any offense specified  
17 under ss. 940.225, 948.02, 948.025 and 948.07 or adjudged delinquent under ch. 938  
18 for a like or similar offense, when the sentencing court makes a finding that issuance  
19 of a license will be inimical to the public safety and welfare. The prohibition against  
20 issuance of a license to the offenders shall apply immediately upon receipt of a record  
21 of the conviction and the court finding by the secretary, for a period of one year or  
22 until discharge from any jail or prison sentence or any period of probation, extended  
23 supervision or parole with respect to the offenses specified, whichever date is the  
24 later. Receipt by the offender of a certificate of discharge from the department of  
25 corrections or other responsible supervising agency, after one year has elapsed since

1 the prohibition began, entitles the holder to apply for an operator's license. The  
2 applicant may be required to present the certificate of discharge to the secretary if  
3 the latter deems it necessary.

4 **SECTION 269.** 343.30 (2d) of the statutes is amended to read:

5 343.30 (2d) A court may suspend or revoke a person's operating privilege upon  
6 conviction of any offense specified under ss. 940.225, 948.02, 948.025 and 948.07, if  
7 the court finds that it is inimical to the public safety and welfare for the offender to  
8 have operating privileges. The suspension or revocation shall be for one year or until  
9 discharge from prison or jail sentence or probation, extended supervision or parole  
10 with respect to the offenses specified, whichever date is later. Receipt of a certificate  
11 of discharge from the department of corrections or other responsible supervising  
12 agency, after one year has elapsed since the suspension or revocation, entitles the  
13 holder to reinstatement of operating privileges. The holder may be required to  
14 present the certificate to the secretary if the secretary deems necessary.

15 **SECTION 270.** 344.48 (2) of the statutes is amended to read:

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

18 **SECTION 271.** 346.17 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
19 88, is amended to read:

20 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
21 346.04 (3) shall be fined not less than \$600 nor more than \$10,000 and may be  
22 imprisoned for not more than 2 3 years.

23 **SECTION 272.** 346.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act  
24 88, is amended to read:



1           346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
2           to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
3           the person shall be fined not less than \$1,000 nor more than \$10,000 and may be  
4           imprisoned for not more than ~~2~~ 3 years.

5           **SECTION 273.** 346.17 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
6           88, is amended to read:

7           346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
8           (14), to another, the person shall be fined not less than \$1,100 nor more than \$10,000  
9           and may be imprisoned for not more than ~~2~~ 3 years.

10          **SECTION 274.** 346.17 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
11          88, is amended to read:

12          346.17 (3) (d) If the violation results in the death of another, the person shall  
13          be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not  
14          more than ~~5~~ 7 years and 6 months.

15          **SECTION 275.** 346.65 (5) of the statutes is amended to read:

16          346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)  
17          shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for  
18          not less than 90 days nor more than ~~18~~ 2 years and 3 months.

19          **SECTION 276.** 346.74 (5) (b) of the statutes is amended to read:

20          346.74 (5) (b) Shall be fined not less than \$300 nor more than \$5,000 or  
21          imprisoned not less than 10 days nor more than ~~one year~~ 2 years or both if the  
22          accident involved injury to a person but the person did not suffer great bodily harm.

23          **SECTION 277.** 346.74 (5) (c) of the statutes is amended to read:

1           346.74 (5) (c) May be fined not more than \$10,000 or imprisoned not more than  
2    ~~2~~ 3 years or both if the accident involved injury to a person and the person suffered  
3    great bodily harm.

4           **SECTION 278.** 346.74 (5) (d) of the statutes is amended to read:

5           346.74 (5) (d) May be fined not more than \$10,000 or imprisoned not more than  
6    ~~5~~ 7 years and 6 months or both if the accident involved death to a person.

7           **SECTION 279.** 350.11 (2m) of the statutes is amended to read:

8           350.11 (2m) Any person who violates s. 350.135 (1) shall be fined not more than  
9    \$10,000 or imprisoned for not more than ~~2~~ 3 years or both if the violation causes the  
10   death or injury, as defined in s. 30.67 (3) (b), of another person.

11          **SECTION 280.** 446.07 of the statutes is amended to read:

12          **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100  
13   nor more than \$500, or imprisoned for not more than ~~one year~~ 2 years or both.

14          **SECTION 281.** 447.09 of the statutes is amended to read:

15          **447.09 Penalties.** Any person who violates this chapter may be fined not more  
16   than \$1,000 or imprisoned for not more than one year in the county jail or both for  
17   the first offense and may be fined not more than \$2,500 or imprisoned for not more  
18   than ~~2~~ 3 years or both for the 2nd or subsequent conviction within 5 years.

19          **SECTION 282.** 450.11 (9) (b) of the statutes is amended to read:

20          450.11 (9) (b) Any person who delivers, or who possesses with intent to  
21   manufacture or deliver, a prescription drug in violation of this section may be fined  
22   not more than \$10,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or  
23   both.

24          **SECTION 283.** 450.14 (5) of the statutes is amended to read:

1           450.14 (5) Any person who violates this section may be fined not less than \$100  
2           nor more than \$1,000 or imprisoned for not less than one year nor more than 5 7 years  
3           and 6 months or both.

4           **SECTION 284.** 450.15 (2) of the statutes is amended to read:

5           450.15 (2) Any person who violates this section may be fined not less than \$100  
6           nor more than \$1,000 or imprisoned for not less than one year nor more than 5 7 years  
7           and 6 months or both.

8           **SECTION 285.** 551.58 (1) of the statutes is amended to read:

9           551.58 (1) Any person who wilfully violates any provision of this chapter except  
10          s. 551.54, or any rule under this chapter, or any order of which the person has notice,  
11          or who violates s. 551.54 knowing or having reasonable cause to believe that the  
12          statement made was false or misleading in any material respect, may be fined not  
13          more than \$5,000 or imprisoned for not more than 5 7 years and 6 months or both.  
14          Each of the acts specified shall constitute a separate offense and a prosecution or  
15          conviction for any one of such offenses shall not bar prosecution or conviction for any  
16          other offense.

17          **SECTION 286.** 552.19 (1) of the statutes is amended to read:

18          552.19 (1) Any person, including a controlling person of an offer or target  
19          company, who wilfully violates this chapter or any rule under this chapter, or any  
20          order of which the person has notice, may be fined not more than \$5,000 or  
21          imprisoned for not more than 5 7 years and 6 months or both. Each of the acts  
22          specified constitutes a separate offense and a prosecution or conviction for any one  
23          of the offenses does not bar prosecution or conviction for any other offense.

24          **SECTION 287.** 553.52 (1) of the statutes is amended to read:

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

9           **SECTION 288.** 553.52 (2) of the statutes is amended to read:

10          553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
11          or artifice to defraud in connection with the offer or sale of any franchise or engages,  
12          directly or indirectly, in any act, practice, or course of business which operates or  
13          would operate as a fraud or deceit upon any person in connection with the offer or  
14          sale of any franchise shall be fined not more than \$5,000 or imprisoned for not more  
15          than 5 7 years and 6 months or both.

16          **SECTION 289.** 562.13 (3) of the statutes is amended to read:

17          562.13 (3) Whoever violates s. 562.11 (2) or (3) may be fined not more than  
18          \$10,000 or imprisoned for not more than 2 3 years or both.

19          **SECTION 290.** 562.13 (4) of the statutes is amended to read:

20          562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 may be  
21          fined not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months  
22          or both.

23          **SECTION 291.** 563.14 (2) of the statutes is amended to read:

24          563.14 (2) The supervising member and member responsible for the proper  
25          utilization of gross receipts are active members of the applicant organization who,

1 subject to ss. 111.321, 111.322 and 111.335, have never been convicted of a felony or,  
2 if convicted, have received a pardon or have been released from parole, extended  
3 supervision or probation for at least 5 years.

4 **SECTION 292.** 563.27 (1) of the statutes is amended to read:

5 563.27 (1) Subject to ss. 111.321, 111.322 and 111.335, a person convicted of a  
6 felony who has not received a pardon or has not been released from parole, extended  
7 supervision or probation for at least 5 years.

8 **SECTION 293.** 563.51 (29) (b) of the statutes is amended to read:

9 563.51 (29) (b) Subject to ss. 111.321, 111.322 and 111.335, has never been  
10 convicted of a felony or, if convicted, has been pardoned or released from probation,  
11 extended supervision or parole for at least 5 years.

12 **SECTION 294.** 565.50 (2) of the statutes is amended to read:

13 565.50 (2) Any person who alters or forges a lottery ticket or share or  
14 intentionally utters or transfers an altered or forged lottery ticket or share shall be  
15 fined not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months  
16 or both.

17 **SECTION 295.** 565.50 (3) of the statutes is amended to read:

18 565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
19 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
20 more than 2 3 years or both.

21 **SECTION 296.** 601.64 (4) of the statutes, as affected by 1997 Wisconsin Act 27,  
22 is amended to read:

23 601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
24 permits any person over whom he or she has authority to violate or intentionally aids  
25 any person in violating any insurance statute or rule of this state, s. 149.13 or

1 149.144 or any effective order issued under s. 601.41 (4) may, unless a specific penalty  
2 is provided elsewhere in the statutes, be fined not more than \$10,000 if a corporation  
3 or if a natural person be fined not more than \$5,000 or imprisoned for not to exceed  
4 3 more than 4 years and 6 months or both. Intent has the meaning expressed under  
5 s. 939.23.

6 **SECTION 297.** 641.19 (4) (a) of the statutes is amended to read:

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

13 **SECTION 298.** 641.19 (4) (b) of the statutes is amended to read:

14 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully  
15 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
16 funds, securities, premiums, credits, property, or other assets of any employe welfare  
17 fund, or of any fund connected therewith, shall be fined not more than \$10,000 or  
18 imprisoned for not more than 5 7 years, and 6 months or both.

19 **SECTION 299.** 765.30 (1) (intro.) of the statutes is amended to read:

20 765.30 (1) (intro.) The following shall be fined not less than \$200 nor more  
21 than \$1,000, or imprisoned for not more than ~~one year,~~ 2 years or both:

22 **SECTION 300.** 765.30 (2) (intro.) of the statutes is amended to read:

23 765.30 (2) (intro.) The following shall be fined not less than \$100 nor more  
24 than \$1,000, or imprisoned for not more than ~~one year,~~ 2 years or both:

25 **SECTION 301.** 768.07 of the statutes is amended to read:

1           **768.07 Penalty.** Any person who violates any provision of this chapter may  
2 be fined not less than \$100 nor more than \$1,000 or imprisoned for not more than ~~one~~  
3 ~~year,~~ 2 years or both.

4           **SECTION 302.** 783.07 of the statutes is amended to read:

5           **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
6 directed to any public officer, body, board or person, commanding the performance  
7 of any duty specially enjoined by law, if it shall appear to the court that such officer  
8 or person or any member of such body or board has, without just excuse, refused or  
9 neglected to perform the duty so enjoined the court may impose a fine, not exceeding  
10 \$5,000, upon every such officer, person or member of such body or board, or sentence  
11 the officer, person or member to imprisonment for ~~a term not exceeding 5~~ more than  
12 7 years and 6 months.

