

# Patch II

99-0456df\_pt1of2



boyle



olsenje



**1999 DRAFTING REQUEST**

**Bill**

Received: 10/5/98

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: **champra**

Subject: **Criminal Law - miscellaneous  
Criminal Law - sentencing  
Correctional System - parole  
Correctional System - prisons**

Extra Copies:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Restructuring of felony sentences; changes in felony penalties

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	olsenje 12/26/98	gilfokm 12/29/98		_____			State
/1			ismith 02/26/99	_____	lrb_docadmin 02/26/99	lrb_docadmin 04/12/99	

FE Sent For:

<END>

66-04-21-99  
→

**1999 DRAFTING REQUEST**

**Bill**

Received: 10/5/98

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: **champra**

Subject: **Criminal Law - miscellaneous  
Criminal Law - sentencing  
Correctional System - parole  
Correctional System - prisons**

Extra Copies:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Restructuring of felony sentences; changes in felony penalties

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	olsenje 12/26/98	gilfokm 12/29/98		_____			State
/1			ismith 02/26/99	_____	lrb_docadmin 02/26/99		

FE Sent For:

<END>

**1999 DRAFTING REQUEST**

**Bill**

Received: **10/5/98**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: *RAC*

Subject: **Criminal Law - miscellaneous  
Criminal Law - sentencing  
Correctional System - parole  
Correctional System - prisons**

Extra Copies: ~~*RAC*~~

---

**Topic:**

Restructuring of felony sentences; changes in felony penalties

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	olsenje	1 wlj 2/9/99	<i>IS/KM</i> 2/99	<i>IS/HH</i> 2/18/99			

FE Sent For:

<END>

1999

Date (time) needed Soon

LRB - 0456, 1

BILL

*(Handwritten scribble)*

JED & RAC: 000 :  
WLJ

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; **relating to:** .....

.....  
.....  
.....  
.....

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

- For the 3 titles used in an analysis, in the component bar:
- For the main heading [old =M], execute: ..... **create** → **anal:** → **title:** → **head**
- For the subheading [old =S], execute: ..... **create** → **anal:** → **title:** → **sub**
- For the sub-subheading [old =P], execute: ..... **create** → **anal:** → **title:** → **sub-sub**

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

SECTION #.

*(Handwritten scribble)*



State of Wisconsin  
1997-1998 LEGISLATURE  
1999-2000

LRBs0349/en  
PJD:kmg...

~~SENATE SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 351~~

~~JEGRAC~~

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),**

1 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.26 (2), 100.26 (5), 100.26 (7),  
2 101.143 (10) (b), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 106.215  
3 (8g) (b), 108.225 (11), 108.225 (18), 111.32 (3), 114.20 (18) (c), 125.075 (2),  
4 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c),  
5 132.13 (1) (a), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)  
6 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c),  
7 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
8 154.15 (2), 154.29 (2), 165.76 (1) (a), 165.76 (1) (e), 165.76 (2) (b) 1., 165.76 (2)  
9 (b) 2., 165.76 (2) (b) 3m., 165.76 (2) (b) 5., 165.76 (2) (b) 6., 165.84 (5), 166.20 (11)  
10 (b) 1., 166.20 (11) (b) 2., 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2),  
11 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
12 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 227.03 (4),  
13 230.36 (1), 230.36 (3) (c) (intro.), 230.36 (3) (c) 2., 230.36 (3) (c) 3., 253.06 (4) (b),  
14 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c), 299.53 (4) (c) 2., 301.03 (2r),  
15 301.03 (3), 301.03 (3g), 301.03 (13), 301.046 (3) (intro.), 301.048 (1) (a), 301.048  
16 (2) (b), 301.048 (2) (d), 301.048 (4) (a), 301.048 (4) (am), 301.048 (4m) (b) (intro.),  
17 301.048 (4m) (b) 1., 301.048 (4m) (b) 2., 301.049 (2) (a) 2., 301.049 (3) (e), 301.08  
18 (1) (c) 2., 3., 3m. and 5., 301.08 (3) (b) (intro.), 301.132 (2), 301.132 (3), 301.21  
19 (1m) (a) 8., 301.21 (2m) (a) 6., 301.32 (3) (a), 301.32 (3) (b), 301.38 (1) (am),  
20 301.45 (1) (b), 301.45 (1) (bm), 301.45 (1) (dh), 301.45 (2) (a) 4. b., 301.45 (2) (e)  
21 1., 301.45 (2) (e) 2., 301.45 (3) (a) 1m., 301.45 (3) (a) 2., 301.45 (3) (b) 2., 301.45  
22 (3) (b) 4., 301.45 (5) (a) 1m., 301.46 (2) (b) 4. b., 302.045 (1), 302.045 (3), 302.045  
23 (4), 302.095 (2), 302.11 (1), 302.11 (1g) (am), 302.11 (1i), 302.11 (1p), 302.11 (6),  
24 302.11 (9), 302.14, 302.17 (2), 302.25 (4) (c), 302.33 (2) (a) (intro.), 302.33 (2) (b),  
25 302.335 (title), 302.335 (2) (intro.), 302.335 (2) (a) (intro.), 302.335 (2) (a) 1.,

1 302.335 (2) (a) 2., 302.335 (2) (a) 3., 302.335 (2) (b), 302.335 (3), 302.335 (4),  
2 303.21 (1)(a), 303.215, 304.02 (3)(c), 304.02 (4), 304.02 (5), 304.06 (1)(b), 304.06  
3 (1y), 304.062 (title), 304.062 (1), 304.062 (2), 304.063 (title), 304.063 (2) (intro.),  
4 304.063 (3), 304.071 (2), 304.072 (title), 304.072 (1), 304.072 (2), 304.072 (3),  
5 304.072 (4), 304.073 (2), 304.073 (2m) (a), 304.073 (4), 304.074 (title), 304.074  
6 (2), 304.074 (3) (intro.), 304.074 (3) (d), 304.074 (4), 304.074 (4m) (a), 304.075,  
7 304.13 (1) (intro.), 304.13 (2), 304.13 (3), 304.13 (7), 304.13 (8) (b), 304.135,  
8 304.137, 304.14, 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156  
9 (6) (b), 342.30 (3) (a), 342.32 (3), 343.06 (1) (i), 343.30 (2d), 344.48 (2), 346.17 (3)  
10 (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.65 (5), 346.74 (5) (b), 346.74  
11 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5),  
12 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4),  
13 563.14 (2), 563.27 (1), 563.51 (29) (b), 565.50 (2), 565.50 (3), 601.64 (4), 641.19  
14 (4) (a), 641.19 (4) (b), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07,  
15 801.50 (5), 807.15 (2) (intro.), 807.15 (3) (a), 938.183 (3), 938.78 (2) (d) 5.,  
16 938.991 (1), 938.991 (3) (c), 938.991 (5) (a), 938.991 (5) (am), 938.991 (6),  
17 938.991 (7) (title), 938.991 (7) (a), 938.991 (7) (b), 938.991 (7) (c), 938.991 (14),  
18 938.993 (2), 939.50 (3) (b), 939.50 (3) (bc), 939.50 (3) (c), 939.50 (3) (d), 939.50  
19 (3) (e), 939.62 (2m) (b), 940.20 (2m) (title), 940.20 (2m) (a) 2., 940.20 (2m) (b),  
20 942.06 (2m) (a), 942.06 (2q) (a) (intro.), 946.42 (1) (a), 946.46, 946.85 (1), 950.04  
21 (1v) (v), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) 1., 961.41 (1) (cm) 2., 961.41  
22 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (cm) 5., 961.41 (1) (d) 1., 961.41 (1) (d)  
23 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41  
24 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (e) 5.,  
25 961.41 (1) (e) 6., 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g)



1 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41  
2 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (a), 961.41 (1m) (b), 961.41  
3 (1m) (cm) 1., 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41  
4 (1m) (cm) 5., 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m)  
5 (d) 4., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 1., 961.41 (1m) (e)  
6 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6.,  
7 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) 1., 961.41  
8 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m)  
9 (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2) (a), 961.41 (2)  
10 (b), 961.41 (2) (c), 961.41 (2) (d), 961.41 (3g) (a) 1., 961.41 (3g) (a) 2., 961.41 (4)  
11 (am) 3., 961.42 (2), 961.43 (2), 961.455 (1), 961.49 (2) (a), 961.49 (2) (b), 968.31  
12 (1) (intro.), 968.34 (3), 969.01 (4), 971.11 (1), 972.13 (6), 972.15 (5) (intro.),  
13 973.013 (1) (b), 973.013 (2), 973.0135 (2) (intro.), 973.014 (title), 973.014 (1)  
14 (intro.), 973.014 (1) (c), 973.014 (2), 973.032 (1), 973.10 (1), 973.15 (2) (b), 973.15  
15 (6), 973.155 (1) (b), 973.155 (2), 973.155 (5), 973.20 (1r), 973.20 (10), 975.10 (1),  
16 976.03 (3), 976.03 (13), 976.03 (22), 976.03 (23) (b), 976.03 (27) (a), 976.05 (3)  
17 (a), 976.05 (4) (b), 977.05 (6) (h) (intro.), 977.05 (6) (h) 1., 977.05 (6) (h) 2., 977.06  
18 (2) (b), 978.07 (1) (c) 1., 980.015 (2) (a), 980.02 (1) (b) 2., 980.02 (2) (ag) and  
19 980.02 (4) (am); **to repeal and recreate** 302.11 (1), 304.06 (1) (b) and 968.43  
20 (3); and **to create** 20.505 (3) (c), 46.03 (7) (f), 301.03 (14), 301.046 (3t), 301.048  
21 (2) (cm), 301.048 (2m), 301.048 (6) (b), 301.35 (2) (bm), 302.045 (2) (cm), 302.045  
22 (3m), 302.11 (1z), 302.113, 302.114, 304.02 (6), 807.15 (3) (c), 950.04 (1v) (vm),  
23 972.15 (2c), 973.01 and 973.014 (1g) of the statutes; **relating to:** sentences for

24

felony offenses, parole, extended supervision & creating a criminal penalties

eliminating

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

ANALYSIS  
INSERT

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

as affected by 1997 Wisconsin Act 233, is repealed and recreated

Fix Component 3

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

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

Fix Component 7

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

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

Fix Component 13

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

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

Fix Component 17

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

**13.05 Logrolling prohibited.** Any member of the legislature who gives, offers or promises to give his or her vote or influence in favor of or against any measure or proposition pending or proposed to be introduced, in the legislature in consideration or upon condition that any other person elected to the same legislature will give or will promise or agree to give his or her vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in

