



**ASSEMBLY AMENDMENT 39,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 768**

May 6, 1998 – Offered by Representative SCHNEIDER.

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

2 **1.** Page 14, line 8: after “homes;” insert “telephone solicitation by prisoners;”.

3 **2.** Page 297, line 9: after that line insert:

4 “**SECTION 373m.** 134.73 of the statutes is created to read:

5 **134.73 Telephone solicitation by prisoners.** (1) DEFINITIONS. In this  
6 section:

7 (a) “Correctional facility” means a facility in which a person is incarcerated to  
8 serve a sentence imposed for conviction of a crime.

9 (b) “Telephone solicitation” has the meaning given in s. 134.72 (1) (c).

10 **(2) PROHIBITIONS.** No prisoner in a correctional facility may conduct a telephone  
11 solicitation unless the prisoner, at the outset of the telephone solicitation, identifies  
12 himself or herself as a prisoner, states his or her name, prisoner identification

1 number and the name and location of his or her correctional facility and states the  
2 name of the person on whose behalf he or she is conducting the telephone solicitation.

3 (3) TERRITORIAL APPLICATION. This section applies to an intrastate telephone  
4 solicitation and to an interstate telephone solicitation directed to or received by a  
5 person in this state.

6 (4) PENALTY; ENFORCEMENT. (a) A person who violates sub. (2) shall forfeit  
7 \$10,000 for each violation.

8 (b) The attorney general and the district attorneys of this state have concurrent  
9 authority to institute civil proceedings under this section.

10 (c) 1. In addition to or in lieu of seeking the penalty under par. (a), the attorney  
11 general or a district attorney may institute injunctive proceedings to enforce sub. (2).

12 2. A person who violates the terms of an injunction issued under subd. 1. shall  
13 forfeit \$10,000 for each violation.”.

14 (END)