13           **SECTION 303.** 801.50 (5) of the statutes is amended to read:

14           801.50 (5) Venue of an action to review a probation, extended supervision or  
15 parole revocation or a refusal of parole by certiorari shall be the county in which the  
16 relator was last convicted of an offense for which the relator was on probation,  
17 extended supervision or parole or for which the relator is currently incarcerated.

18           **SECTION 304.** 938.183 (3) of the statutes, as affected by 1997 Wisconsin Act 27,  
19 is amended to read:

20           938.183 (3) When a juvenile who is subject to a criminal penalty under sub.  
21 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a  
22 state prison named in s. 302.01. If a juvenile who is subject to a criminal penalty  
23 under sub. (1m) or (2) is 15 years of age or over, the department may transfer the  
24 juvenile to the Racine youthful offender correctional facility named in s. 302.01 as  
25 provided in s. 938.357 (4) (d). A juvenile who is subject to a criminal penalty under

1 sub. (1m) or (2) for an act committed before July 1, 1999, is eligible for parole under  
2 s. 304.06.

3 **SECTION 305.** 938.78 (2) (d) 5. of the statutes is amended to read:

4 938.78 (2) (d) 5. On parole under s. 302.11 or ch. 304 or on extended supervision  
5 under s. 302.113 or 302.114.

6 **SECTION 306.** 938.991 (1) of the statutes is amended to read:

7 938.991 (1) ARTICLE I - FINDINGS AND PURPOSES. That juveniles who are not  
8 under proper supervision and control, or who have absconded, escaped or run away,  
9 are likely to endanger their own health, morals and welfare, and the health, morals  
10 and welfare of others. The cooperation of the states party to this compact is therefore  
11 necessary to provide for the welfare and protection of juveniles and of the public with  
12 respect to (1) cooperative supervision of delinquent juveniles on probation, extended  
13 supervision or parole; (2) the return, from one state to another, of delinquent  
14 juveniles who have escaped or absconded; (3) the return, from one state to another,  
15 of nondelinquent juveniles who have run away from home; and (4) additional  
16 measures for the protection of juveniles and of the public, which any 2 or more of the  
17 party states may find desirable to undertake cooperatively. In carrying out the  
18 provisions of this compact the party states shall be guided by the noncriminal,  
19 reformatory and protective policies which guide their laws concerning delinquent,  
20 neglected or dependent juveniles generally. It shall be the policy of the states party  
21 to this compact to cooperate and observe their respective responsibilities for the  
22 prompt return and acceptance of juveniles and delinquent juveniles who become  
23 subject to the provisions of this compact. The provisions of this compact shall be  
24 reasonably and liberally construed to accomplish the foregoing purposes.

25 **SECTION 307.** 938.991 (3) (c) of the statutes is amended to read:



1           938.991 (3) (c) “Probation, extended supervision or parole” means any kind of  
2 conditional release of juveniles authorized under the laws of the states party hereto.

3           **SECTION 308.** 938.991 (5) (a) of the statutes is amended to read:

4           938.991 (5) (a) That the appropriate person or authority from whose probation,  
5 extended supervision or parole supervision a delinquent juvenile has absconded or  
6 from whose institutional custody the delinquent juvenile has escaped shall present  
7 to the appropriate court or to the executive authority of the state where the  
8 delinquent juvenile is alleged to be located a written requisition for the return of the  
9 delinquent juvenile. The requisition shall state the name and age of the delinquent  
10 juvenile, the particulars of that person’s adjudication as a delinquent juvenile, the  
11 circumstances of the breach of the terms of the delinquent juvenile’s probation,  
12 extended supervision or parole or of the delinquent juvenile’s escape from an  
13 institution or agency vested with legal custody or supervision of the delinquent  
14 juvenile, and the location of the delinquent juvenile, if known, at the time the  
15 requisition is made. The requisition shall be verified by affidavit, shall be executed  
16 in duplicate, and shall be accompanied by 2 certified copies of the judgment, formal  
17 adjudication, or order of commitment which subjects the delinquent juvenile to  
18 probation, extended supervision or parole or to the legal custody of the institution or  
19 agency concerned. Further affidavits and other documents as may be deemed proper  
20 may be submitted with the requisition. One copy of the requisition shall be filed with  
21 the compact administrator of the demanding state, there to remain on file subject to  
22 the provisions of law governing records of the appropriate court. Upon the receipt  
23 of a requisition demanding the return of a delinquent juvenile who has absconded  
24 or escaped, the court or the executive authority to whom the requisition is addressed  
25 shall issue an order to any peace officer or other appropriate person directing that

1 person to take into custody and detain the delinquent juvenile. The detention order  
2 must substantially recite the facts necessary to the validity of its issuance hereunder.  
3 No delinquent juvenile detained upon a detention order shall be delivered over to the  
4 officer whom the appropriate person or authority demanding the delinquent juvenile  
5 shall have appointed to receive the delinquent juvenile, unless the delinquent  
6 juvenile shall first be taken forthwith before a judge of an appropriate court in the  
7 state, who shall inform the delinquent juvenile of the demand made for the return  
8 of the delinquent juvenile and who may appoint counsel or guardian ad litem for the  
9 delinquent juvenile. If the judge shall find that the requisition is in order, the judge  
10 shall deliver the delinquent juvenile over to the officer whom the appropriate person  
11 or authority demanding shall have appointed to receive the delinquent juvenile. The  
12 judge, however, may fix a reasonable time to be allowed for the purpose of testing the  
13 legality of the proceeding.

14 **SECTION 309.** 938.991 (5) (am) of the statutes is amended to read:

15 938.991 (5) (am) Upon reasonable information that a person is a delinquent  
16 juvenile who has absconded while on probation, extended supervision or parole, or  
17 escaped from an institution or agency vested with legal custody or supervision of the  
18 person in any state party to this compact, the person may be taken into custody in  
19 any other state party to this compact without a requisition. In that event, the person  
20 must be taken forthwith before a judge of the appropriate court, who may appoint  
21 counsel or guardian ad litem for the person and who shall determine, after a hearing,  
22 whether sufficient cause exists to hold the person subject to the order of the court for  
23 a time, not exceeding 90 days, as will enable the person's detention under a detention  
24 order issued on a requisition pursuant to this subsection. If, at the time when a state  
25 seeks the return of a delinquent juvenile who has either absconded while on

1     probation, extended supervision or parole or escaped from an institution or agency  
2     vested with legal custody or supervision of the delinquent juvenile, there is pending  
3     in the state wherein the delinquent juvenile is detained any criminal charge or any  
4     proceeding to have the delinquent juvenile adjudicated a delinquent juvenile for an  
5     act committed in that state, or if the delinquent juvenile is suspected of having  
6     committed within such state a criminal offense or an act of juvenile delinquency, the  
7     delinquent juvenile shall not be returned without the consent of that state until  
8     discharged from prosecution or other form of proceeding, imprisonment, detention  
9     or supervision for such offense or juvenile delinquency. The duly accredited officers  
10    of any state party to this compact, upon the establishment of the officers' authority  
11    and the identity of the delinquent juvenile being returned, shall be permitted to  
12    transport the delinquent juvenile through any and all states party to this compact,  
13    without interference. Upon the return of the delinquent juvenile to the state from  
14    which the delinquent juvenile escaped or absconded, the delinquent juvenile shall  
15    be subject to such further proceedings as may be appropriate under the laws of that  
16    state.

17           **SECTION 310.** 938.991 (6) of the statutes is amended to read:

18           938.991 (6) ARTICLE VI - VOLUNTARY RETURN PROCEDURE. That any delinquent  
19    juvenile who has absconded while on probation, extended supervision or parole, or  
20    escaped from an institution or agency vested with legal custody or supervision of the  
21    delinquent juvenile in any state party to this compact, and any juvenile who has run  
22    away from any state party to this compact, who is taken into custody without a  
23    requisition in another state party to this compact under sub. (4) (a) or (5) (a), may  
24    consent to his or her immediate return to the state from which the juvenile or  
25    delinquent juvenile absconded, escaped or ran away. Consent shall be given by the

1 juvenile or delinquent juvenile and his or her counsel or guardian ad litem, if any,  
2 by executing or subscribing a writing, in the presence of a judge of the appropriate  
3 court, which states that the juvenile or delinquent juvenile and his or her counsel or  
4 guardian ad litem, if any, consent to the return of the juvenile or delinquent juvenile  
5 to the demanding state. Before the consent shall be executed or subscribed, however,  
6 the judge, in the presence of counsel or guardian ad litem, if any, shall inform the  
7 juvenile or delinquent juvenile of his or her rights under this compact. When the  
8 consent has been duly executed, it shall be forwarded to and filed with the compact  
9 administrator of the state in which the court is located and the judge shall direct the  
10 officer having the juvenile or delinquent juvenile in custody to deliver the juvenile  
11 or delinquent juvenile to the duly accredited officer or officers of the state demanding  
12 the return of the juvenile or delinquent juvenile, and shall cause to be delivered to  
13 the officer or officers a copy of the consent. The court may, however, upon the request  
14 of the state to which the juvenile or delinquent juvenile is being returned, order the  
15 juvenile or delinquent juvenile to return unaccompanied to that state and shall  
16 provide the juvenile or delinquent juvenile with a copy of the court order; in that  
17 event a copy of the consent shall be forwarded to the compact administrator of the  
18 state to which the juvenile or delinquent juvenile is ordered to return.

19 **SECTION 311.** 938.991 (7) (title) of the statutes is amended to read:

20 938.991 (7) (title) ARTICLE VII - COOPERATIVE SUPERVISION OF PROBATIONERS,  
21 PERSONS ON EXTENDED SUPERVISION AND PAROLEES.

22 **SECTION 312.** 938.991 (7) (a) of the statutes is amended to read:

23 938.991 (7) (a) That the duly constituted judicial and administrative  
24 authorities of a state party to this compact (herein called "sending state") may permit  
25 any delinquent juvenile within such state, placed on probation, extended supervision

1 or parole, to reside in any other state party to this compact (herein called “receiving  
2 state”) while on probation, extended supervision or parole, and the receiving state  
3 shall accept such delinquent juvenile, if the parent, guardian or person entitled to  
4 the legal custody of such delinquent juvenile is residing or undertakes to reside  
5 within the receiving state. Before granting such permission, opportunity shall be  
6 given to the receiving state to make such investigations as it deems necessary. The  
7 authorities of the sending state shall send to the authorities of the receiving state  
8 copies of pertinent court orders, social case studies and all other available  
9 information which may be of value to and assist the receiving state in supervising  
10 a probationer ~~or~~, parolee or person under extended supervision under this compact.  
11 A receiving state, in its discretion, may agree to accept supervision of a probationer  
12 ~~or~~, parolee or person under extended supervision in cases where the parent, guardian  
13 or person entitled to legal custody of the delinquent juvenile is not a resident of the  
14 receiving state, and if so accepted the sending state may transfer supervision  
15 accordingly.

16 **SECTION 313.** 938.991 (7) (b) of the statutes is amended to read:

17 938.991 (7) (b) That each receiving state will assume the duties of visitation  
18 and of supervision over any such delinquent juvenile and in the exercise of those  
19 duties will be governed by the same standards of visitation and supervision that  
20 prevail for its own delinquent juveniles released on probation, extended supervision  
21 or parole.