1 such legislature, or who gives, offers or promises to give his or her vote or influence  
2 for or against any measure on condition that any other member will give his or her  
3 vote or influence in favor of any change in any other bill pending or proposed to be  
4 introduced in the legislature may be fined not less than \$500 nor more than \$1,000  
5 or imprisoned <sup>plain</sup> for not less than one year nor more than ~~3~~ <sup>2</sup> years ~~and 6 months~~ or both. ✓

Fix Component

6 SECTION 5. 13.06 of the statutes, as affected by 1997 Wisconsin Act ~~28~~ <sup>283</sup>, is  
7 amended to read: repealed and recreated

8 **13.06 Executive favor.** Any member of the legislature who gives, offers or  
9 promises to give his or her vote or influence in favor of or against any measure or  
10 proposition pending or proposed to be introduced in the legislature, or that has  
11 already been passed by either house of the legislature, in consideration of or on  
12 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
13 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
14 introduced in the legislature or that has already been passed by the legislature, or  
15 either house thereof, or in consideration or upon condition that the governor  
16 nominate for appointment or appoint or remove any person to or from any office or  
17 position under the laws of this state, may be fined not less than \$500 nor more than  
18 \$1,000 or imprisoned <sup>plain</sup> for not less than one year nor more than ~~2~~ <sup>1</sup> years or both. ✓

Fix Component

19 SECTION 6. 13.69 (6m) <sup>plain</sup> of the statutes, as affected by 1997 Wisconsin Act ~~28~~ <sup>283</sup>  
20 ~~(Assembly Bill 57)~~, is amended to read: repealed and recreated

21 13.69 (6m) Any principal, lobbyist or other individual acting on behalf of a  
22 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 <sup>that</sup> which  
23 he or she does not believe to be true may be fined not more than \$10,000 or  
24 imprisoned for not more than <sup>plain</sup> ~~5~~ <sup>1</sup> years ~~and 6 months~~ or both. ✓

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

plain → in s. 304.06 (1) (eg) and

19.85 (1) (d) Except as provided by <sup>rules</sup> ~~rule~~ promulgated under s. 304.06 (1) (em),  
considering specific applications of probation, ~~extended supervision~~ or parole, or  
considering strategy for crime detection or prevention.

WPs: Please proof w/stats.

1

2

3

4

5

6

7

8

9

10

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

1997-98      1998-99

**20.505 Administration, department of**

(3) COMMITTEES AND INTERSTATE BODIES

(c) Criminal penalties study committee

GPR      B      200,000      -0-

11

12

13

14

15

16

17

18

19

20

21

22

23

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

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

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

20.410 (1) (bn) ~~Reimbursing counties for probation~~ ~~extended supervision~~ and parole holds. The amounts in the schedule for payments to counties under s. 302.33 (2) (a) for costs relating to maintaining persons in custody pending the

Please proof w/stats.

Please proof w/stats.

1 disposition of their parole, ~~extended supervision~~ or probation revocation  
2 proceedings.

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

5 20.410 (1) (d) *Purchased services for offenders.* The amounts in the schedule  
6 for the purchase of goods, care and services, including community-based residential  
7 care, authorized under s. 301.08 (1) (b) 1., for inmates, probationers ~~and~~ parolees <sup>and</sup>  
8 ~~and persons on extended supervision~~. In addition, funds from this appropriation  
9 shall be used to reimburse programs under s. 38.04 (12).

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

11 20.410 (1) (g) ~~(title)~~ *Loan fund for persons on probation, ~~extended supervision~~*  
12 *or parole.* The amounts in the schedule for the purposes specified in ss. 301.32 (3)  
13 and 304.075. All moneys received belonging to absconding probationers ~~and~~  
14 ~~and~~ parolees ~~and persons on extended supervision~~ under ss. 301.32 (3) and 304.075 shall  
15 be credited to this appropriation.

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

17 20.410 (1) (gb) *Drug testing.* All moneys received from probation, ~~extended~~  
18 ~~supervision~~ and parole clients who are required to pay for their drug testing, as  
19 prescribed by rule in accordance with s. 301.03 (3), for expenditures related to the  
20 drug testing program for probationers ~~and~~ parolees ~~and persons on extended~~  
21 ~~supervision~~ under s. 301.03 (3).

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

23 20.410 (1) (gc) *Sex offender honesty testing.* All moneys received from  
24 probation, ~~extended supervision~~ and parole clients who are required to pay for  
25 polygraph examinations, as prescribed by rule in accordance with s. 301.132 (3), for

Please proof w/ stats.

1 expenditures related to the lie detector test program for probationers, ~~extended~~ <sup>strike</sup>  
2 ~~supervision~~ <sup>strike</sup> and parolees under s. 301.132.

3 SECTION 15. 20.410 (1) (ge) <sup>v</sup> of the statutes, as affected by 1997 Wisconsin Act  
4 ~~is~~ is amended to read:

5 20.410 (1) (ge) *Administrative and minimum supervision.* The amounts in the  
6 schedule for the supervision of probationers ~~and~~ <sup>strike comma</sup> parolees ~~and persons on extended~~ <sup>and</sup> ~~supervision~~ <sup>strike</sup>  
7 ~~under~~ <sup>strike</sup> minimum or administrative supervision and for the department's  
8 costs associated with contracts under s. 301.08 (1) (c) 2. All moneys received from  
9 vendors under s. 301.08 (1) (c) 4. and from fees charged under s. 304.073 (2) shall be  
10 credited to this appropriation account.

11 SECTION 16. 20.410 (1) (gf) <sup>v</sup> of the statutes, as affected by 1997 Wisconsin Act  
12 ~~is~~ is amended to read:

13 20.410 (1) (gf) ~~(title)~~ *Probation ~~and~~ parole ~~and extended supervision.~~* The  
14 amounts in the schedule for probation ~~and~~ <sup>strike comma</sup> parole ~~and extended supervision.~~ <sup>and</sup> All  
15 moneys received from fees charged under s. 304.074 (2) shall be credited to this  
16 appropriation account.

Fix component

17 SECTION 17. 20.505 (3) (c) <sup>v</sup> of the statutes is ~~created to read~~ <sup>repealed.</sup>

18 ~~20.505 (3) (c) Criminal penalties study committee.~~ Biennially, the amounts in  
19 the schedule for the operation of the criminal penalties study committee established  
20 under 1997 Wisconsin Act .... (this act), section 454 (1).

Fix component

21 SECTION 18. 23.33 (13) (cg) <sup>v</sup> of the statutes is amended ~~to read~~ <sup>repealed and recreated to read</sup> ~~as affected by~~ <sup>1997 Wisconsin Act 283, v</sup>

22 23.33 (13) (cg) *Penalties related to causing death or injury; interference with*  
23 *signs and standards.* A person who violates sub. (8) (f) 1. shall be fined not more than  
24 \$10,000 or imprisoned for not more than ~~2~~ <sup>plan</sup> years or both if the violation causes the  
25 death or injury, as defined in s. 30.67 (3) (b), of another person.

Fix  
Component

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

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

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

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

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

SECTION 22. 29.99 (11m) (a) of the statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

29.99 (11m) (a) For shooting, shooting at, killing, taking, catching or possessing a bear without a valid Class A bear license, or for possessing a bear which does not have a carcass tag attached or possessing a bear during the closed season, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both for the first violation, or by a fine of not more than \$5,000 or imprisonment for not more than one year or both for any subsequent violation, and, in addition, the court shall revoke all hunting approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting approval under this chapter to the person for 3 years.

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

INS  
10-5

repealed and recaptured

as affected by 1997 Wisconsin Act 283

2

1 29.99 (11p) (a) For entering the den of a hibernating black bear and harming  
2 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~one~~  
3 ~~year~~ <sup>plain</sup> 2 years or both.

Fix component

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

5 30.80 (2g) (b) Shall be fined not less than \$300 nor more than \$5,000 or  
6 imprisoned ~~for~~ <sup>plain</sup> not more than ~~one year~~ ~~or both~~ or both if the accident involved injury  
7 to a person but the person did not suffer great bodily harm.

Fix component

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

9 30.80 (2g) (c) Shall be fined not more than \$10,000 or imprisoned <sup>plain</sup> for not more  
10 than ~~2~~ <sup>plain</sup> years or both if the accident involved injury to a person and the person  
11 suffered great bodily harm.

Fix component

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

13 30.80 (2g) (d) Shall be fined not more than \$10,000 or imprisoned <sup>plain</sup> for not more  
14 than ~~5~~ <sup>plain</sup> years and ~~6 months~~ or both if the accident involved death to a person.

Fix component

15 SECTION 27. 30.80 (3m) of the statutes, as <sup>affected</sup> ~~created~~ by 1997 Wisconsin Act ~~10~~

16 <sup>285</sup> (Senate Bill 285), is amended to read:

17 30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) shall be fined not more  
18 than \$5,000 or imprisoned <sup>plain</sup> not more than ~~5~~ years and ~~6 months~~ or both.

Fix component

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

20 36.25 (6) (d) Any officer, agent, clerk or employe of the survey or department  
21 of revenue who makes known to any person except the officers of the survey or  
22 department of revenue, in any manner, any information given to such person in the  
23 discharge of such person's duties under par. (c), which information was given to such  
24 person with the request that it not be made known, upon conviction thereof, shall be  
25 fined not less than \$50 nor more than \$500 or imprisoned ~~in the county jail~~ for not

repealed and recreated  
affected by 1997 Wisconsin Act 285



① less than one month nor more than ~~6 months, or imprisoned in the Wisconsin state~~  
 ② ~~prisons for not more than 2 1/2 years.~~ This paragraph shall not prevent the use for  
 3 assessment purposes of any information obtained under this subsection.

④ ~~SECTION 29. 46.03 (7) (f) of the statutes is treated to read:~~  
 5 ~~46.03 (7) (f) As part of its biennial budget request under s. 16.42, submit a~~  
 6 ~~request for funding for child abuse prevention efforts in an amount equal to or~~  
 7 ~~greater than 1% of the total proposed budget of the department of corrections for the~~  
 8 ~~same biennium, as indicated by the estimate provided by the department of~~  
 9 ~~corrections under s. 301.03 (14).~~

⑩ ~~SECTION 30. 46.21 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 114~~  
 ⑪ ~~(Senate Bill 384)~~ is amended to read:

12 46.21 (1) (d) "Human services" means the total range of services to people,  
 13 including mental illness treatment, developmental disabilities services, physical  
 14 disabilities services, relief funded by a relief block grant under ch. 49, income  
 15 maintenance, youth probation, ~~extended supervision~~ <sup>strike</sup> and parole services, alcohol  
 16 and drug abuse services, services to children, youth and families, family counseling,  
 17 early intervention services for children from birth to the age of 3 and manpower  
 18 services. "Human services" does not include child welfare services under s. 48.48 (17)  
 19 administered by the department in a county having a population of 500,000 or more.