22 **SECTION 314.** 938.991 (7) (c) of the statutes is amended to read:

23 938.991 (7) (c) That, after consultation between the appropriate authorities of  
24 the sending state and of the receiving state as to the desirability and necessity of  
25 returning such a delinquent juvenile, the duly accredited officers of a sending state

1 may enter a receiving state and there apprehend and retake any such delinquent  
2 juvenile on probation, extended supervision or parole. For that purpose, no  
3 formalities will be required, other than establishing the authority of the officer and  
4 the identity of the delinquent juvenile to be retaken and returned. The decision of  
5 the sending state to retake a delinquent juvenile on probation, extended supervision  
6 or parole shall be conclusive upon and not reviewable within the receiving state, but  
7 if, at the time the sending state seeks to retake a delinquent juvenile on probation,  
8 extended supervision or parole, there is pending against the delinquent juvenile  
9 within the receiving state any criminal charge or any proceeding to have the  
10 delinquent juvenile adjudicated a delinquent juvenile for any act committed in that  
11 state, or if the delinquent juvenile is suspected of having committed within that state  
12 a criminal offense or an act of juvenile delinquency, the delinquent juvenile shall not  
13 be returned without the consent of the receiving state until discharged from  
14 prosecution or other form of proceeding, imprisonment, detention or supervision for  
15 such offense or juvenile delinquency. The duly accredited officers of the sending state  
16 shall be permitted to transport delinquent juveniles being so returned through any  
17 and all states party to this compact, without interference.

18 **SECTION 315.** 938.991 (14) of the statutes is amended to read:

19 938.991 (14) ARTICLE XIV - RENUNCIATION. That this compact shall continue in  
20 force and remain binding upon each executing state until renounced by it.  
21 Renunciation of this compact shall be by the same authority which executed it, by  
22 sending 6 months notice in writing of its intention to withdraw from the compact to  
23 the other states party hereto. The duties and obligations of a renouncing state under  
24 sub. (7) shall continue as to parolees and, probationers and persons on extended  
25 supervision residing therein at the time of withdrawal until retaken or finally

1 discharged. Supplementary agreements entered into under sub. (10) shall be subject  
2 to renunciation as provided by such supplementary agreements, and shall not be  
3 subject to the 6 months' renunciation notice of the present Article.

4 **SECTION 316.** 938.993 (2) of the statutes, as affected by 1997 Wisconsin Act 35,  
5 is amended to read:

6 938.993 (2) The compact administrator shall determine for this state whether  
7 to receive juvenile probationers ~~and, parolees~~ and persons on extended supervision  
8 of other states under s. 938.991 (7) and shall arrange for the supervision of each such  
9 probationer ~~or, parolee~~ or person on extended supervision received, either by the  
10 department or by a person appointed to perform supervision service for the court  
11 assigned to exercise jurisdiction under this chapter and ch. 48 for the county where  
12 the juvenile is to reside, whichever is more convenient. Those persons shall in all  
13 such cases make periodic reports to the compact administrator regarding the conduct  
14 and progress of the juveniles.

15 **SECTION 317.** 939.50 (3) (b) of the statutes is amended to read:

16 939.50 (3) (b) For a Class B felony, imprisonment not to exceed 40 60 years.

17 **SECTION 318.** 939.50 (3) (bc) of the statutes is amended to read:

18 939.50 (3) (bc) For a Class BC felony, a fine not to exceed \$10,000 or  
19 imprisonment not to exceed 20 30 years, or both.

20 **SECTION 319.** 939.50 (3) (c) of the statutes is amended to read:

21 939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 or imprisonment  
22 not to exceed 10 15 years, or both.

23 **SECTION 320.** 939.50 (3) (d) of the statutes is amended to read:

24 939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 or imprisonment  
25 not to exceed 5 10 years, or both.

1           **SECTION 321.** 939.50 (3) (e) of the statutes is amended to read:

2           939.50 **(3)** (e) For a Class E felony, a fine not to exceed \$10,000 or imprisonment  
3 not to exceed ~~2~~ 5 years, or both.

4           **SECTION 322.** 939.62 (2m) (b) of the statutes is amended to read:

5           939.62 **(2m)** (b) The actor is a persistent repeater if he or she has been convicted  
6 of a serious felony on 2 or more separate occasions at any time preceding the serious  
7 felony for which he or she presently is being sentenced under ch. 973, which  
8 convictions remain of record and unreversed and, that of the 2 or more previous  
9 convictions, at least one conviction must have occurred before the date of violation  
10 of at least one of the other felonies for which the actor was previously convicted. It  
11 is immaterial that the sentence for a previous conviction was stayed, withheld or  
12 suspended, or that he or she was pardoned, unless the pardon was granted on the  
13 ground of innocence. The term of imprisonment for the felony for which the  
14 persistent repeater presently is being sentenced under ch. 973 is life imprisonment  
15 without the possibility of parole or extended supervision.

16           **SECTION 323.** 940.20 (2m) (title) of the statutes is amended to read:

17           940.20 **(2m)** (title) BATTERY TO PROBATION, EXTENDED SUPERVISION AND PAROLE  
18 AGENTS AND AFTERCARE AGENTS.

19           **SECTION 324.** 940.20 (2m) (a) 2. of the statutes is amended to read:

20           940.20 **(2m)** (a) 2. "Probation, extended supervision and parole agent" means  
21 any person authorized by the department of corrections to exercise control over a  
22 probationer ~~or~~, parolee or person on extended supervision.

23           **SECTION 325.** 940.20 (2m) (b) of the statutes is amended to read:

24           940.20 **(2m)** (b) Whoever intentionally causes bodily harm to a probation,  
25 extended supervision and parole agent or an aftercare agent, acting in an official



1 capacity and the person knows or has reason to know that the victim is a probationer,  
2 extended supervision and parole agent or an aftercare agent, by an act done without  
3 the consent of the person so injured, is guilty of a Class D felony.

4 **SECTION 326.** 942.06 (2m) (a) of the statutes is amended to read:

5 942.06 (2m) (a) An employe or agent of the department of corrections who  
6 conducts a lie detector test of a probationer ~~or~~, parolee or person on extended  
7 supervision under the rules promulgated under s. 301.132.

8 **SECTION 327.** 942.06 (2q) (a) (intro.) of the statutes is amended to read:

9 942.06 (2q) (a) (intro.) An employe or agent of the department of corrections  
10 who discloses, to any of the following, the fact that a probationer ~~or~~, parolee or person  
11 on extended supervision has had a lie detector test under the rules promulgated  
12 under s. 301.132 or the results of such a lie detector test:

13 **SECTION 328.** 946.42 (1) (a) of the statutes is amended to read:

14 946.42 (1) (a) "Custody" includes without limitation actual custody of an  
15 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a  
16 secured child caring institution, as defined in s. 938.02 (15g), a secure detention  
17 facility, as defined in s. 938.02 (16), a Type 2 child caring institution, as defined in  
18 s. 938.02 (19r), or a juvenile portion of a county jail, or of a peace officer or institution  
19 guard and constructive custody of prisoners and juveniles subject to an order under  
20 s. 48.366, 938.183, 938.34 (4d), (4h) or (4m) or 938.357 (4) or (5) (e) temporarily  
21 outside the institution whether for the purpose of work, school, medical care, a leave  
22 granted under s. 303.068, a temporary leave or furlough granted to a juvenile or  
23 otherwise. Under s. 303.08 (6) it means, without limitation, that of the sheriff of the  
24 county to which the prisoner was transferred after conviction. It does not include the  
25 custody of a probationer ~~or~~, parolee or person on extended supervision by the

1 department of corrections or a probation, extended supervision or parole officer or  
2 the custody of a person who has been released to aftercare supervision under ch. 938  
3 unless the person is in actual custody or is subject to a confinement order under s.  
4 973.09 (4).

5 **SECTION 329.** 946.46 of the statutes is amended to read:

6 **946.46** (title) **Encouraging violation of probation, extended**  
7 **supervision or parole.** Whoever intentionally aids or encourages a parolee or,  
8 probationer or person on extended supervision or any person committed to the  
9 custody or supervision of the department of corrections or a county department  
10 under s. 46.215, 46.22 or 46.23 by reason of crime or delinquency to abscond or violate  
11 a term or condition of parole, extended supervision or probation is guilty of a Class  
12 A misdemeanor.

13 **SECTION 330.** 946.85 (1) of the statutes is amended to read:

14 946.85 (1) Any person who engages in a continuing criminal enterprise shall  
15 be imprisoned for not less than 10 years nor more than ~~20~~ 30 years, and fined not  
16 more than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less  
17 than the presumptive minimum sentence, it shall place its reasons for doing so on  
18 the record.

19 **SECTION 331.** 950.04 (1v) (v) of the statutes, as created by 1997 Wisconsin Act  
20 .... (Assembly Bill 342), is amended to read:

21 950.04 (1v) (v) To notification by the department of corrections under s. 301.046  
22 (4) regarding community residential confinements, under s. 301.048 (4m) regarding  
23 participation in the intensive sanctions program, under s. 301.38 regarding escapes  
24 from a Type 1 prison, under s. 301.46 (3) regarding persons registered under s.  
25 301.45, under s. 302.115 regarding release upon expiration of certain sentences,

1 under s. 304.063 regarding extended supervision and parole releases, and under s.  
2 938.51 regarding release or escape of a juvenile from correctional custody.

3 **SECTION 332.** 950.04 (1v) (vm) of the statutes is created to read:

4 950.04 (1v) (vm) To have the appropriate clerk of court send the victim a copy  
5 of an inmate's petition for extended supervision and notification of the hearing on  
6 that petition under s. 302.114 (6).

7 **SECTION 333.** 961.41 (1) (a) of the statutes is amended to read:

8 961.41 (1) (a) Except as provided in par. (d), a controlled substance included  
9 in schedule I or II which is a narcotic drug, or a controlled substance analog of a  
10 controlled substance included in schedule I or II which is a narcotic drug, may be  
11 fined not more than \$25,000 or imprisoned for not more than ~~15~~ 22 years and 6  
12 months or both.

13 **SECTION 334.** 961.41 (1) (b) of the statutes is amended to read:

14 961.41 (1) (b) Except as provided in pars. (cm) and (e) to (h), any other  
15 controlled substance included in schedule I, II or III, or a controlled substance analog  
16 of any other controlled substance included in schedule I or II, may be fined not more  
17 than \$15,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

18 **SECTION 335.** 961.41 (1) (cm) 1. of the statutes is amended to read:

19 961.41 (1) (cm) 1. Five grams or less, the person shall be fined not more than  
20 \$500,000 and may be imprisoned for not more than ~~10~~ 15 years.

21 **SECTION 336.** 961.41 (1) (cm) 2. of the statutes is amended to read:

22 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person  
23 shall be fined not more than \$500,000 and shall be imprisoned for not less than one  
24 year nor more than ~~15~~ 22 years and 6 months.

25 **SECTION 337.** 961.41 (1) (cm) 3. of the statutes is amended to read:

1           961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person  
2 shall be fined not more than \$500,000 and shall be imprisoned for not less than 3  
3 years nor more than ~~20~~ 30 years.

4           **SECTION 338.** 961.41 (1) (cm) 4. of the statutes is amended to read:

5           961.41 (1) (cm) 4. More than 40 grams but not more than 100 grams, the person  
6 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5  
7 years nor more than ~~30~~ 45 years.

8           **SECTION 339.** 961.41 (1) (cm) 5. of the statutes is amended to read:

9           961.41 (1) (cm) 5. More than 100 grams, the person shall be fined not more than  
10 \$500,000 and shall be imprisoned for not less than 10 years nor more than ~~30~~ 45  
11 years.

12           **SECTION 340.** 961.41 (1) (d) 1. of the statutes is amended to read:

13           961.41 (1) (d) 1. Three grams or less, the person shall be fined not less than  
14 \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~15~~ 22 years  
15 and 6 months.

16           **SECTION 341.** 961.41 (1) (d) 2. of the statutes is amended to read:

17           961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person  
18 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
19 for not less than 6 months nor more than ~~15~~ 22 years and 6 months.

20           **SECTION 342.** 961.41 (1) (d) 3. of the statutes is amended to read:

21           961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person  
22 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
23 for not less than one year nor more than ~~15~~ 22 years and 6 months.

24           **SECTION 343.** 961.41 (1) (d) 4. of the statutes is amended to read:

1           961.41 (1) (d) 4. More than 50 grams but not more than 200 grams, the person  
2 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
3 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 344.** 961.41 (1) (d) 5. of the statutes is amended to read:

5           961.41 (1) (d) 5. More than 200 grams but not more than 400 grams, the person  
6 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
7 for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

8           **SECTION 345.** 961.41 (1) (d) 6. of the statutes is amended to read:

9           961.41 (1) (d) 6. More than 400 grams, the person shall be fined not less than  
10 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years  
11 nor more than ~~30~~ 45 years.

12          **SECTION 346.** 961.41 (1) (e) 1. of the statutes is amended to read:

13          961.41 (1) (e) 1. Three grams or less, the person shall be fined not less than  
14 \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7 years  
15 and 6 months.

16          **SECTION 347.** 961.41 (1) (e) 2. of the statutes is amended to read:

17          961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person  
18 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
19 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

20          **SECTION 348.** 961.41 (1) (e) 3. of the statutes is amended to read:

21          961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person  
22 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
23 for not less than one year nor more than ~~15~~ 22 years and 6 months.

24          **SECTION 349.** 961.41 (1) (e) 4. of the statutes is amended to read:

1           961.41 (1) (e) 4. More than 50 grams but not more than 200 grams, the person  
2 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
3 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 350.** 961.41 (1) (e) 5. of the statutes is amended to read:

5           961.41 (1) (e) 5. More than 200 grams but not more than 400 grams, the person  
6 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
7 for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

8           **SECTION 351.** 961.41 (1) (e) 6. of the statutes is amended to read:

9           961.41 (1) (e) 6. More than 400 grams, the person shall be fined not less than  
10 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years  
11 nor more than ~~30~~ 45 years.

12           **SECTION 352.** 961.41 (1) (f) 1. of the statutes is amended to read:

13           961.41 (1) (f) 1. One gram or less, the person shall be fined not less than \$1,000  
14 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7 years and 6  
15 months.

16           **SECTION 353.** 961.41 (1) (f) 2. of the statutes is amended to read:

17           961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person shall  
18 be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not  
19 less than 6 months nor more than ~~5~~ 7 years and 6 months.

20           **SECTION 354.** 961.41 (1) (f) 3. of the statutes is amended to read:

21           961.41 (1) (f) 3. More than 5 grams, the person shall be fined not less than  
22 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
23 nor more than ~~15~~ 22 years and 6 months.

24           **SECTION 355.** 961.41 (1) (g) 1. of the statutes is amended to read:

1           961.41 (1) (g) 1. One hundred grams or less, the person shall be fined not less  
2           than \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7  
3           years and 6 months.

4           **SECTION 356.** 961.41 (1) (g) 2. of the statutes is amended to read:

5           961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person  
6           shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
7           for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

8           **SECTION 357.** 961.41 (1) (g) 3. of the statutes is amended to read:

9           961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than  
10          \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
11          nor more than ~~15~~ 22 years and 6 months.

12          **SECTION 358.** 961.41 (1) (h) 1. of the statutes is amended to read:

13          961.41 (1) (h) 1. Five hundred grams or less, or 10 or fewer plants containing  
14          tetrahydrocannabinols, the person shall be fined not less than \$500 nor more than  
15          \$25,000 and may be imprisoned for not more than ~~3~~ 4 years and 6 months.

16          **SECTION 359.** 961.41 (1) (h) 2. of the statutes is amended to read:

17          961.41 (1) (h) 2. More than 500 grams but not more than 2,500 grams, or more  
18          than 10 plants containing tetrahydrocannabinols but not more than 50 plants  
19          containing tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor  
20          more than \$50,000 and shall be imprisoned for not less than 3 months nor more than  
21          ~~5~~ 7 years and 6 months.

22          **SECTION 360.** 961.41 (1) (h) 3. of the statutes is amended to read:

23          961.41 (1) (h) 3. More than 2,500 grams, or more than 50 plants containing  
24          tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor more than

1 \$100,000 and shall be imprisoned for not less than one year nor more than ~~10~~ 15  
2 years.

3 **SECTION 361.** 961.41 (1) (i) of the statutes is amended to read:

4 961.41 (1) (i) A substance included in schedule IV, may be fined not more than  
5 \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

6 **SECTION 362.** 961.41 (1) (j) of the statutes is amended to read:

7 961.41 (1) (j) A substance included in schedule V, may be fined not more than  
8 \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

9 **SECTION 363.** 961.41 (1m) (a) of the statutes is amended to read:

10 961.41 (1m) (a) Except as provided in par. (d), a controlled substance included  
11 in schedule I or II which is a narcotic drug or a controlled substance analog of a  
12 controlled substance included in schedule I or II which is a narcotic drug, may be  
13 fined not more than \$25,000 or imprisoned for not more than ~~15~~ 22 years and 6  
14 months or both.

15 **SECTION 364.** 961.41 (1m) (b) of the statutes is amended to read:

16 961.41 (1m) (b) Except as provided in pars. (cm) and (e) to (h), any other  
17 controlled substance included in schedule I, II or III, or a controlled substance analog  
18 of any other controlled substance included in schedule I or II, may be fined not more  
19 than \$15,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

20 **SECTION 365.** 961.41 (1m) (cm) 1. of the statutes is amended to read:

21 961.41 (1m) (cm) 1. Five grams or less, the person shall be fined not more than  
22 \$500,000 and may be imprisoned for not more than ~~10~~ 15 years.

23 **SECTION 366.** 961.41 (1m) (cm) 2. of the statutes is amended to read:



1           961.41 **(1m)** (cm) 2. More than 5 grams but not more than 15 grams, the person  
2 shall be fined not more than \$500,000 and shall be imprisoned for not less than one  
3 year nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 367.** 961.41 (1m) (cm) 3. of the statutes is amended to read:

5           961.41 **(1m)** (cm) 3. More than 15 grams but not more than 40 grams, the  
6 person shall be fined not more than \$500,000 and shall be imprisoned for not less  
7 than 3 years nor more than ~~20~~ 30 years.

8           **SECTION 368.** 961.41 (1m) (cm) 4. of the statutes is amended to read:

9           961.41 **(1m)** (cm) 4. More than 40 grams but not more than 100 grams, the  
10 person shall be fined not more than \$500,000 and shall be imprisoned for not less  
11 than 5 years nor more than ~~30~~ 45 years.

12           **SECTION 369.** 961.41 (1m) (cm) 5. of the statutes is amended to read:

13           961.41 **(1m)** (cm) 5. More than 100 grams, the person shall be fined not more  
14 than \$500,000 and shall be imprisoned for not less than 10 years nor more than ~~30~~  
15 45 years.

16           **SECTION 370.** 961.41 (1m) (d) 1. of the statutes is amended to read:

17           961.41 **(1m)** (d) 1. Three grams or less, the person shall be fined not less than  
18 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~15~~ 22 years  
19 and 6 months.

20           **SECTION 371.** 961.41 (1m) (d) 2. of the statutes is amended to read:

21           961.41 **(1m)** (d) 2. More than 3 grams but not more than 10 grams, the person  
22 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned  
23 for not less than 6 months nor more than ~~15~~ 22 years and 6 months.

24           **SECTION 372.** 961.41 (1m) (d) 3. of the statutes is amended to read:

1           961.41 (1m) (d) 3. More than 10 grams but not more than 50 grams, the person  
2 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
3 for not less than one year nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 373.** 961.41 (1m) (d) 4. of the statutes is amended to read:

5           961.41 (1m) (d) 4. More than 50 grams but not more than 200 grams, the person  
6 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
7 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

8           **SECTION 374.** 961.41 (1m) (d) 5. of the statutes is amended to read:

9           961.41 (1m) (d) 5. More than 200 grams but not more than 400 grams, the  
10 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
11 imprisoned for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

12           **SECTION 375.** 961.41 (1m) (d) 6. of the statutes is amended to read:

13           961.41 (1m) (d) 6. More than 400 grams, the person shall be fined not less than  
14 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years  
15 nor more than ~~30~~ 45 years.

16           **SECTION 376.** 961.41 (1m) (e) 1. of the statutes is amended to read:

17           961.41 (1m) (e) 1. Three grams or less, the person shall be fined not less than  
18 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7 years  
19 and 6 months.

20           **SECTION 377.** 961.41 (1m) (e) 2. of the statutes is amended to read:

21           961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person  
22 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned  
23 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

24           **SECTION 378.** 961.41 (1m) (e) 3. of the statutes is amended to read:

1           961.41 **(1m)** (e) 3. More than 10 grams but not more than 50 grams, the person  
2 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
3 for not less than one year nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 379.** 961.41 (1m) (e) 4. of the statutes is amended to read:

5           961.41 **(1m)** (e) 4. More than 50 grams but not more than 200 grams, the person  
6 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
7 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

8           **SECTION 380.** 961.41 (1m) (e) 5. of the statutes is amended to read:

9           961.41 **(1m)** (e) 5. More than 200 grams but not more than 400 grams, the  
10 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
11 imprisoned for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

12          **SECTION 381.** 961.41 (1m) (e) 6. of the statutes is amended to read:

13          961.41 **(1m)** (e) 6. More than 400 grams, the person shall be fined not less than  
14 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years  
15 nor more than ~~30~~ 45 years.

16          **SECTION 382.** 961.41 (1m) (f) 1. of the statutes is amended to read:

17          961.41 **(1m)** (f) 1. One gram or less, the person shall be fined not less than  
18 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7 years  
19 and 6 months.

20          **SECTION 383.** 961.41 (1m) (f) 2. of the statutes is amended to read:

21          961.41 **(1m)** (f) 2. More than one gram but not more than 5 grams, the person  
22 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned  
23 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

24          **SECTION 384.** 961.41 (1m) (f) 3. of the statutes is amended to read:

1           961.41 **(1m)** (f) 3. More than 5 grams, the person shall be fined not less than  
2           \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
3           nor more than ~~15~~ 22 years and 6 months.

4           **SECTION 385.** 961.41 (1m) (g) 1. of the statutes is amended to read:

5           961.41 **(1m)** (g) 1. One hundred grams or less, the person shall be fined not less  
6           than \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7  
7           years and 6 months.