⑳ ~~SECTION 31. 46.23 (2) (a) of the statutes, as affected by 1997 Wisconsin Act...~~  
 ㉑ ~~(Senate Bill 384)~~ is amended to read:

22 46.23 (2) (a) "Human services" means the total range of services to people  
 23 including, but not limited to, health care, mental illness treatment, developmental  
 24 disabilities services, relief funded by a block grant under ch. 49, income  
 25 maintenance, probation, ~~extended supervision~~ <sup>strike</sup> and parole services, alcohol and drug

Please proof w/stats.

1 abuse services, services to children, youth and aging, family counseling, special  
2 education services and manpower services.

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

4 46.48 (8) (d) 1. The use of liaisons to meet with prospective program  
5 participants to provide information about the program and to assist program  
6 participants, prior to their release on ~~extended supervision or parole~~ <sup>strike</sup>, in planning for  
7 and obtaining the housing, employment, education and treatment that they will  
8 need upon release.

9 SECTION 33. 47.03 (3) (d) of the statutes is ~~amended~~ <sup>repealed and recreated</sup> to read:

10 47.03 (3) (d) Any person who violates this subsection shall be fined not more  
11 than \$1,000 or imprisoned <sup>plain</sup> for not more than ~~one year~~ <sup>2 years</sup> or both.

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

13 48.78 (2) (d) 5. On parole under s. 302.11 or ch. 304 ~~or on extended supervision~~ <sup>strike</sup>  
14 ~~under s. 302.112 or 302.114.~~ <sup>strike</sup>

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

17 49.124 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the food  
18 stamp program in a month in which that person is a fugitive felon under 7 USC 2015  
19 (k) (1) or is violating a condition of probation, ~~extended supervision~~ <sup>strike</sup> or parole imposed  
20 by a state or federal court.

21 SECTION 36. 49.127 (8) (a) 2. of the statutes, as affected by 1997 Wisconsin Act  
22 ~~283~~ <sup>repealed and recreated</sup>, is amended to read:

23 49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than  
24 \$5,000, a person who violates this section may be fined not more than \$10,000 or  
25 imprisoned for not more than ~~5~~ <sup>5</sup> years ~~and 6 months~~ or both.

Please proof w/  
Stats.

Fix  
Component

Please  
proof w/  
Stats.

Fix  
Component

repealed by 1997 Wisconsin Act 283

plain

Fix Component 1

SECTION 37. 49.127 (8) (b) 2. of the statutes, as affected by 1997 Wisconsin Act

283<sup>✓</sup> is amended to read:

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

Fix Component 7

SECTION 38. 49.127 (8) (c) of the statutes, as ~~created~~<sup>affected</sup> by 1997 Wisconsin Act 283<sup>✓</sup> is ~~amended~~<sup>repealed and recreated</sup> to read:

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

Fix Component 11

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

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

Fix Component 16

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

49.141 (7) (b) A person, other than a person under par. (a), who is convicted of violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than ~~one year~~<sup>plain</sup> or both.

Fix Component

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

49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind, in return for referring an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under Wisconsin works, or in return for purchasing, leasing, ordering, or arranging for or recommending purchasing, leasing, or ordering any good, facility,

as affected by 1997 Wisconsin Act 283<sup>✓</sup>

1 service<sup>g</sup> or item for which payment may be made in whole or in part under Wisconsin  
2 works, may be fined not more than \$25,000 or imprisoned for not more than ~~5~~<sup>plain</sup> years  
3 ~~and 6 months~~ or both.

*affected by Wisconsin Act 283*

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

*repealed and recreated*

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

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

*repealed and recreated*

14 49.141 (10) (b) A person who violates this subsection may be fined not more  
15 than \$25,000 or imprisoned for not more than ~~5~~<sup>plain</sup> years ~~and 6 months~~ or both.

16 SECTION 44. 49.145 (2) (rm) of the statutes, as created by 1997 Wisconsin Act

17 ~~27~~ is amended to read:

18 49.145 (2) (rm) The individual is not violating a condition of probation,

19 ~~extended supervision~~ or parole imposed under federal or state law.

20 SECTION 45. 49.32 (10) (a) 2. a. of the statutes, as affected by 1997 Wisconsin

21 ~~Act 27~~ is amended to read:

22 49.32 (10) (a) 2. a. That the recipient or participant is a fugitive felon under 42  
23 USC 608 (a) (9), is violating a condition of probation, ~~extended supervision~~<sup>strike</sup> or parole  
24 imposed under state or federal law or has information that is necessary for the officer  
25 to conduct the official duties of the officer.

Fix Component

Fix Component

Please proof w/starts.

Fix Component 1

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

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

Fix Component 7

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

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

Repealed and reinserted

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

49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any remuneration including any kickback, bribe, or rebate directly or indirectly, overtly or covertly, in cash or in kind to any person to induce such person to refer an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under a medical assistance program, or to purchase, lease, order, or arrange for or recommend purchasing, leasing, or ordering any good, facility, service or item for which payment

Fix Component

as affected by 1997 Wisconsin Act 283

1 may be made in whole or in part under a medical assistance program, may be fined  
2 not more than \$25,000 or imprisoned for not more than ~~5 1/2~~<sup>plan</sup> years ~~and 6 months~~ or  
3 both.

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

5 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly  
6 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
7 false statement or representation of a material fact with respect to the conditions or  
8 operation of any institution or facility in order that such institution or facility may  
9 qualify either upon initial certification or upon recertification as a hospital, skilled  
10 nursing facility, intermediate care facility, or home health agency. Violators of this  
11 subsection may be fined not more than \$25,000 or imprisoned for not more than ~~5 1/2~~<sup>plan</sup>  
12 years ~~and 6 months~~ or both.

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

14 49.49 (3m) (b) A person who violates this subsection may be fined not more  
15 than \$25,000 or imprisoned for not more than ~~5 1/2~~<sup>plan</sup> years ~~and 6 months~~ or both.

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

17 49.49 (4) (b) A person who violates this subsection may be fined not more than  
18 \$25,000 or imprisoned for not more than ~~5 1/2~~<sup>plan</sup> years ~~and 6 months~~ or both.

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

20 49.95 (1) Any person who, with intent to secure public assistance under this  
21 chapter, whether for himself or herself or for some other person, wilfully makes any  
22 false representations may, if the value of the assistance so secured does not exceed  
23 \$300, be required to forfeit not more than \$1,000; if the value of the assistance  
24 exceeds \$300 but does not exceed \$1,000, be fined not more than \$250 or imprisoned  
25 for not more than 6 months or both; if the value of the assistance exceeds \$1,000 but

Fix Component

repealed and recreated

Fix Component

Fix Component

Fix Component

as amended by 1997 Wisconsin Act 283

1 does not exceed \$2,500, be fined not more than \$500 or imprisoned for not more than  
2 ~~5~~<sup>plain</sup> years ~~and 6 months~~ or both; and if the value of the assistance exceeds \$2,500, be  
3 punished as prescribed under s. 943.20 (3) (c).<sup>✓</sup>

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

5 51.15 (1) (b) 2. A specific recent overt act or attempt or threat to act or omission  
6 by the individual which is reliably reported to the officer or person by any other  
7 person, including any probation, ~~extended supervision~~<sup>strike</sup> and parole agent authorized  
8 by the department of corrections to exercise control and supervision over a  
9 probationer ~~or parolee or person on extended supervision~~<sup>strike</sup> as affected by 1997  
Wisconsin Act 283 ✓

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

11 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5)<sup>repealed and recreated</sup> or (10)<sup>✓</sup>  
12 knowing the information contained therein to be false may be fined not more than  
13 \$5,000 or imprisoned ~~for not more than 5~~<sup>plain</sup> years ~~and 6 months~~ or both.

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

15 51.20 (1) (ar) (intro.) If the individual is an inmate of a state prison, the petition  
16 may allege that the inmate is mentally ill, is a proper subject for treatment and is  
17 in need of treatment. The petition shall allege that appropriate less restrictive forms  
18 of treatment have been attempted with the individual and have been unsuccessful  
19 and it shall include a description of the less restrictive forms of treatment that were  
20 attempted. The petition shall also allege that the individual has been fully informed  
21 about his or her treatment needs, the mental health services available to him or her  
22 and his or her rights under this chapter and that the individual has had an  
23 opportunity to discuss his or her needs, the services available to him or her and his  
24 or her rights with a licensed physician or a licensed psychologist. The petition shall  
25 include the inmate's sentence and his or her expected date of release as determined

Please proof w/  
stats.

Fix  
Component

Please proof w/stats.

1 under s. 302.11 ~~or 302.113, whichever is applicable~~ <sup>strike</sup> The petition shall have attached  
 2 to it a signed statement by a licensed physician or a licensed psychologist of a state  
 3 prison and a signed statement by a licensed physician or a licensed psychologist of  
 4 a state treatment facility attesting either of the following:

5 SECTION 56. 51.20 (13) (g) 2m. <sup>↓</sup> of the statutes is amended to read:

6 51.20 (13) (g) 2m. In addition to the provisions under subds. 1., 2. and 2g., no  
 7 commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's date  
 8 of release ~~on parole or extended supervision~~ <sup>strike</sup> as determined under s. 302.11 ~~or~~ <sup>strike</sup>  
 9 ~~302.113, whichever is applicable~~ <sup>strike</sup> <sup>↓</sup>

10 SECTION 57. 51.30 (4) (b) 10. (intro.) <sup>↓</sup> of the statutes is amended to read:

11 51.30 (4) (b) 10. (intro.) To a correctional facility or to a probation ~~extended~~ <sup>strike</sup>  
 12 ~~supervision~~ <sup>strike</sup> and parole agent who is responsible for the supervision of an individual  
 13 who is receiving inpatient or outpatient evaluation or treatment under this chapter  
 14 in a program that is operated by, or is under contract with, the department or a  
 15 county department under s. 51.42 or 51.437, or in a treatment facility, as a condition  
 16 of the probation, ~~extended supervision~~ <sup>strike</sup> and parole supervision plan, or whenever  
 17 such an individual is transferred from a state or local correctional facility to such a  
 18 treatment program and is then transferred back to the correctional facility. Every  
 19 probationer ~~or~~ <sup>strike</sup> ~~or person on extended supervision~~ <sup>strike</sup> who receives evaluation  
 20 or treatment under this chapter shall be notified of the provisions of this subdivision  
 21 by the individual's probation ~~extended supervision~~ <sup>strike</sup> and parole agent. Release of  
 22 records under this subdivision is limited to:

23 SECTION 58. 51.30 (4) (b) 10. a. <sup>↓</sup> of the statutes is amended to read:

24 51.30 (4) (b) 10. a. The report of an evaluation which is provided pursuant to  
 25 the written probation ~~extended supervision~~ <sup>strike</sup> and parole supervision plan.