8           **SECTION 386.** 961.41 (1m) (g) 2. of the statutes is amended to read:

9           961.41 **(1m)** (g) 2. More than 100 grams but not more than 500 grams, the  
10          person shall be fined not less than \$1,000 nor more than \$200,000 and shall be  
11          imprisoned for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

12          **SECTION 387.** 961.41 (1m) (g) 3. of the statutes is amended to read:

13          961.41 **(1m)** (g) 3. More than 500 grams, the person shall be fined not less than  
14          \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
15          nor more than ~~15~~ 22 years and 6 months.

16          **SECTION 388.** 961.41 (1m) (h) 1. of the statutes is amended to read:

17          961.41 **(1m)** (h) 1. Five hundred grams or less, or 10 or fewer plants containing  
18          tetrahydrocannabinols, the person shall be fined not less than \$500 nor more than  
19          \$25,000 and may be imprisoned for not more than ~~3~~ 4 years and 6 months.

20          **SECTION 389.** 961.41 (1m) (h) 2. of the statutes is amended to read:

21          961.41 **(1m)** (h) 2. More than 500 grams but not more than 2,500 grams, or more  
22          than 10 plants containing tetrahydrocannabinols but not more than 50 plants  
23          containing tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor  
24          more than \$50,000 and shall be imprisoned for not less than 3 months nor more than  
25          ~~5~~ 7 years and 6 months.

1           **SECTION 390.** 961.41 (1m) (h) 3. of the statutes is amended to read:

2           961.41 (**1m**) (h) 3. More than 2,500 grams, or more than 50 plants containing  
3 tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor more than  
4 \$100,000 and shall be imprisoned for not less than one year nor more than ~~10~~ 15  
5 years.

6           **SECTION 391.** 961.41 (1m) (i) of the statutes is amended to read:

7           961.41 (**1m**) (i) A substance included in schedule IV, may be fined not more than  
8 \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

9           **SECTION 392.** 961.41 (1m) (j) of the statutes is amended to read:

10          961.41 (**1m**) (j) A substance included in schedule V, may be fined not more than  
11 \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

12          **SECTION 393.** 961.41 (1n) (c) of the statutes is amended to read:

13          961.41 (**1n**) (c) A person who violates par. (a) or (b) may be fined not more than  
14 \$250,000 or imprisoned for not more than ~~10~~ 15 years or both.

15          **SECTION 394.** 961.41 (2) (a) of the statutes is amended to read:

16          961.41 (**2**) (a) A counterfeit substance included in schedule I or II which is a  
17 narcotic drug, may be fined not more than \$25,000 or imprisoned for not more than  
18 ~~15~~ 22 years and 6 months or both.

19          **SECTION 395.** 961.41 (2) (b) of the statutes is amended to read:

20          961.41 (**2**) (b) Any other counterfeit substance included in schedule I, II or III,  
21 may be fined not more than \$15,000 or imprisoned for not more than ~~5~~ 7 years and  
22 6 months or both.

23          **SECTION 396.** 961.41 (2) (c) of the statutes is amended to read:

24          961.41 (**2**) (c) A counterfeit substance included in schedule IV, may be fined not  
25 more than \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

1           **SECTION 397.** 961.41 (2) (d) of the statutes is amended to read:

2           961.41 **(2)** (d) A counterfeit substance included in schedule V, may be fined not  
3 more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

4           **SECTION 398.** 961.41 (3g) (a) 1. of the statutes is amended to read:

5           961.41 **(3g)** (a) 1. Except as provided in subd. 2., if the person possesses a  
6 controlled substance included in schedule I or II which is a narcotic drug or possesses  
7 a controlled substance analog of a controlled substance included in schedule I or II  
8 which is a narcotic drug, the person may, upon a first conviction, be fined not more  
9 than \$5,000 or imprisoned for not more than ~~one year~~ 2 or both, and for a 2nd or  
10 subsequent offense, the person may be fined not more than \$10,000 or imprisoned  
11 for not more than ~~2~~ 3 years or both.

12           **SECTION 399.** 961.41 (3g) (a) 2. of the statutes is amended to read:

13           961.41 **(3g)** (a) 2. If the person possesses or attempts to possess heroin or a  
14 controlled substance analog of heroin, the person may be fined not more than \$5,000  
15 or imprisoned for not more than ~~one year~~ 2 years or both.

16           **SECTION 400.** 961.41 (4) (am) 3. of the statutes is amended to read:

17           961.41 **(4)** (am) 3. A person convicted of violating this paragraph may be fined  
18 not more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

19           **SECTION 401.** 961.42 (2) of the statutes is amended to read:

20           961.42 **(2)** Any person who violates this section may be fined not more than  
21 \$25,000 or imprisoned not more than ~~one year~~ 2 years or both.

22           **SECTION 402.** 961.43 (2) of the statutes is amended to read:

23           961.43 **(2)** Any person who violates this section may be fined not more than  
24 \$30,000 or imprisoned not more than ~~4~~ 6 years or both.

25           **SECTION 403.** 961.455 (1) of the statutes is amended to read:

1           961.455 (1) Any person who has attained the age of 17 years who knowingly  
2           solicits, hires, directs, employs or uses a person who is 17 years of age or under for  
3           the purpose of violating s. 961.41 (1) may be fined not more than \$50,000 or  
4           imprisoned for not more than ~~10~~ 15 years or both.

5           **SECTION 404.** 961.49 (2) (a) of the statutes is amended to read:

6           961.49 (2) (a) Except as provided in par. (b), if any person violates s. 961.41 (1)  
7           by delivering or distributing, or violates s. 961.41 (1m) by possessing with intent to  
8           deliver or distribute, a controlled substance included in schedule I or II or a  
9           controlled substance analog of a controlled substance included in schedule I or II  
10          while in or on the premises of a scattered-site public housing project, while in or on  
11          or otherwise within 1,000 feet of a state, county, city, village or town park, a jail or  
12          correctional facility, a multiunit public housing project, a swimming pool open to  
13          members of the public, a youth center or a community center, while in or on or  
14          otherwise within 1,000 feet of any private or public school premises or while in or on  
15          or otherwise within 1,000 feet of a school bus, as defined in s. 340.01 (56), the court  
16          shall sentence the person to at least 3 years in prison, but otherwise the penalties  
17          for the crime apply. Except as provided in s. 961.438, the court shall not place the  
18          person on probation. The Except as provided in s. 973.01 (6), the person is not eligible  
19          for parole until he or she has served at least 3 years, with no modification by the  
20          calculation under s. 302.11 (1).

21          **SECTION 405.** 961.49 (2) (b) of the statutes is amended to read:

22          961.49 (2) (b) If the conduct described in par. (a) involves only the delivery or  
23          distribution, or the possession with intent to deliver or distribute, of not more than  
24          25 grams of tetrahydrocannabinols, included in s. 961.14 (4) (t), or not more than 5  
25          plants containing tetrahydrocannabinols, the court shall sentence the person to at

1 least one year in prison, but otherwise the penalties for the crime apply. Except as  
2 provided in s. 961.438, the court shall not place the person on probation. The Except  
3 as provided in s. 973.01 (6), the person is not eligible for parole until he or she has  
4 served at least one year, with no modification by the calculation under s. 302.11 (1).

5 **SECTION 406.** 968.31 (1) (intro.) of the statutes is amended to read:

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

10 **SECTION 407.** 968.34 (3) of the statutes is amended to read:

11 968.34 (3) Whoever knowingly violates sub. (1) shall be fined not more than  
12 \$10,000 or imprisoned for not more than ~~one year~~ 2 years or both.

13 **SECTION 408.** 968.43 (3) of the statutes, as affected by 1996 Supreme Court  
14 Order 96-08, is repealed and recreated to read:

15 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)  
16 may be imprisoned for not more than 7 years and 6 months.

17 **SECTION 409.** 969.01 (4) of the statutes is amended to read:

18 969.01 (4) CONSIDERATIONS IN SETTING CONDITIONS OF RELEASE. If bail is imposed,  
19 it shall be only in the amount found necessary to assure the appearance of the  
20 defendant. Conditions of release, other than monetary conditions, may be imposed  
21 for the purpose of protecting members of the community from serious bodily harm  
22 or preventing intimidation of witnesses. Proper considerations in determining  
23 whether to release the defendant without bail, fixing a reasonable amount of bail or  
24 imposing other reasonable conditions of release are: the ability of the arrested person  
25 to give bail, the nature, number and gravity of the offenses and the potential penalty



1 the defendant faces, whether the alleged acts were violent in nature, the defendant's  
2 prior record of criminal convictions and delinquency adjudications, if any, the  
3 character, health, residence and reputation of the defendant, the character and  
4 strength of the evidence which has been presented to the judge, whether the  
5 defendant is currently on probation, extended supervision or parole, whether the  
6 defendant is already on bail or subject to other release conditions in other pending  
7 cases, whether the defendant has been bound over for trial after a preliminary  
8 examination, whether the defendant has in the past forfeited bail or violated a  
9 condition of release or was a fugitive from justice at the time of arrest, and the policy  
10 against unnecessary detention of the defendant's pending trial.

11 **SECTION 410.** 971.11 (1) of the statutes is amended to read:

12 971.11 (1) Whenever the warden or superintendent receives notice of an  
13 untried criminal case pending in this state against an inmate of a state prison, the  
14 warden or superintendent shall, at the request of the inmate, send by certified mail  
15 a written request to the district attorney for prompt disposition of the case. The  
16 request shall state the sentence then being served, the date of parole eligibility, if  
17 applicable, or the date of release to extended supervision, the approximate discharge  
18 or conditional release date, and prior decision relating to parole. If there has been  
19 no preliminary examination on the pending case, the request shall state whether the  
20 inmate waives such examination, and, if so, shall be accompanied by a written  
21 waiver signed by the inmate.

22 **SECTION 411.** 972.13 (6) of the statutes is amended to read:

23 972.13 (6) The following forms may be used for judgments:

24 STATE OF WISCONSIN

25 .... County

1 In.... Court

2 The State of Wisconsin

3 vs.

4 ....(Name of defendant)

5 UPON ALL THE FILES, RECORDS AND PROCEEDINGS,

6 IT IS ADJUDGED That the defendant has been convicted upon the defendant's  
7 plea of guilty (not guilty and a verdict of guilty) (not guilty and a finding of guilty)  
8 (no contest) on the.... day of..., 19.., of the crime of... in violation of s.....; and the court  
9 having asked the defendant whether the defendant has anything to state why  
10 sentence should not be pronounced, and no sufficient grounds to the contrary being  
11 shown or appearing to the court.

12 \*IT IS ADJUDGED That the defendant is guilty as convicted.

13 \*IT IS ADJUDGED That the defendant is hereby committed to the Wisconsin  
14 state prisons (county jail of.... county) for an indeterminate term of not more than.....

15 \*IT IS ADJUDGED That the defendant is ordered to serve a bifurcated  
16 sentence consisting of .... year(s) of confinement in prison and .... months/years of  
17 extended supervision.

18 \*IT IS ADJUDGED That the defendant is placed in the intensive sanctions  
19 program subject to the limitations of section 973.032 (3) of the Wisconsin Statutes  
20 and the following conditions:....

21 \*IT IS ADJUDGED That the defendant is hereby committed to detention in  
22 (the defendant's place of residence or place designated by judge) for a term of not  
23 more than....

24 \*IT IS ADJUDGED That the defendant is ordered to pay a fine of \$.... (and the  
25 costs of this action).

1           \*IT IS ADJUDGED That the defendant pay restitution to....