WPD: Please proof w/ stats.



1           **SECTION 59.** 51.30 (4) (b) 10. b. <sup>✓</sup> of the statutes is amended to read:

2           51.30 (4) (b) 10. b. The discharge summary, including a record or summary of  
3 all somatic treatments, at the termination of any treatment which is provided as part  
4 of the probation, ~~extended supervision~~ <sup>strike</sup> and parole supervision plan.

5           **SECTION 60.** 51.30 (4) (b) 10. d. <sup>✓</sup> of the statutes is amended to read:

6           51.30 (4) (b) 10. d. Any information necessary to establish, or to implement  
7 changes in, the individual's treatment plan or the level and kind of supervision on  
8 probation, ~~extended supervision~~ <sup>strike</sup> or parole, as determined by the director of the  
9 facility or the treatment director. In cases involving a person transferred back to a  
10 correctional facility, disclosure shall be made to clinical staff only. In cases involving  
11 a person on probation, ~~extended supervision~~ <sup>strike</sup> or parole, disclosure shall be made to  
12 a probation, ~~extended supervision~~ <sup>strike</sup> and parole agent only. The department shall  
13 promulgate rules governing the release of records under this subdivision.

14           **SECTION 61.** 51.37 (8) (a) <sup>✓</sup> of the statutes is amended to read:

15           51.37 (8) (a) Rights to reexamination under s. 51.20 (16) apply to a prisoner or  
16 inmate who is found to be mentally ill or drug dependent except that the petition  
17 shall be made to the court that made the finding or, if the prisoner or inmate is  
18 detained by transfer, to the circuit court of the county in which he or she is detained.  
19 If upon rehearing it is found that the standards for recommitment under s. 51.20 (13)  
20 (g) no longer apply to the prisoner or inmate or that he or she is not in need of  
21 psychiatric or psychological treatment, the prisoner or inmate shall be returned to  
22 the prison or county jail or house of correction unless it is past his or her release date  
23 as determined under s. 302.11 ~~or 302.113, whichever is applicable,~~ <sup>Strike</sup> in which case he  
24 or she shall be discharged. <sup>plain comma</sup>

25           **SECTION 62.** 51.37 (8) (b) <sup>✓</sup> of the statutes is amended to read:

1 51.37 (8) (b) If the condition of any prisoner or inmate committed or transferred  
 2 under this section requires psychiatric or psychological treatment after his or her  
 3 date of release as determined under s. 302.11 ~~or 302.113, whichever is applicable,~~ <sup>strike</sup> the <sup>plain</sup>  
 4 director of the state treatment facility shall, within a reasonable time before the <sup>comma</sup>  
 5 release date of the prisoner or inmate, make a written application to the court which  
 6 committed the prisoner or inmate under sub. (5) (a). Thereupon, the proceeding shall  
 7 be upon application made under s. 51.20, but no physician or psychologist who is  
 8 connected with a state prison, Winnebago or Mendota <sup>✓ STET ✓</sup> mental health institute or any  
 9 county jail or house of correction may be appointed as an examiner. If the court does  
 10 not commit the prisoner or inmate, it may dismiss the application and order the  
 11 prisoner or inmate returned to the institution from which he or she was transferred  
 12 until the release date of the prisoner or inmate. If the court commits the prisoner or  
 13 inmate for the period commencing upon his or her release date, the commitment  
 14 shall be to the care and custody of the county department under s. 51.42 or 51.437.

15 SECTION 63. 51.37 (11) <sup>✓</sup> of the statutes is amended to read:

16 51.37 (11) When an individual who is in the custody of or under the supervision  
 17 of a correctional officer of the department of corrections is transferred, discharged  
 18 or is on unauthorized absence from a treatment facility, the probation <sup>strike</sup> ~~extended~~  
 19 <sup>strike</sup> ~~supervision~~ and parole agent or other individual within the department of  
 20 corrections who is responsible for that individual's supervision shall be notified as  
 21 soon as possible by the director of the treatment facility.

22 SECTION 64. 55.06 (11) (am) <sup>✓</sup> of the statutes is amended to read:

23 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the  
 24 information contained therein to be false may be fined not more than \$5,000 or  
 25 imprisoned <sup>plain</sup> for not more than <sup>5</sup> ~~years~~ ~~or both~~ <sup>repealed and recreated</sup>

Please proof w/stats.

Fix Component

as amended by 1997 Wisconsin Act 253, ✓  
repealed and recreated

Fix Component

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

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

Fix Comp

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

66.4025 (1) (c) Any person who secures or assists in securing dwelling accommodations under s. 66.402 by intentionally making false representations in order to receive more than \$25,000 in financial assistance for which the person would not otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not more than <sup>plan</sup> 5 1/2 years ~~and 6 months~~ or both.

Repealed and recreated

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

69.24 (1) (intro.) Any person who does any of the following shall be fined not more than \$10,000 or imprisoned <sup>plan</sup> for not more than 2 1/2 years or both:

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

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

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

71.83 (2) (b) *Felony*. 1. 'False income tax return; fraud.' Any person, other than a corporation or limited liability company, who renders a false or fraudulent income tax return with intent to defeat or evade any assessment required by this chapter shall be guilty of a felony and may be fined not ~~more than~~ <sup>plan</sup> \$10,000 or imprisoned for not ~~more than~~ <sup>plan</sup> 5 years ~~and 6 months~~ or both, together with

as affected by 1997 Wisconsin Act 283

plan 5

1 the cost of prosecution. In this subdivision, "return" includes a separate return filed  
2 by a spouse with respect to a taxable year for which a joint return is filed under s.  
3 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
4 the spouses with respect to a taxable year for which a separate return is filed under  
5 s. 71.03 (2) (m) after the filing of that joint return.

6 2. 'Officer of a corporation; false franchise or income tax return.' Any officer  
7 of a corporation or manager of a limited liability company required by law to make,  
8 render, sign or verify any franchise or income tax return, who makes any false or  
9 fraudulent franchise or income tax return, with intent to defeat or evade any  
10 assessment required by this chapter shall be guilty of a felony and may be fined not  
11 ~~more than~~ <sup>plain</sup> \$10,000 or imprisoned for not ~~more than~~ <sup>5</sup> years and  
12 ~~6 months~~ or both, together with the cost<sup>s</sup> of prosecution.

13 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,  
14 depositing or concealing any property upon which a levy is authorized with intent  
15 to evade or defeat the assessment or collection of any tax administered by the  
16 department may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ <sup>plain</sup>  
17 ~~years and 6 months~~ or both, together with the costs of prosecution.

18 4. 'Fraudulent claim for credit.' The claimant who filed a claim for credit under  
19 s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was filed  
20 with fraudulent intent and any person who assisted in the preparation or filing of the  
21 false or excessive claim or supplied information upon which the false or excessive  
22 claim was prepared, with fraudulent intent, may be fined not ~~more than~~ <sup>plain</sup>  
23 \$10,000 or imprisoned for not ~~more than~~ <sup>5</sup> years and ~~6 months~~ or both,  
24 together with the cost<sup>s</sup> of prosecution.

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

*as affected by 1997 Wisconsin Act 283,  
repealed and replaced in  
read*

*Fix  
Comp.*

1 <sup>plan</sup> 86.192 (4) Any person who violates this section shall be fined ~~more~~ <sup>not more</sup>

2 <sup>plan</sup> than \$10,000 or imprisoned for not more than ~~2 1/2~~ <sup>2</sup> years, or both ~~and~~

3 if the injury, defacement or removal causes the death of a person.

Fix Component

4 SECTION 71. 97.43 (4) of the statutes is <sup>Insert A</sup> ~~amended~~ <sup>Insert B</sup> to read:

5 97.43 (4) Whoever violates this section may be fined not less than \$500 nor

6 more than \$5,000 or imprisoned for not more than ~~5 1/2~~ <sup>5</sup> years ~~and~~ <sup>plan</sup> or both.

Fix Component

7 SECTION 72. 97.45 (2) of the statutes is <sup>Insert A</sup> ~~amended~~ <sup>Insert B</sup> to read:

8 97.45 (2) Whoever violates this section may be fined not less than \$500 nor

9 more than \$5,000 or imprisoned for not more than ~~5 1/2~~ <sup>5</sup> years ~~and~~ <sup>plan</sup> or both.

JWS 24-10  
Fix Comp.

10 SECTION 73. 100.171 (7) (b) of the statutes, as affected by 1997 Wisconsin Act

11 ~~is amended~~ <sup>Insert B</sup> to read:

12 100.171 (7) (b) Whoever intentionally violates this section may be fined not

13 more than \$10,000 or imprisoned for not more than ~~2 1/2~~ <sup>plan</sup> years or both. A person

14 intentionally violates this section if the violation occurs after the department or a

15 district attorney has notified the person by certified mail that the person is in

16 violation of this section.

Fix Comp.

17 SECTION 74. 100.26 (2) of the statutes is <sup>Insert A</sup> ~~amended~~ <sup>Insert B</sup> to read:

18 100.26 (2) Any person violating s. 100.02 shall be ~~guilty of a felony and any~~

19 ~~conviction shall be punished by a fine~~ <sup>plan</sup> fined not less than ~~50~~ <sup>50</sup> nor more

20 than ~~three thousand dollars~~ <sup>plan</sup> \$3,000 or by imprisonment <sup>plan</sup> (imprisoned) for not less than

21 ~~30~~ <sup>plan</sup> 30 days nor more than ~~three~~ <sup>plan</sup> 3 years ~~and~~ <sup>plan</sup> or both.

22 SECTION 75. 100.26 (5) of the statutes is <sup>Insert A</sup> ~~amended~~ <sup>Insert B</sup> to read:

23 100.26 (5) Any person violating s. 100.06 or any order or regulation of the

24 department thereunder, or s. 100.18 (9), shall be fined not less than \$100 nor more

1 than \$1,000 or imprisoned for not more than ~~one year~~ <sup>plan</sup> ~~year~~ or both. Each day of  
2 violation constitutes a separate offense.

Fix  
Comp.

3 SECTION 76. 100.26 (7) of the statutes is ~~amended~~ <sup>amended</sup> to read:

4 100.26 (7) Any person violating s. 100.182 shall be fined not less than \$500 nor  
5 more than \$5,000 or imprisoned ~~for~~ <sup>plan</sup> not more than ~~one year~~ ~~year~~ or both for each  
6 offense. Each unlawful advertisement published, printed or mailed on separate days  
7 or in separate publications, hand bills or direct mailings is a separate violation of this  
8 section.