2           \*IT IS ADJUDGED That the defendant is restricted in his or her use of  
3 computers as follows:....

4           \*The.... at.... is designated as the Reception Center to which the defendant shall  
5 be delivered by the sheriff.

6           \*IT IS ORDERED That the clerk deliver a duplicate original of this judgment  
7 to the sheriff who shall forthwith execute the same and deliver it to the warden.

8 Dated this.... day of...., 19...

9 BY THE COURT....

10 Date of Offense....,

11 District Attorney....,

12 Defense Attorney....

13 \*Strike inapplicable paragraphs.

14 STATE OF WISCONSIN

15 .... County

16 In.... Court

17 The State of Wisconsin

18 vs.

19 ....(Name of defendant)

20 On the.... day of...., 19.., the district attorney appeared for the state and the  
21 defendant appeared in person and by... the defendant's attorney.

22 UPON ALL THE FILES, RECORDS AND PROCEEDINGS

23 IT IS ADJUDGED That the defendant has been found not guilty by the verdict  
24 of the jury (by the court) and is therefore ordered discharged forthwith.

25 Dated this.... day of...., 19...

1 BY THE COURT....

2 **SECTION 412.** 972.15 (2c) of the statutes is created to read:

3 972.15 (2c) If the defendant is being sentenced under s. 973.01 and he or she  
4 satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing the  
5 presentence investigation report shall include in the report a recommendation as to  
6 whether the defendant should be eligible for the challenge incarceration program  
7 under s. 302.045.

8 **SECTION 413.** 972.15 (5) (intro.) of the statutes is amended to read:

9 972.15 (5) (intro.) The department may use the presentence investigation  
10 report for correctional programming, parole consideration or care and treatment of  
11 any person sentenced to imprisonment or the intensive sanctions program, placed  
12 on probation, released on parole or extended supervision or committed to the  
13 department under ch. 51 or 971 or any other person in the custody of the department  
14 or for research purposes. The department may make the report available to other  
15 agencies or persons to use for purposes related to correctional programming, parole  
16 consideration, care and treatment, or research. Any use of the report under this  
17 subsection is subject to the following conditions:

18 **SECTION 414.** 973.01 of the statutes is created to read:

19 **973.01 Bifurcated sentence of imprisonment and extended**  
20 **supervision.** (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),  
21 whenever a court sentences a person to imprisonment in the Wisconsin state prisons  
22 for a felony committed on or after July 1, 1999, the court shall impose a bifurcated  
23 sentence that consists of a term of confinement in prison followed by a term of  
24 extended supervision under s. 302.113.

1           **(2) STRUCTURE OF BIFURCATED SENTENCES.** The court shall ensure that a  
2 bifurcated sentence imposed under sub. (1) complies with all of the following:

3           (a) *Total length of bifurcated sentence.* Except as provided in par. (c), the total  
4 length of the bifurcated sentence may not exceed the maximum period of  
5 imprisonment for the felony.

6           (b) *Imprisonment portion of bifurcated sentence.* The portion of the bifurcated  
7 sentence that imposes a term of confinement in prison may not be less than one year,  
8 subject to any minimum sentence prescribed for the felony, and, except as provided  
9 in par. (c), may not exceed whichever of the following is applicable:

10           1. For a Class B felony, the term of confinement in prison may not exceed 40  
11 years.

12           2. For a Class BC felony, the term of confinement in prison may not exceed 20  
13 years.

14           3. For a Class C felony, the term of confinement in prison may not exceed 10  
15 years.

16           4. For a Class D felony, the term of confinement in prison may not exceed 5  
17 years.

18           5. For a Class E felony, the term of confinement in prison may not exceed 2  
19 years.

20           6. For any felony other than a felony specified in subds. 1. to 5., the term of  
21 confinement in prison may not exceed 75% of the total length of the bifurcated  
22 sentence.

23           (c) *Penalty enhancement.* The maximum term of confinement in prison  
24 specified in par. (b) may be increased by any applicable penalty enhancement. If the  
25 maximum term of confinement in prison specified in par. (b) is increased under this

1 paragraph, the total length of the bifurcated sentence that may be imposed is  
2 increased by the same amount.

3 (d) *Minimum term of extended supervision.* The term of extended supervision  
4 that follows the term of confinement in prison may not be less than 25% of the length  
5 of the term of confinement in prison imposed under par. (b).

6 **(3)** NOT APPLICABLE TO LIFE SENTENCES. If a person is being sentenced for a felony  
7 that is punishable by life imprisonment, he or she is not subject to this section but  
8 shall be sentenced under s. 973.014 (1g).

9 **(3m)** CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing a  
10 bifurcated sentence under this section on a person convicted of a crime other than  
11 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,  
12 948.07, 948.08 or 948.095, the court shall, as part of the exercise of its sentencing  
13 discretion, decide whether the person being sentenced is eligible or ineligible for the  
14 challenge incarceration program under s. 302.045 during the term of confinement in  
15 prison portion of the bifurcated sentence.

16 **(4)** NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A person  
17 sentenced to a bifurcated sentence under sub. (1) shall serve the term of confinement  
18 in prison portion of the sentence without reduction for good behavior. The term of  
19 confinement in prison portion is subject to extension under s. 302.113 (3) and, if  
20 applicable, to reduction under s. 302.045 (3m).

21 **(5)** EXTENDED SUPERVISION CONDITIONS. Whenever the court imposes a  
22 bifurcated sentence under sub. (1), the court may impose conditions upon the term  
23 of extended supervision.

24 **(6)** NO PAROLE. A person serving a bifurcated sentence imposed under sub. (1)  
25 is not eligible for release on parole.

1           **(7) NO DISCHARGE.** The department of corrections may not discharge a person  
2 who is serving a bifurcated sentence from custody, control and supervision until the  
3 person has served the entire bifurcated sentence.

4           **(8) EXPLANATION OF SENTENCE.** (a) When a court imposes a bifurcated sentence  
5 under this section, it shall explain, orally and in writing, all of the following to the  
6 person being sentenced:

7           1. The total length of the bifurcated sentence.

8           2. The amount of time the person will serve in prison under the term of  
9 confinement in prison portion of the sentence.

10           3. The amount of time the person will spend on extended supervision, assuming  
11 that the person does not commit any infraction of prison rules that results in the  
12 extension of the term of confinement in prison under s. 302.113 (3).

13           4. That the amount of time the person must actually serve in prison may be  
14 extended as provided under s. 302.113 (3) for infractions of prison rules and that  
15 because of extensions under s. 302.113 (3) the person could serve the entire  
16 bifurcated sentence in prison.

17           5. That the person will be subject to certain conditions while on release to  
18 extended supervision, and that violation of any of those conditions may result in the  
19 person being returned to prison, as provided under s. 302.113 (9).

20           (am) If the court provides under sub. (3m) that the person is eligible for the  
21 challenge incarceration program, the court shall also inform the person of the  
22 provisions of s. 302.045 (3m).

23           (b) The court's explanation under par. (a) 3. of a person's potential period of  
24 extended supervision does not create a right to a minimum period of extended  
25 supervision.

1           **SECTION 415.** 973.013 (1) (b) of the statutes is amended to read:

2           973.013 (1) (b) The Except as provided in s. 973.01, the sentence shall have the  
3 effect of a sentence at hard labor for the maximum term fixed by the court, subject  
4 to the power of actual release from confinement by parole by the department or by  
5 pardon as provided by law. If a person is sentenced for a definite time for an offense  
6 for which the person may be sentenced under this section, the person is in legal effect  
7 sentenced as required by this section, said definite time being the maximum period.  
8 A defendant convicted of a crime for which the minimum penalty is life shall be  
9 sentenced for life.

10           **SECTION 416.** 973.013 (2) of the statutes is amended to read:

11           973.013 (2) Upon the recommendation of the department, the governor may,  
12 without the procedure required by ch. 304, discharge absolutely, or upon such  
13 conditions and restrictions and under such limitation as the governor thinks proper,  
14 any inmate committed to the Wisconsin state prisons after he or she has served the  
15 minimum term of punishment prescribed by law for the offense for which he or she  
16 was sentenced, except that if the term was life imprisonment, 5 years must elapse  
17 after release on parole or extended supervision before such a recommendation can  
18 be made to the governor. The discharge has the effect of an absolute or conditional  
19 pardon, respectively.

20           **SECTION 417.** 973.0135 (2) (intro.) of the statutes is amended to read:

21           973.0135 (2) (intro.) Except as provided in sub. (3), when a court sentences a  
22 prior offender to imprisonment in a state prison for a serious felony committed on or  
23 after April 21, 1994, but before July 1, 1999, the court shall make a parole eligibility  
24 determination regarding the person and choose one of the following options:

25           **SECTION 418.** 973.014 (title) of the statutes is amended to read:



1           **973.014** (title) **Sentence of life imprisonment; parole eligibility**  
2 **determination; extended supervision eligibility determination.**

3           **SECTION 419.** 973.014 (1) (intro.) of the statutes is amended to read:

4           973.014 (1) (intro.) Except as provided in sub. (2), when a court sentences a  
5 person to life imprisonment for a crime committed on or after July 1, 1988, but before  
6 July 1, 1999, the court shall make a parole eligibility determination regarding the  
7 person and choose one of the following options:

8           **SECTION 420.** 973.014 (1) (c) of the statutes is amended to read:

9           973.014 (1) (c) The person is not eligible for parole. This paragraph applies only  
10 if the court sentences a person for a crime committed on or after August 31, 1995, but  
11 before July 1, 1999.

12           **SECTION 421.** 973.014 (1g) of the statutes is created to read:

13           973.014 (1g) (a) Except as provided in sub. (2), when a court sentences a person  
14 to life imprisonment for a crime committed on or after July 1, 1999, the court shall  
15 make an extended supervision eligibility date determination regarding the person  
16 and choose one of the following options:

17           1. The person is eligible for release to extended supervision after serving 20  
18 years.

19           2. The person is eligible for release to extended supervision on a date set by the  
20 court. Under this subdivision, the court may set any later date than that provided  
21 in subd. 1., but may not set a date that occurs before the earliest possible date under  
22 subd. 1.

23           3. The person is not eligible for release to extended supervision.

1 (b) When sentencing a person to life imprisonment under par. (a), the court  
2 shall inform the person of the provisions of s. 302.114 (3) and the procedure for  
3 petitioning under s. 302.114 (5) for release to extended supervision.

4 (c) A person sentenced to life imprisonment under par. (a) is not eligible for  
5 release on parole.

6 **SECTION 422.** 973.014 (2) of the statutes is amended to read:

7 973.014 (2) When a court sentences a person to life imprisonment under s.  
8 939.62 (2m), the court shall provide that the sentence is without the possibility of  
9 parole or extended supervision.

10 **SECTION 423.** 973.032 (1) of the statutes is amended to read:

11 973.032 (1) SENTENCE. Beginning July 1, 1992, a court may sentence a person  
12 who is convicted of a felony occurring on or after August 15, 1991, but before July 1,  
13 1999, to participate in the intensive sanctions program under s. 301.048. If a person  
14 is convicted of a felony occurring on or after July 1, 1999, a court may not sentence  
15 the person to participate in the intensive sanctions program under s. 301.048.

16 **SECTION 424.** 973.10 (1) of the statutes is amended to read:

17 973.10 (1) Imposition of probation shall have the effect of placing the defendant  
18 in the custody of the department and shall subject the defendant to the control of the  
19 department under conditions set by the court and rules and regulations established  
20 by the department for the supervision of probationers and, parolees and persons on  
21 extended supervision.

22 **SECTION 425.** 973.15 (2) (b) of the statutes is amended to read:

23 973.15 (2) (b) The court may not impose a sentence to the intensive sanctions  
24 program consecutive to any other sentence. The court may not impose a sentence to  
25 the intensive sanctions program concurrent with a sentence imposing

1 imprisonment, except that the court may impose a sentence to the program  
2 concurrent with an imposed and stayed imprisonment sentence or with a prison  
3 sentence for which the offender has been released on extended supervision or parole.  
4 The court may impose concurrent intensive sanctions program sentences. The court  
5 may impose an intensive sanctions program sentence concurrent to probation. The  
6 court may impose any sentence for an escape from a sentence to the intensive  
7 sanctions program concurrent with the sentence to the intensive sanctions program.

8 **SECTION 426.** 973.15 (6) of the statutes is amended to read:

9 973.15 (6) Sections 302.11 and 304.06 are applicable to an inmate serving a  
10 sentence to the Wisconsin state prisons for a crime committed before July 1, 1999,  
11 but confined in a federal institution or an institution in another state.

12 **SECTION 427.** 973.155 (1) (b) of the statutes is amended to read:

13 973.155 (1) (b) The categories in par. (a) include custody of the convicted  
14 offender which is in whole or in part the result of a probation, extended supervision  
15 or parole hold under s. 304.06 (3) or 973.10 (2) placed upon the person for the same  
16 course of conduct as that resulting in the new conviction.

17 **SECTION 428.** 973.155 (2) of the statutes is amended to read:

18 973.155 (2) After the imposition of sentence, the court shall make and enter a  
19 specific finding of the number of days for which sentence credit is to be granted,  
20 which finding shall be included in the judgment of conviction. In the case of  
21 revocation of probation, extended supervision or parole, the department, if the  
22 hearing is waived, or the division of hearings and appeals in the department of  
23 administration, in the case of a hearing, shall make such a finding, which shall be  
24 included in the revocation order.

25 **SECTION 429.** 973.155 (5) of the statutes is amended to read:

1           973.155 (5) If this section has not been applied at sentencing to any person who  
2 is in custody or to any person who is on probation, extended supervision or parole,  
3 the person may petition the department to be given credit under this section. Upon  
4 proper verification of the facts alleged in the petition, this section shall be applied  
5 retroactively to the person. If the department is unable to determine whether credit  
6 should be given, or otherwise refuses to award retroactive credit, the person may  
7 petition the sentencing court for relief. This subsection applies to any person,  
8 regardless of the date he or she was sentenced.

9           **SECTION 430.** 973.20 (1r) of the statutes is amended to read:

10           973.20 (1r) When imposing sentence or ordering probation for any crime for  
11 which the defendant was convicted, the court, in addition to any other penalty  
12 authorized by law, shall order the defendant to make full or partial restitution under  
13 this section to any victim of a crime considered at sentencing or, if the victim is  
14 deceased, to his or her estate, unless the court finds substantial reason not to do so  
15 and states the reason on the record. Restitution ordered under this section is a  
16 condition of probation, extended supervision or parole served by the defendant for  
17 a crime for which the defendant was convicted. After the termination of probation,  
18 extended supervision or parole, or if the defendant is not placed on probation,  
19 extended supervision or parole, restitution ordered under this section is enforceable  
20 in the same manner as a judgment in a civil action by the victim named in the order  
21 to receive restitution or enforced under ch. 785.

22           **SECTION 431.** 973.20 (10) of the statutes is amended to read:

23           973.20 (10) The court may require that restitution be paid immediately, within  
24 a specified period or in specified instalments. If the defendant is placed on probation  
25 or sentenced to imprisonment, the end of a specified period shall not be later than

1 the end of any period of probation, extended supervision or parole. If the defendant  
2 is sentenced to the intensive sanctions program, the end of a specified period shall  
3 not be later than the end of the sentence under s. 973.032 (3) (a).

4 **SECTION 432.** 975.10 (1) of the statutes is amended to read:

5 975.10 (1) Any person committed as provided in this chapter may be paroled  
6 if it appears to the satisfaction of the department of health and family services after  
7 recommendation by a special review board, appointed by the department, a majority  
8 of whose members shall not be connected with the department, that the person is  
9 capable of making an acceptable adjustment in society. Before a person is released  
10 on parole under this section, the department of health and family services shall so  
11 notify the municipal police department and county sheriff for the area where the  
12 person will be residing. The notification requirement does not apply if a municipal  
13 department or county sheriff submits to the department of health and family services  
14 a written statement waiving the right to be notified. Probation, extended  
15 supervision and parole agents of the department of corrections shall supervise  
16 persons paroled under this section.

17 **SECTION 433.** 976.03 (3) of the statutes is amended to read:

18 976.03 (3) FORM OF DEMAND. No demand for the extradition of a person charged  
19 with a crime in another state shall be recognized by the governor unless in writing  
20 alleging, except in cases arising under sub. (6), that the accused was present in the  
21 demanding state at the time of the commission of the alleged crime, and that  
22 thereafter the accused fled from the state, and accompanied by a copy of an  
23 indictment found or by an information supported by affidavit in the state having  
24 jurisdiction of the crime, or by a copy of an affidavit made before a magistrate there,  
25 together with a copy of any warrant which was issued thereon; or by a copy of a

1 judgment of conviction or of a sentence imposed in execution thereof, together with  
2 a statement by the executive authority of the demanding state that the person  
3 claimed has escaped from confinement or has broken the terms of the person's bail,  
4 probation, extended supervision or parole. The indictment, information or affidavit  
5 made before the magistrate must substantially charge the person demanded with  
6 having committed a crime under the law of that state; and the copy of indictment,  
7 information, affidavit, judgment of conviction or sentence must be authenticated by  
8 the executive authority making the demand.

9 **SECTION 434.** 976.03 (13) of the statutes is amended to read:

10 976.03 (13) ARREST PRIOR TO REQUISITION. Whenever any person within this  
11 state shall be charged on the oath of any credible person before any judge of this state  
12 with the commission of any crime in any other state and, except in cases arising  
13 under sub. (6), with having fled from justice, or with having been convicted of a crime  
14 in that state and having escaped from confinement, or having broken the terms of  
15 his or her bail, probation, extended supervision or parole, or whenever complaint  
16 shall have been made before any judge in this state setting forth on the affidavit of  
17 any credible person in another state that a crime has been committed in such other  
18 state and that the accused has been charged in such state with the commission of the  
19 crime, and, except in cases arising under sub. (6), has fled from justice, or with having  
20 been convicted of a crime in that state and having escaped from confinement, or  
21 having broken the terms of his or her bail, probation, extended supervision or parole,  
22 and is believed to be in this state, the judge shall issue a warrant directed to any  
23 peace officer commanding the officer to apprehend the person named therein,  
24 wherever the person may be found in this state, and to bring the person before the  
25 same or any other judge or court who or which may be available in or convenient of

1 access to the place where the arrest may be made, to answer the charge or complaint  
2 and affidavit; and a certified copy of the sworn charge or complaint and affidavit upon  
3 which the warrant is issued shall be attached to the warrant.

4 **SECTION 435.** 976.03 (22) of the statutes is amended to read:

5 976.03 (22) FUGITIVES FROM THIS STATE, DUTY OF GOVERNOR. Whenever the  
6 governor of this state shall demand a person charged with crime or with escaping  
7 from confinement or breaking the terms of his or her bail, probation, extended  
8 supervision or parole in this state from the executive authority of any other state, or  
9 from the chief justice or an associate justice of the district court of the United States  
10 for the District of Columbia authorized to receive such demand under the laws of the  
11 United States, the governor shall issue a warrant under the seal of this state, to some  
12 agent, commanding the agent to receive the person so charged if delivered to the  
13 agent and convey the person to the proper officer of the county in this state in which  
14 the offense was committed.

15 **SECTION 436.** 976.03 (23) (b) of the statutes is amended to read:

16 976.03 (23) (b) When the return to this state is required of a person who has  
17 been convicted of a crime in this state and has escaped from confinement or broken  
18 the terms of his or her bail, probation, extended supervision or parole, the  
19 prosecuting attorney of the county in which the offense was committed, the secretary  
20 of corrections, or the warden of the institution or sheriff of the county from which  
21 escape was made, shall present to the governor a written application for a requisition  
22 for the return of the person, in which application shall be stated the name of the  
23 person, the crime of which the person was convicted, the circumstances of escape  
24 from confinement or of the breach of the terms of bail, probation, extended

1 supervision or parole, and the state in which the person is believed to be, including  
2 the location of the person therein at the time application is made.

3 **SECTION 437.** 976.03 (27) (a) of the statutes is amended to read:

4 976.03 (27) (a) Any person arrested in this state charged with having  
5 committed any crime in another state or alleged to have escaped from confinement,  
6 or broken the terms of his or her bail, probation, extended supervision or parole may  
7 waive the issuance and service of the warrant provided for in subs. (7) and (8) and  
8 all other procedure incidental to extradition proceedings, by executing or subscribing  
9 in the presence of a judge of any court of record within this state a writing which  
10 states that the person consents to return to the demanding state; however, before  
11 such waiver shall be executed or subscribed by such person the judge shall inform  
12 such person of the person's rights to the issuance and service of a warrant of  
13 extradition and to commence an action for habeas corpus as provided in sub. (10).

14 **SECTION 438.** 976.05 (3) (a) of the statutes is amended to read:

15 976.05 (3) (a) Whenever a person has entered upon a term of imprisonment in  
16 a penal or correctional institution of a party state, and whenever during the  
17 continuance of the term of imprisonment there is pending in any other party state  
18 any untried indictment, information or complaint on the basis of which a detainer  
19 has been lodged against the prisoner, the prisoner shall be brought to trial within 180  
20 days after the prisoner has caused to be delivered to the prosecuting officer and the  
21 appropriate court of the prosecuting officer's jurisdiction written notice of the place  
22 of his or her imprisonment and his or her request for a final disposition to be made  
23 of the indictment, information or complaint, but for good cause shown in open court,  
24 the prisoner or the prisoner's counsel being present, the court having jurisdiction of  
25 the matter may grant any necessary or reasonable continuance. The request of the



1 prisoner shall be accompanied by a certificate of the appropriate official having  
2 custody of the prisoner, stating the term of commitment under which the prisoner is  
3 being held, the time already served, the time remaining to be served on the sentence,  
4 the amount of good time earned, the time of parole eligibility or date of release to  
5 extended supervision of the prisoner and any decisions of the department relating  
6 to the prisoner.

7 **SECTION 439.** 976.05 (4) (b) of the statutes is amended to read:

8 976.05 (4) (b) Upon receipt of the officer's written request under par. (a), the  
9 appropriate authorities having the prisoner in custody shall furnish the officer with  
10 a certificate stating the term of commitment under which the prisoner is being held,  
11 the time already served, the time remaining to be served on the sentence, the amount  
12 of good time earned, the time of parole eligibility or date of release to extended  
13 supervision of the prisoner, and any decisions of the state parole agency relating to  
14 the prisoner. Said authorities simultaneously shall furnish all other officers and  
15 appropriate courts in the receiving state who lodged detainers against the prisoner  
16 with similar certificates and with notices informing them of the request for custody  
17 or availability and of the reasons therefor.