Fix  
Comp.

9 SECTION 77. 101.143 (10) (b) of the statutes is ~~amended~~ <sup>amended</sup> to read:

10 101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
11 or service provider who intentionally destroys a document that is relevant to a claim  
12 for reimbursement under this section may be fined not more than \$10,000 or  
13 imprisoned for not more than ~~10~~ <sup>plan</sup> ~~year~~ years or both.

Insert  
B

14 Fix Comp. SECTION 78. 101.94 (8) (b) of the statutes is ~~amended~~ <sup>amended</sup> to read:

15 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
16 knowingly and wilfully violates this subchapter in a manner ~~which~~ <sup>that</sup> threatens the  
17 health or safety of a purchaser shall be fined not more than \$1,000 or imprisoned ~~for~~ <sup>plan</sup>  
18 not more than ~~one year~~ <sup>plan</sup> ~~year~~ or both.

Fix  
Comp.

19 SECTION 79. 102.835 (11) of the statutes is ~~amended~~ <sup>amended</sup> to read:

20 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in  
21 removing, depositing or concealing any property upon which a levy is authorized  
22 under this section with intent to evade or defeat the assessment or collection of any  
23 debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ <sup>plan</sup> ~~years~~  
24 ~~and 6 months~~ or both, and shall be liable to the state for the costs of prosecution.

Fix  
Comp.

25 SECTION 80. 102.835 (18) of the statutes is ~~amended~~ <sup>amended</sup> to read:

Insert  
A

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

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

8 102.85 (3) An employer who violates an order to cease operations under s.  
 9 102.28 (4) may be fined not more than \$10,000 or imprisoned for not more than ~~2~~ <sup>plan</sup>  
 10 years or both.

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

12 106.215 (8g) (b) If the department of corrections is a sponsor of a project that  
 13 is approved under this subsection, the corps members on the project shall be  
 14 prisoners in state prison, probationers <sup>strike</sup> ~~or~~ <sup>or</sup> ~~parolees~~ <sup>or</sup> ~~or persons on extended~~ <sup>strike</sup>  
 15 ~~supervision~~ <sup>strike</sup> and the members of the project shall receive applicable alcohol or other  
 16 drug abuse treatment and educational programming services for a portion of each  
 17 work week, but not to exceed 8 hours per work week.

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

19 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in  
 20 removing, depositing or concealing any property upon which a levy is authorized  
 21 under this section with intent to evade or defeat the assessment or collection of any  
 22 debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ <sup>plan</sup>  
 23 ~~and 6 months~~ or both, and shall be liable to the state for the costs of prosecution.

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

Fix  
Comp.

Please  
proof w/stats.

Fix  
Comp.

Fix  
Comp.

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

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

8 111.32 (3) "Conviction record" includes, but is not limited to, information  
 9 indicating that an individual has been convicted of any felony, misdemeanor or other  
 10 offense, has been adjudicated delinquent, has been less than honorably discharged,  
 11 or has been placed on probation, fined, imprisoned, ~~placed on extended supervision~~ <sup>strike</sup>  
 12 or paroled pursuant to any law enforcement or military authority.

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

14 114.20 (18) (c) Any person who knowingly makes a false statement in any  
 15 application or in any other document required to be filed with the department,  
 16 foregoes the submission of any application, document, or any registration certificate  
 17 or transfer shall be fined not more than \$5,000 or imprisoned for not more than ~~5~~  
 18 years ~~and 6 months~~ <sup>plan</sup> or both.

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

20 125.075 (2) Whoever violates sub. (1) may be fined not more than \$10,000 or  
 21 imprisoned for not more than ~~5~~ <sup>plan</sup> years ~~and 6 months~~ or both.

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

23 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
 24 consideration may be fined not more than \$10,000 or imprisoned for not more than  
 25 ~~2~~ years or both.

Please proof w/ stats.

Fix Component

Insert B

Insert A

plan



Fix Component

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

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

Fix Component

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

6 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without  
7 holding appropriate permits under this chapter, or any person who sells such liquor,  
8 shall be fined not more than \$10,000 or imprisoned for not more than 10 years or  
9 both. Second or subsequent convictions shall be punished by both the fine and  
10 imprisonment.

Fix Comp.

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

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

Fix Comp.

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

16 125.68 (12) (c) Any person causing the death of another human being through  
17 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol  
18 or alcohol or alcoholic liquid redistilled from denatured alcohol, shall be imprisoned  
19 for not more than 10 years.

Please proof w/Stats.

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

21 132.13 (1) (a) All goods, wares, and merchandise made wholly or in part by  
22 convict labor in any penitentiary, prison, reformatory or other establishment in  
23 which convict labor is employed except convicts or prisoners on parole, ~~extended~~ <sup>strike</sup>  
24 ~~supervision~~ or probation, shall before being exposed for sale be branded, labeled,  
25 marked or tagged as herein provided and shall not be exposed for sale or sold in this

Insert A

1 state without such brand, label, mark or tag. Such brand, label, mark or tag shall  
 2 contain at the head or top thereof the words "convict-made" followed by the name of  
 3 the penitentiary, prison, or other establishment in which it was made in plain  
 4 English lettering of the style and size known as eighteen point Cheltenham bold type  
 5 capitals. The brand or mark shall in all cases where the nature of the articles will  
 6 permit be placed on each individual article or part of such article that is sold, and only  
 7 where such branding or marking is impossible shall a label or tag be used and where  
 8 a label is used it shall be securely pasted onto each such article and when a tag is used  
 9 it shall be a paper tag securely fastened to such article or part of article sold. In  
 10 addition to the marking of each article or part of article sold a similar brand, mark,  
 11 label or tag shall be placed upon the outside or upon its box, crate, or other covering.  
 12 All brands, labels, marks, and tags shall be placed on a conspicuous part of such  
 13 article or part of article and its container.

Fix Component

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

Insert A  
Insert B

14  
 15 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic  
 16 in this state in a counterfeit mark or in any goods or service bearing or provided  
 17 under a counterfeit mark shall, if the person is an individual, be fined not more than  
 18 \$250,000 or imprisoned for not more than 5 years <sup>plain</sup> ~~and a month~~ or both, or, if the  
 19 person is not an individual, be fined not more than \$1,000,000.

Insert B

Fix Component

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

Insert A

20  
 21 133.03 (1) Every contract, combination in the form of trust or otherwise, or  
 22 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
 23 contract or engages in any combination or conspiracy in restraint of trade or  
 24 commerce may be fined not more than \$100,000 if a corporation, or, if any other

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Fix Component

Insert

person, may be fined not more than \$50,000 or ~~imprisoned~~ imprisoned for not more than 5 ~~years~~ ~~months~~ or both.

plain

plain

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

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

plain

plain

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

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

plain

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

**134.16 Fraudulently receiving deposits.** Any officer, director, stockholder, cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange, brokerage or deposit company, corporation or institution, or of any person, company or corporation engaged in whole or in part in banking, brokerage, exchange or deposit business in any way, or any person engaged in such business in whole or in part who shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any money, or any bills, notes or other paper circulating as money, or any notes, drafts, bills of exchange, bank checks or other commercial paper for safekeeping or for collection, when he or she knows or has good reason to know that such bank, company or corporation or that such person is unsafe or insolvent shall be imprisoned in the Wisconsin state prisons for not less than one year nor more than 10 ~~years~~ ~~months~~ or fined not more than \$10,000.

plain

Insert A

Fix Component

1

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

2

134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following

3

shall be fined not more than \$5,000 or imprisoned for not more than <sup>plan</sup> 5 years ~~and~~

4

~~or both:~~

Fix Component

5

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

6

134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt

7

without entering the same in a register as required by this section shall be fined not

8

more than \$5,000 or imprisoned for not more than <sup>plan</sup> 5 years ~~and~~ or both.

Fix Component

9

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

10

134.58 Use of unauthorized persons as officers. Any person who,

11

individually, in concert with another or as agent or officer of any firm, joint-stock

12

company or corporation, uses, employs, aids or assists in employing any body of

13

armed persons to act as militia, police or peace officers for the protection of persons

14

or property or for the suppression of strikes, not being authorized by the laws of this

15

state to so act, shall be fined not more than \$1,000 or imprisoned for not less than

16

one year nor more than <sup>plan</sup> 3 years ~~and~~ or both.

Insert B

17

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

18

139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits

19

any stamp or procures or causes the same to be done, or who knowingly utters,

20

publishes, passes or tenders as true any false, altered or counterfeit stamp, or who

21

affixes the same to any package or container of cigarettes, or who possesses with the

22

intent to sell any cigarettes in containers to which false, altered or counterfeit stamps

23

have been affixed shall be imprisoned for not less than one year nor more than <sup>plan</sup> 40

24

years.

Fix Component

25

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

Insert A 1

1 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
2 meter in order to evade the tax under s. 139.31 shall be imprisoned for not less than  
3 one year nor more than ~~40~~ years. *plain*

283

Fix Component

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

6 139.44 (2) Any person who makes or signs any false or fraudulent report or who  
7 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
8 evasion or attempted evasion of that tax shall be fined not less than \$1,000 nor more  
9 than \$5,000 or imprisoned not less than 90 days nor more than ~~one year~~ or  
10 both. *plain*

Fix Component

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

12 139.44 (8) (c) If the number of cigarettes exceeds 36,000, a fine of not more than  
13 \$10,000 or imprisonment for not more than ~~2~~ years or both. *plain*

Insert B

14 Fix Comp. SECTION 106. 139.95 (2) of the statutes is amended to read:

15 139.95 (2) A dealer who possesses a schedule I controlled substance or schedule  
16 II controlled substance that does not bear evidence that the tax under s. 139.88 has  
17 been paid may be fined not more than \$10,000 or imprisoned for not more than ~~5~~  
18 years ~~and~~ or both. *plain*

Fix Comp.

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

20 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
21 any stamp or procures or causes the same to be done or who knowingly utters,  
22 publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
23 affixes a counterfeit stamp to a schedule I controlled substance or schedule II  
24 controlled substance or who possesses a schedule I controlled substance or schedule  
25 II controlled substance to which a false, altered or counterfeit stamp is affixed may

Insert A

1 be fined not more than \$10,000 or imprisoned for not less than one year nor more  
2 than ~~10 years~~ <sup>plain</sup> or both.

Fix  
Component

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

4 146.345 (3) Any person who violates this section may be fined not more than  
5 \$50,000 or imprisoned for not more than ~~5 years~~ <sup>plain</sup> ~~and \$10,000~~ or both.

Fix  
Comp.