18 **SECTION 440.** 977.05 (6) (h) (intro.) of the statutes is amended to read:

19 977.05 (6) (h) (intro.) The state public defender may not provide legal services  
20 or assign counsel in parole or extended supervision revocation proceedings unless all  
21 of the following apply:

22 **SECTION 441.** 977.05 (6) (h) 1. of the statutes is amended to read:

23 977.05 (6) (h) 1. The parolee or person on extended supervision is contesting  
24 the revocation of parole or extended supervision.

25 **SECTION 442.** 977.05 (6) (h) 2. of the statutes is amended to read:

1           977.05 (6) (h) 2. The department of corrections seeks to have the parolee or  
2 person on extended supervision imprisoned upon the revocation of parole or  
3 extended supervision.

4           **SECTION 443.** 977.06 (2) (b) of the statutes is amended to read:

5           977.06 (2) (b) A person who makes a false representation that he or she does  
6 not believe is true for purposes of qualifying for assignment of counsel shall be fined  
7 not more than \$10,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or  
8 both.

9           **SECTION 444.** 978.07 (1) (c) 1. of the statutes is amended to read:

10          978.07 (1) (c) 1. Any case record of a felony punishable by life imprisonment  
11 or a related case, after the defendant's parole eligibility date under s. 304.06 (1) or  
12 973.014 (1) or date of eligibility for release to extended supervision under s. 973.014  
13 (1g) (a) 1. or 2., whichever is applicable, or 50 years after the commencement of the  
14 action, whichever occurs later. If there is no parole eligibility date or no date for  
15 release to extended supervision, the district attorney may destroy the case record  
16 after the defendant's death.

17          **SECTION 445.** 980.015 (2) (a) of the statutes is amended to read:

18          980.015 (2) (a) The anticipated discharge from a sentence, anticipated release  
19 on parole or extended supervision or anticipated release from imprisonment of a  
20 person who has been convicted of a sexually violent offense.

21          **SECTION 446.** 980.02 (1) (b) 2. of the statutes is amended to read:

22          980.02 (1) (b) 2. The county in which the person will reside or be placed upon  
23 his or her discharge from a sentence, release on parole or extended supervision,  
24 release from imprisonment, from a secured correctional facility, as defined in s.

1 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or  
2 from a commitment order.

3 **SECTION 447.** 980.02 (2) (ag) of the statutes, as affected by 1997 Wisconsin Act  
4 ... (Assembly Bill 410), is amended to read:

5 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,  
6 extended supervision or otherwise, from a sentence that was imposed for a conviction  
7 for a sexually violent offense, from a secured correctional facility, as defined in s.  
8 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), if the  
9 person was placed in the facility for being adjudicated delinquent under s. 938.183  
10 or 938.34 on the basis of a sexually violent offense or from a commitment order that  
11 was entered as a result of a sexually violent offense.

12 **SECTION 448.** 980.02 (4) (am) of the statutes is amended to read:

13 980.02 (4) (am) The circuit court for the county in which the person will reside  
14 or be placed upon his or her discharge from a sentence, release on parole or extended  
15 supervision, release from imprisonment, from a secured correctional facility, as  
16 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02  
17 (15g), or from a commitment order.

18 **SECTION 449. Nonstatutory provisions.**

19 (1) CRIMINAL CODE STUDY COMMITTEE.

20 (a) In this subsection, "criminal code" means chapters 939 to 951 of the statutes.

21 (b) There is established a committee under section 15.01 (3) of the statutes  
22 called the criminal code study committee consisting of the following members:

- 23 1. Two judges appointed by the supreme court.
- 24 2. The majority leader in each house, or his or her designee.
- 25 3. The minority leader in each house, or his or her designee.

1           4. One faculty member from the law school of the University of  
2 Wisconsin-Madison appointed by the governor.

3           5. One faculty member from the law school of Marquette University appointed  
4 by the governor.

5           6. The attorney general or his or her designee.

6           7. One current district attorney appointed by the attorney general.

7           8. The state public defender or his or her designee.

8           9. One representative of crime victims appointed by the attorney general.

9           10. One attorney in private practice engaged primarily in the practice of  
10 criminal defense appointed by the governor.

11          11. One representative of law enforcement agencies appointed by the  
12 governor.

13          12. Three public members appointed by the governor.

14          13. The secretary of corrections or his or her designee.

15          (c) The governor shall appoint one member of the committee to be chairperson  
16 and one member of the committee to be reporter for the committee.

17          (d) The department of administration shall provide staff services to the  
18 committee.

19          (e) The committee shall study the classification of criminal offenses in the  
20 criminal code, the penalties for all felonies and issues relating to the implementation  
21 of the changes in sentencing made by this act. In addition, the committee shall make  
22 recommendations concerning all of the following:

23           1. Creating a uniform classification system for all felonies, including felonies  
24 outside of the criminal code.

1           2. Classifying each felony in a manner that places crimes of similar severity  
2 into the same classification.

3           3. Consolidating all felonies into a single criminal code.

4           4. The creation of a sentencing commission to promulgate sentencing  
5 guidelines for use by judges when imposing sentence under section 973.01 of the  
6 statutes, as created by this act.

7           5. Temporary sentencing guidelines for use by judges when imposing sentence  
8 under section 973.01 of the statutes, as created by this act, during the period before  
9 the promulgation of sentencing guidelines by a sentencing commission.

10          6. Changing the administrative rules of the department of corrections to  
11 ensure that a person who violates a condition of extended supervision imposed as  
12 part of a sentence under section 973.01 of the statutes, as created by this act, is  
13 returned to prison promptly and for an appropriate period of time.

14          (f) No later than March 1, 1999, the committee shall submit a report of its  
15 findings and recommendations to the legislature in the manner provided under  
16 section 13.172 (2) of the statutes and to the governor. The report shall include any  
17 proposed legislation that is necessary to implement the recommendations made by  
18 the committee in its report.

19          (2) ATTORNEY PROJECT POSITION. The authorized FTE positions for the  
20 department of administration are increased by 1.0 GPR attorney project position, to  
21 be funded from the appropriation under section 20.505 (3) (c) of the statutes, for the  
22 purpose of providing legal services to the criminal code study committee established  
23 under subsection (1), for the period ending March 1, 1999.

24           **SECTION 450. Initial applicability.**

1           (1) INCREASE IN FELONY PENALTIES. The treatment of sections 11.61 (1) (a) and  
2 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), (1m)  
3 (c), (11m) (a) and (11p) (a), 30.80 (2g) (b), (c) and (d) and (3m), 36.25 (6) (d), 47.03 (3)  
4 (d), 49.127 (8) (a) 2., (b) 2. and (c), 49.141 (7) (a) and (b), (9) (a) and (b) and (10) (b),  
5 49.49 (1) (b) 1., (2) (a) and (b), (3), (3m) (b) and (4) (b), 49.95 (1), 51.15 (12), 55.06 (11)  
6 (am), 66.4025 (1) (b) and (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4),  
7 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.26 (2), (5) and (7), 101.143 (10) (b), 101.94 (8)  
8 (b), 102.835 (11) and (18), 102.85 (3), 108.225 (11) and (18), 114.20 (18) (c), 125.075  
9 (2), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b) and (c), 132.20 (2),  
10 133.03 (1) and (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44  
11 (1), (1m), (2) and (8) (c), 139.95 (2) and (3), 146.345 (3), 146.35 (5), 146.60 (9) (am),  
12 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b) 1. and 2., 167.10 (9) (g), 175.20  
13 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12,  
14 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2),  
15 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.) and (c), 299.53 (4) (c)  
16 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b),  
17 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), (b), (c) and (d), 346.65 (5), 346.74  
18 (5) (b), (c) and (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2),  
19 551.58 (1), 552.19 (1), 553.52 (1) and (2), 562.13 (3) and (4), 565.50 (2) and (3), 601.64  
20 (4), 641.19 (4) (a) and (b), 765.30 (1) (intro.) and (2) (intro.), 768.07, 783.07, 939.50  
21 (3) (b), (bc), (c), (d) and (e), 946.85 (1), 961.41 (1) (a), (b), (cm) 1., 2., 3., 4. and 5., (d)  
22 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1.,  
23 2. and 3., (i) and (j), (1m) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4., 5. and 6., (e)  
24 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3., (i) and (j), (1n)  
25 (c), (2) (a), (b), (c) and (d), (3g) (a) 1. and 2. and (4) (am) 3., 961.42 (2), 961.43 (2),

1 961.455 (1), 968.31 (1) (intro.), 968.34 (3), 968.43 (3) and 977.06 (2) (b) of the statutes  
2 applies to offenses committed on or after the effective date of this subsection.

3 **SECTION 451. Effective dates.** This act takes effect on the day after  
4 publication, except as follows:

5 (1) INCREASE IN FELONY PENALTIES. The treatment of sections 11.61 (1) (a) and  
6 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), (1m)  
7 (c), (11m) (a) and (11p) (a), 30.80 (2g) (b), (c) and (d) and (3m), 36.25 (6) (d), 47.03 (3)  
8 (d), 49.127 (8) (a) 2., (b) 2. and (c), 49.141 (7) (a) and (b), (9) (a) and (b) and (10) (b),  
9 49.49 (1) (b) 1., (2) (a) and (b), (3), (3m) (b) and (4) (b), 49.95 (1), 51.15 (12), 55.06 (11)  
10 (am), 66.4025 (1) (b) and (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4),  
11 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.26 (2), (5) and (7), 101.143 (10) (b), 101.94 (8)  
12 (b), 102.835 (11) and (18), 102.85 (3), 108.225 (11) and (18), 114.20 (18) (c), 125.075  
13 (2), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b) and (c), 132.20 (2),  
14 133.03 (1) and (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44  
15 (1), (1m), (2) and (8) (c), 139.95 (2) and (3), 146.345 (3), 146.35 (5), 146.60 (9) (am),  
16 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b) 1. and 2., 167.10 (9) (g), 175.20  
17 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12,  
18 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2),  
19 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.) and (c), 299.53 (4) (c)  
20 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b),  
21 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), (b), (c) and (d), 346.65 (5), 346.74  
22 (5) (b), (c) and (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2),  
23 551.58 (1), 552.19 (1), 553.52 (1) and (2), 562.13 (3) and (4), 565.50 (2) and (3), 601.64  
24 (4), 641.19 (4) (a) and (b), 765.30 (1) (intro.) and (2) (intro.), 768.07, 783.07, 939.50  
25 (3) (b), (bc), (c), (d) and (e), 946.85 (1), 961.41 (1) (a), (b), (cm) 1., 2., 3., 4. and 5., (d)

1 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1.,  
2 2. and 3., (i) and (j), (1m) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4., 5. and 6., (e)  
3 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3., (i) and (j), (1n)  
4 (c), (2) (a), (b), (c) and (d), (3g) (a) 1. and 2. and (4) (am) 3., 961.42 (2), 961.43 (2),  
5 961.455 (1), 968.31 (1) (intro.), 968.34 (3), 968.43 (3) and 977.06 (2) (b) of the statutes  
6 and SECTION 450 (1) of this act take effect on July 1, 1999.

7 **(END)**