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

7 146.35 (5) Whoever violates sub. (2) may be fined not more than \$10,000 or  
8 imprisoned for not more than ~~5 years~~ <sup>plain</sup> ~~and \$10,000~~ or both.

Fix  
Comp.

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

10 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person shall  
11 be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than  
12 ~~one year~~ <sup>plain</sup> ~~and \$10,000~~ or both.

Insert B

Fix  
Comp.

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

14 146.70 (10) (a) Any person who intentionally dials the telephone number "911"  
15 to report an emergency, knowing that the fact situation ~~which~~ <sup>that</sup> he or she reports does  
16 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
17 than 90 days or both for the first offense and shall be fined not more than \$10,000  
18 or imprisoned for not more than ~~5 years~~ <sup>plain</sup> ~~and \$10,000~~ or both for any other offense  
19 committed within 4 years after the first offense.

Insert A

Fix  
Comp.

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

21 154.15 (2) Any person who, with the intent to cause a withholding or  
22 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
23 the declarant, illegally falsifies or forges the declaration of another or conceals a  
24 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally

1 withholds actual knowledge of a revocation under s. 154.05 shall be fined not more  
2 than \$10,000 or imprisoned <sup>plain</sup> for not more than ~~40~~ years or both.

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

4 154.29 (2) Any person who, with the intent to cause the withholding or  
5 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
6 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
7 under s. 154.21 of a do-not-resuscitate order or any responsible person who  
8 withholds personal knowledge of a revocation under s. 154.21 shall be fined not more  
9 than \$10,000 or imprisoned for not more than ~~10~~ years or both. <sup>plain</sup>

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

11 165.76 (1) (a) Is in prison or a secured correctional facility, as defined in s.  
12 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on  
13 probation, ~~extended supervision,~~ parole, supervision or aftercare supervision on or  
14 after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or  
15 948.025.

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

17 165.76 (1) (e) Is on parole, ~~extended supervision~~ or probation in this state from  
18 another state under s. 304.13 or 304.135 on or after July 9, 1996, for a violation of  
19 the law of another state that the department of corrections determines, under s.  
20 304.137, is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or  
21 948.025.

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

23 165.76 (2) (b) 1. If the person has been placed on probation or supervision, he  
24 or she shall provide the specimen under par. (a) at the office of a county sheriff as soon  
25 after the placement as practicable, as directed by his or her probation ~~extended~~

Fix Component

Please proof w/stats.

Insert A  
Insert B

1 ~~supervision~~ <sup>strike</sup> and parole agent or, if a child, the agency providing supervision for the  
2 child.

3 SECTION 117. 165.76 (2) (b) 2. <sup>✓</sup> of the statutes is amended to read:

4 165.76 (2) (b) 2. If the person has been sentenced to prison or placed in a secured  
5 correctional facility or a secured child caring institution, he or she shall provide the  
6 specimen under par. (a) at the office of a county sheriff as soon as practicable after  
7 release on parole, ~~extended supervision~~ <sup>strike</sup> or aftercare supervision, as directed by his  
8 or her probation, ~~extended supervision~~ <sup>strike</sup> and parole agent or aftercare agent, except  
9 that the department of corrections may require the person to provide the specimen  
10 while he or she is in prison or in a secured correctional facility or a secured child  
11 caring institution.

12 SECTION 118. 165.76 (2) (b) 3m. <sup>✓</sup> of the statutes is amended to read:

13 165.76 (2) (b) 3m. If the person is on parole, ~~extended supervision~~ <sup>strike</sup> or probation  
14 in this state from another state under s. 304.13 or 304.135, he or she shall provide  
15 the specimen under par. (a) at the office of a county sheriff as soon as practicable after  
16 entering this state, as directed by his or her probation, ~~extended supervision~~ <sup>strike</sup> and  
17 parole agent.

18 SECTION 119. 165.76 (2) (b) 5. <sup>✓</sup> of the statutes is amended to read:

19 165.76 (2) (b) 5. Notwithstanding subs. 1. to 3., for persons who are subject  
20 to sub. (1) and who are in prison, a secured correctional facility or a secured child  
21 caring institution or on probation, ~~extended supervision~~ <sup>strike</sup> parole, <sup>plain comma</sup> supervision or  
22 aftercare supervision on August 12, 1993, the departments of justice, corrections  
23 and health and family services shall cooperate to have these persons provide  
24 specimens under par. (a) before July 1, 1998.

25 SECTION 120. 165.76 (2) (b) 6. <sup>✓</sup> of the statutes is amended to read:

WPC: Please proof w/ stats.



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

6 SECTION 121. 165.84 (5)<sup>✓</sup> of the statutes is amended to read:

7 165.84 (5) All persons in charge of law enforcement and tribal law enforcement  
 8 agencies, all clerks of court, all municipal judges where they have no clerks, all  
 9 persons in charge of state and county penal and correctional institutions, and all  
 10 persons in charge of state and county probation, ~~extended supervision~~<sup>strike</sup> and parole  
 11 offices, shall supply the department with the information described in s. 165.83 (2)  
 12 (f) on the basis of the forms and instructions to be supplied by the department under  
 13 s. 165.83 (2) (g).

14 SECTION 122. 166.20 (11) (b) 1.<sup>✓</sup> of the statutes is amended to read:

15 166.20 (11) (b) 1. For the first offense, be fined not less than \$100 nor more than  
 16 \$25,000 or imprisoned for not more than ~~2~~<sup>plan</sup> years or both.

17 SECTION 123. 166.20 (11) (b) 2.<sup>✓</sup> of the statutes is amended to read:

18 166.20 (11) (b) 2. For the 2nd and subsequent offenses, be fined not less than  
 19 \$200 nor more than \$50,000 or imprisoned for not more than ~~2~~<sup>plan</sup> years or both.

20 SECTION 124. 167.10 (9) (g)<sup>✓</sup> of the statutes is amended to read:

21 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
 22 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned ~~for~~<sup>plan</sup> not more  
 23 than ~~10~~<sup>plan</sup> years or both.

24 SECTION 125. 175.20 (3)<sup>✓</sup> of the statutes is amended to read:

Please proof w/stats.

Fix Comp.

Insert B

Insert A

1 175.20 (3) Any person who ~~violates~~ <sup>plan</sup> violates any of the provisions of this  
 2 section shall be ~~punished by a fine of~~ <sup>plan</sup> fined not less than \$25 ~~nor~~ <sup>plan</sup> nor more than  
 3 \$1,000 ~~and may be imprisoned for not less than 30 days~~ <sup>plan</sup> and may be imprisoned for not less than 30 days  
 4 ~~or both~~ <sup>plan</sup> and not more than one year ~~or both~~ <sup>plan</sup> or both ~~or both~~ <sup>plan</sup>  
 5 ~~and imprisonment, and as an additional penalty~~ <sup>plan</sup> In addition, the court  
 6 may revoke the license or licenses of the person or persons convicted.

Fix Component

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

8 180.0129 (2) Whoever violates this section may be fined not more than \$10,000  
 9 or imprisoned for not more than ~~2~~ <sup>plan</sup> years or both.

Fix Comp.

10 SECTION 127. 181.0129 (2) of the statutes, as affected by 1997 Wisconsin Act

11 <sup>283</sup> is amended to read:

12 181.0129 (2) PENALTY. Whoever violates this section may be fined not more  
 13 than \$10,000 or imprisoned for not more than ~~2~~ <sup>plan</sup> years or both.

Fix Comp.

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

15 185.825 Penalty for false document. Whoever causes a document to be  
 16 filed, knowing it to be false in any material respect, may be fined not more than  
 17 \$1,000 or imprisoned for not more than ~~3~~ <sup>plan</sup> years ~~and a month~~ or both.

Fix Comp.

18 SECTION 129. 200.09 (2) of the statutes, as affected by 1997 Wisconsin Act <sup>283</sup>

19 is amended to read:

20 200.09 (2) Every director, president, secretary or other official or agent of any  
 21 public service corporation, who shall practice fraud or knowingly make any false  
 22 statement to secure a certificate of authority to issue any security, or issue under a  
 23 certificate so obtained and with knowledge of such fraud, or false statement, or  
 24 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall  
 25 be ~~punished by a fine of~~ <sup>plan</sup> fined not less than ~~five hundred dollars~~ <sup>plan</sup> \$500 or ~~or~~

Insert A

Insert B

283

plain

1 imprisoned in the state prison for not less than one ~~year~~ nor more than

2 ~~10 years or both~~ <sup>plain</sup>

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

4 214.93 False statements. A person may not knowingly make, cause, or allow  
5 another person to make or cause to be made, a false statement, under oath if required  
6 by this chapter or on any report or statement required by the division or by this  
7 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
8 section may be imprisoned for not more than ~~20~~ <sup>plain</sup> years.

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

10 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
11 debtor of any association or any information about the private account or  
12 transactions of such association, discloses any fact obtained in the course of any  
13 examination of any association, or discloses examination or other confidential  
14 information obtained from any state or federal regulatory authority, including an  
15 authority of this state or another state, for financial institutions, mortgage bankers,  
16 insurance or securities, except as provided in par. (a), he or she shall forfeit his or her  
17 office or position and may be fined not less than \$100 nor more than \$1,000, or  
18 imprisoned for not less than <sup>plain</sup> 6 months nor more than ~~2~~ years or both.

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

20 215.12 Penalty for dishonest acts; falsification of records. Every officer,  
21 director, employe or agent of any association who steals, abstracts, or wilfully  
22 misapplies any property of the association, whether owned by it or held in trust, or  
23 who, without authority, issues or puts forth any certificate of savings accounts,  
24 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
25 in any book, record, report or statement of the association with intent to injure or

FIX COMP.

Insert 15

Insert A 1

1 defraud the association or any person or corporation, or to deceive any officer or  
2 director of the association, or any other person, or any agent appointed to examine  
3 the affairs of such association, or any person who, with like intent, aids or abets any  
4 officer, director, employe or agent in the violation of this section, shall be imprisoned  
5 in the Wisconsin state prisons for not ~~more than 10~~ <sup>plain</sup> ~~years.~~ <sup>20</sup>

Fix Comp.

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

7 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,  
8 director, employe or agent of any association, or any appraiser making appraisals for  
9 any association, who accepts or receives, or offers or agrees to accept or receive  
10 anything of value in consideration of its loaning any money to any person; or any  
11 person who offers, gives, presents or agrees to give or present anything of value to  
12 any officer, director, employe or agent of any association or to any appraiser making  
13 appraisals for any association in consideration of its loaning money to the person,  
14 shall be fined not ~~more than~~ <sup>plain</sup> ~~more than~~ \$10,000 or imprisoned ~~in the Wisconsin state~~  
15 ~~prisons~~ <sup>plain</sup> for not ~~more than 10~~ <sup>2</sup> ~~years~~ or both. Nothing in this subsection  
16 prohibits an association from employing an officer, employe or agent to solicit  
17 mortgage loans and to pay the officer, employe or agent on a fee basis.

Insert B

Insert A

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

19 218.21 (7) Any person who knowingly makes a false statement in an  
20 application for a motor vehicle salvage dealer license may be fined not more than  
21 \$5,000 or imprisoned ~~for not more than 5~~ <sup>plain</sup> ~~years~~ ~~and~~ ~~not~~ ~~less~~ ~~than~~ ~~5~~ ~~months~~ or both.

Fix Comp.

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

23 220.06 (2) If any employe in the division or any member of the banking review  
24 board or any employe thereof discloses the name of any debtor of any bank or  
25 licensee, or anything relative to the private account or transactions of such bank or

Fix Comp.

1 licensee, or any fact obtained in the course of any examination of any bank or  
 2 licensee, except as herein provided, that person shall be subject, upon conviction, to  
 3 forfeiture of office or position and ~~may be fined not less~~ *plain*  
 4 than \$100 nor more than \$1,000, or ~~imprisonment in the Wisconsin state prisons,~~  
 5 imprisoned for *plain* not less than 6 months nor more than 2 ~~3~~ *plain* years or both.

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

7 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
 8 of this section, directly or indirectly does any of the following may be imprisoned for  
 9 not more than 10 ~~10~~ *plain* years:

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

11 221.0636 (2) PENALTY. Any person who violates sub. (1) may be imprisoned for  
 12 not more than 20 ~~20~~ *plain* years.

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

14 221.0637 (2) PENALTIES. Any person who violates sub. (1) may be fined not more  
 15 than \$10,000 or imprisoned for not more than 2 ~~2~~ *plain* years or both.

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

17 221.1004 (2) PENALTIES. Any person who violates sub. (1) may be fined not less  
 18 than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more  
 19 than 10 ~~10~~ *plain* years or both.

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

21 227.03 (4) The provisions of this chapter relating to contested cases do not  
 22 apply to proceedings involving the revocation of aftercare supervision under s.  
 23 48.366 (5) or 938.357 (5), the revocation of parole, ~~extended supervisor~~ *strike* or probation,  
 24 the grant of probation, prison discipline, mandatory release under s. 302.11 or any

Fix Comp.

Fix Comp.

Insert B

Please proof w/ stats.

Insert A

1 other proceeding involving the care and treatment of a resident or an inmate of a  
2 correctional institution.

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

4 230.36 (1) If a conservation warden, conservation patrol boat captain,  
5 conservation patrol boat engineer, state forest ranger, conservation field employe of  
6 the department of natural resources who is subject to call for fire control duty,  
7 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
8 investigator employed by the department of revenue, special criminal investigation  
9 agent employed by the department of justice, special tax agent, state drivers' license  
10 examiner, state fair park police officer, University of Wisconsin System police officer  
11 and other state facilities police officer and patrol officer, security officer, watcher,  
12 engineer, engineering aide, building construction superintendent, fire fighter  
13 employed at the Wisconsin Veterans Home, or guard or institutional aide or a state  
14 probation, ~~extended supervision~~<sup>strike</sup> and parole officer or any other employe whose  
15 duties include supervision and discipline of inmates or wards of the state at a state  
16 penal institution, including a secured correctional facility, as defined in s. 938.02  
17 (15m), or while on parole supervision ~~or extended supervision~~<sup>strike</sup> outside of the confines  
18 of the institutions, or supervision of persons placed on probation by a court of record,  
19 or supervision and care of patients at a state mental institution, and the University  
20 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
21 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
22 in this subsection and who is ordered by his or her appointing authority to accompany  
23 any employe listed in this subsection while the listed employe is engaged in the  
24 duties defined in sub. (3), or any other state employe who is not listed in this  
25 subsection and who is ordered by his or her appointing authority to perform the

Please Proof w/stats.

Please proof w/stats -

1 duties, when permitted, in lieu of the listed employe and while so engaged in the  
2 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
3 continue to be fully paid by the employing agency upon the same basis as paid prior  
4 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
5 accumulations or vacation and no reduction in the rate of earning sick leave credit  
6 or vacation. The full pay shall continue while the employe is unable to return to work  
7 as the result of the injury or until the termination of his or her employment upon  
8 recommendation of the appointing authority. At any time during the employe's  
9 period of disability the appointing authority may order physical or medical  
10 examinations to determine the degree of disability at the expense of the employing  
11 agency.

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

13 230.36 (3) (c) (intro.) A guard, institution aide, or other employe at the  
14 University of Wisconsin Hospitals and Clinics or at a state penal or mental  
15 institution, including a secured correctional facility, as defined in s. 938.02 (15m),  
16 and a state probation, ~~extended supervision~~<sup>strike</sup> and parole officer, at all times while:

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

18 230.36 (3) (c) 2. In the process of restraining patients, inmates, probationers  
19 ~~or parolees or persons on extended supervision~~<sup>strike comma or</sup> and apprehending runaways or  
20 ~~escapes, including probationers and parolees and persons on extended supervision;~~<sup>strike comma and strike</sup>

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

22 230.36 (3) (c) 3. When injury is occasioned as the result of an act by a patient,  
23 inmate, probationer ~~or parolee or person on extended supervision;~~<sup>strike comma or strike</sup>

24 SECTION 145. 253.06 (4) (b) of the statutes, as ~~created~~<sup>repealed and recreated</sup> by 1997 Wisconsin Act

25 ~~is amended~~<sup>affected</sup> to read:

Fix component

1 253.06 (4) (b) A person who violates any provision of this subsection may be  
 2 fined not more than \$10,000 or imprisoned for not more than ~~2 1/2~~<sup>plain</sup> years, or both, for  
 3 the first offense and may be fined not more than \$10,000 or imprisoned for not more  
 4 than ~~5 1/2~~<sup>plain</sup> years ~~and 6 months~~<sup>plain comma</sup>, or both, for the 2nd or subsequent offense.

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

6 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
 7 another conviction under par. (a), the person shall be fined not more than \$50,000  
 8 per day of violation or imprisoned for not more than ~~2 1/2~~<sup>plain</sup> years or both.

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

10 291.97 (2) (b) (intro.) Any person who willfully does any of the following shall  
 11 be fined not less than \$1,000 nor more than \$100,000 or imprisoned for not more than  
 12 ~~5 1/2~~<sup>plain</sup> years ~~and 6 months~~ or both:

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

14 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall  
 15 be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than  
 16 ~~one year~~<sup>plain</sup> ~~in the county jail or both~~ or both.

17 2. For a 2nd or subsequent violation under par. (b), a person shall be fined not  
 18 less than \$5,000 nor more than \$150,000 or imprisoned for not more than ~~10 1/2~~<sup>plain</sup> years  
 19 or both.

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

21 299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
 22 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
 23 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
 24 subsequent violation, the person shall be fined not more than \$50,000 or imprisoned  
 25 for not more than ~~2 1/2~~<sup>plain</sup> years or both.

Fix Component

Fix Component

Insert B

Insert A



Please proof w/stals.

1 SECTION 150. 301.03 (2r)<sup>✓</sup> of the statutes is amended to read:

2 301.03 (2r) Conduct drug testing of prospective parolees ~~or persons to be placed~~<sup>strike</sup>  
3 ~~on extended supervision~~<sup>strike</sup> who have undergone treatment while in state prison.

4 SECTION 151. 301.03 (3)<sup>✓</sup> of the statutes is amended to read:

5 301.03 (3) Administer parole, ~~extended supervision~~<sup>strike</sup> and probation matters,  
6 except that the decision to grant or deny parole to inmates shall be made by the parole  
7 commission and the decision to revoke probation, ~~extended supervision~~ or parole in  
8 cases in which there is no waiver of the right to a hearing shall be made by the  
9 division of hearings and appeals in the department of administration. The secretary  
10 may grant special action parole releases under s. 304.02. The department shall  
11 promulgate rules establishing a drug testing program for probationers ~~and~~<sup>strike comma and ✓</sup> parolees  
12 ~~and persons placed on extended supervision~~<sup>strike</sup>. The rules shall provide for assessment  
13 of fees upon probationers ~~and~~<sup>strike comma and</sup> parolees ~~and persons placed on extended supervision~~<sup>strike</sup>  
14 to partially offset the costs of the program.

15 SECTION 152. 301.03 (3g)<sup>✓</sup> of the statutes is amended to read:

16 301.03 (3g) Provide treatment for alcoholics and intoxicated persons on parole  
17 ~~or extended supervision~~<sup>strike</sup>

18 SECTION 153. 301.03 (13)<sup>✓</sup> of the statutes ~~as created by 1997 Wisconsin Act 11~~  
19 is amended to read:

20 301.03 (13) Annually notify each person who has been discharged from  
21 probation, ~~extended supervision~~<sup>strike</sup> or parole and who owed any supervision fees at the  
22 time of discharge of any supervision fees owed by the person to the department.

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

24 ~~301.03 (14) On or before August 1 of each even-numbered year, provide to the~~  
25 ~~department of health and family services an estimate of the total proposed budget.~~

1 that the department of corrections will submit in its biennial budget request under  
2 s. 16.42.

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

4 301.046 (3) ELIGIBILITY. (intro.) The department shall determine those  
5 prisoners who are confined under sub. (1). Except as provided in ~~sub. (3m) and~~<sup>strike</sup> ~~and~~<sup>strike</sup>  
6 ~~(3t)~~<sup>strike</sup> a prisoner is eligible for this confinement only under all of the following  
7 conditions:

8 SECTION 156. 301.046 (3t) of the statutes is ~~created to read~~<sup>repealed</sup> ~~to read~~<sup>delete colon.</sup>

9 301.046 (3t) PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY. A  
10 prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for  
11 confinement under sub. (1) during the term of confinement in prison portion of the  
12 bifurcated sentence.

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

14 301.048 (1) (a) Punishment that is less costly than ordinary imprisonment and  
15 more restrictive than ordinary probation or parole supervision ~~or extended~~<sup>strike</sup>  
16 ~~supervision.~~<sup>strike</sup>

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

18 301.048 (2) (b) He or she is a prisoner serving a felony sentence not punishable  
19 by life imprisonment and the department directs him or her to participate in the  
20 program. ~~This paragraph does not apply to a prisoner serving a bifurcated sentence~~<sup>strike</sup>  
21 ~~imposed under s. 973.01.~~<sup>strike</sup>

22 SECTION 159. 301.048 (2) (cm) of the statutes is ~~created to read~~<sup>repealed</sup>

23 301.048 (2) (cm) A court or the department requires his or her participation in  
24 the program as a condition of extended supervision under s. 302.113 (7) or 302.114  
25 (5) (d) or (8) or 973.01 (5).

Please proof w/stats.

Fix component

Please proof w/stats.

Fix component

Please proof w/stats.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

301.048 (2) (d) The department and the person agree to his or her participation in the program as an alternative to revocation of probation, ~~extended supervision~~ <sup>strike</sup> or parole.

Fix Component 5

SECTION 161. 301.048 (2m) of the statutes is ~~created~~ <sup>repealed</sup> to read:

~~301.048 (2m) PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY. A prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for the intensive sanctions program during the term of confinement in prison portion of the bifurcated sentence.~~

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

301.048 (4) (a) A participant is in the custody and under the control of the department, subject to its rules and discipline. A participant entering the program under sub. (2) (a) or (b) is a prisoner. A participant entering the program under sub.

(2) (c) is a prisoner, except that he or she is a parolee for purposes of revocation ~~A~~ <sup>strike</sup>

~~participant entering the program under sub. (2) (cm) is a prisoner, except that he or~~ <sup>strike</sup>

~~she remains a person on extended supervision for purposes of revocation. A~~ <sup>strike</sup>

participant entering the program under sub. (2) (d) is a prisoner, except that he or

she remains a probationer ~~or~~ <sup>or</sup> ~~or person on extended supervision,~~ <sup>strike</sup> ~~whichever~~ <sup>plain comma</sup>

is applicable, for purposes of revocation. <sup>strike comma</sup>

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

301.048 (4) (am) A participant who is a parolee for purposes of revocation is subject to revocation for violation of any condition of parole or any rule or condition applicable because he or she is a program participant. ~~A participant who is a person~~

~~on extended supervision for purposes of revocation is subject to revocation for~~

~~violation of any condition of extended supervision or any rule or condition applicable~~

strike

Please proof w/stats.

Please proof w/stats.

1 ~~because he or she is a program participant.~~ <sup>strike</sup> A participant who is a probationer for  
2 purposes of revocation is subject to revocation for violation of any condition of  
3 probation or any rule or condition applicable because he or she is a program  
4 participant.

5 **SECTION 164.** 301.048 (4m) (b) (intro.)<sup>✓</sup> of the statutes, as affected by 1997  
6 Wisconsin Act ... (Assembly Bill 342), is amended to read:

7 301.048 (4m) (b) (intro.) As soon as possible after a prisoner, probationer ~~or~~ <sup>strike comma</sup>  
8 <sup>or</sup> ~~parolee or person on extended supervision~~ <sup>strike</sup> who has violated s. 940.03, 940.05,  
9 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07 enters the intensive  
10 sanctions program, the department shall make a reasonable attempt to notify all of  
11 the following persons, if they can be found, in accordance with par. (c) and after  
12 receiving a completed card under par. (d):

13 **SECTION 165.** 301.048 (4m) (b) 1.<sup>✓</sup> of the statutes is amended to read:

14 301.048 (4m) (b) 1. The victim of the crime committed by the prisoner,  
15 probationer ~~or~~ <sup>strike comma</sup> ~~parolee or person on extended supervision~~ <sup>strike</sup> or, if the victim died as a  
16 result of the crime, an adult member of the victim's family or, if the victim is younger  
17 than 18 years old, the victim's parent or legal guardian.

18 **SECTION 166.** 301.048 (4m) (b) 2.<sup>✓</sup> of the statutes is amended to read:

19 301.048 (4m) (b) 2. Any witness who testified against the prisoner, probationer  
20 ~~or~~ <sup>strike comma</sup> ~~parolee or person on extended supervision~~ in any court proceeding involving the  
21 offense.

22 **SECTION 167.** 301.048 (6)<sup>✓</sup> of the statutes is renumbered 301.048 (6)<sup>✓</sup> and  
23 amended to read:

Please Proof w/ Stats.

Fix Component

Please proof w/ Stats.

1 301.048 (6) ~~AAE~~ <sup>Strike</sup> Except as provided in par. (b), <sup>The</sup> the department may  
 2 discharge a participant from participation in the program and from departmental  
 3 custody and control at any time.

4 SECTION 168. 301.048 (6) (b) of the statutes is ~~created to read~~ <sup>repealed</sup>

5 301.048 (6) (b) The department may discharge a participant who is on extended  
 6 supervision under s. 302.113 from participation in the program at any time, but the  
 7 person remains under departmental supervision under the terms of the person's  
 8 bifurcated sentence imposed under s. 973.01 until the end of that sentence.

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

10 301.049 (2) (a) 2. On probation, ~~extended supervision~~ <sup>strike</sup> or parole and who, if  
 11 approved by the department under par. (b), would participate in the program as an  
 12 alternative to revocation of probation, ~~extended supervision~~ <sup>strike</sup> or parole.

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

14 301.049 (3) (e) Prepare each mother to be able to live in a safe, lawful and stable  
 15 manner in the community upon parole, ~~extended supervision~~ <sup>strike</sup> or discharge.

16 SECTION 171. 301.08 (1) (c) 2., 3., 3m. and 5. of the statutes, as affected by 1997

17 Wisconsin Act 21, are amended to read:

18 301.08 (1) (c) 2. Beginning on January 1, 1996, the department may contract  
 19 with public, private or voluntary vendors for the supervision or for any component  
 20 of the supervision of probationers ~~and~~ <sup>strike comma and</sup> parolees ~~and persons on extended supervision~~ <sup>strike</sup>  
 21 who are under minimum supervision or administrative supervision.

22 3. Except as provided in subd. 3m., a contract under subd. 2. shall authorize  
 23 a vendor to charge a fee to probationers ~~and~~ <sup>strike comma and</sup> parolees ~~and persons on extended~~ <sup>strike</sup>

24 ~~supervision~~ <sup>strike</sup> sufficient to cover the cost of supervision and administration of the  
 25 contract.

Please proof w/ stats.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

3m. A contract under subd. 2. shall permit the department to prohibit a vendor from charging a fee to a probationer<sup>strike comma</sup> <sup>or</sup> parolee <sup>strike</sup> ~~or person on extended supervision~~ who is supervised under the contract if the probationer <sup>strike comma</sup> <sup>or</sup> parolee <sup>strike</sup> ~~or person on~~ ~~extended supervision~~ demonstrates that he or she is unable to pay the fee because of any of the following:

a. The probationer<sup>strike comma</sup> <sup>or</sup> parolee <sup>strike</sup> ~~or person on extended supervision~~ is undergoing treatment approved by the department and is unable to work.

b. The probationer<sup>strike comma</sup> <sup>or</sup> parolee <sup>strike</sup> ~~or person on extended supervision~~ has a statement from a physician certifying to the department that the probationer <sup>or</sup> <sup>strike comma</sup> ~~or~~ <sup>strike</sup> ~~parolee or person on extended supervision~~ should be excused from working for medical reasons.

5. The department shall promulgate rules for fees, collections, reporting and verification regarding probationers <sup>strike comma</sup> <sup>and</sup> <sup>or</sup> parolees <sup>strike</sup> ~~and persons on extended~~ ~~supervision~~ supervised by a vendor who contracts with the department under subd. 2. and shall promulgate rules defining "administrative supervision" and "minimum supervision".

**SECTION 172.** 301.08 (3) (b) (intro.)<sup>✓</sup> of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

301.08 (3) (b) (intro.) Before contracting under this section for transitional housing for the temporary placement of persons on parole, <sup>strike</sup> ~~extended supervision~~ or probation, the department shall notify all of the following of the proposed contract:

**SECTION 173.** 301.132 (2)<sup>✓</sup> of the statutes is amended to read: 301.132 (2) The department may require, as a condition of probation <sup>strike</sup> ~~or~~ <sup>strike comma</sup> ~~or~~ <sup>strike</sup> ~~extended supervision~~, that a probationer <sup>or</sup> <sup>strike comma</sup> ~~or~~ <sup>strike</sup> ~~parolee or person on extended~~

strike comma

1 ~~supervision~~<sup>strike</sup> who is a sex offender submit to a lie detector test when directed to do so  
2 by the department.

3 SECTION 174. 301.132 (3)<sup>✓</sup> of the statutes is amended to read:

4 301.132 (3) The department shall promulgate rules establishing a lie detector  
5 test program for probationers ~~and~~<sup>strike comm</sup> parolees ~~and persons on extended supervision~~<sup>strike</sup>  
6 who are sex offenders. The rules shall provide for assessment of fees upon  
7 probationers ~~and~~<sup>strike and</sup> parolees ~~and persons on extended supervision~~<sup>strike</sup> to partially offset  
8 the costs of the program.

9 SECTION 175. 301.21 (1m) (a) 8.<sup>✓</sup> of the statutes, ~~as affected by 1997 Wisconsin~~  
10 ~~Act 27~~ is amended to read:

11 301.21 (1m) (a) 8. Provisions concerning procedures for probation, parole,<sup>strike</sup>  
12 ~~extended supervision~~<sup>strike</sup> and discharge.

13 SECTION 176. 301.21 (2m) (a) 6.<sup>✓</sup> of the statutes, ~~as created by 1997 Wisconsin~~  
14 ~~Act 27~~ is amended to read:

15 301.21 (2m) (a) 6. Provisions concerning procedures for probation, parole,<sup>strike</sup>  
16 ~~extended supervision~~<sup>strike</sup> and discharge.

17 SECTION 177. 301.32 (3) (a)<sup>✓</sup> of the statutes is amended to read:

18 301.32 (3) (a) All money or other property paid or delivered to a probation,<sup>strike</sup>  
19 ~~extended supervision~~<sup>strike</sup> and parole agent or other employe of the department by or for  
20 the benefit of any person on probation, ~~extended supervision~~<sup>strike</sup> or parole shall be  
21 immediately transmitted to the department and it shall enter the same upon its  
22 books to his or her credit. The property shall be used only under the direction of the  
23 department.

24 SECTION 178. 301.32 (3) (b)<sup>✓</sup> of the statutes is amended to read:

Please Proof w/stats.

Please Proof w/ stats.

1  
2  
3  
4

301.32 (3) (b) If the person on probation, ~~extended supervision~~<sup>strike</sup> or parole absconds, the money shall be credited to the revolving fund created by s. 304.075; and other property if not called for within one year shall be sold by the department and the proceeds shall be credited to the fund.

Fix Component

5  
6

SECTION 179. 301.35 (2) (bm)<sup>v</sup> of the statutes is ~~created to read:~~ <sup>repealed</sup>

~~301.35 (2) (bm) A person on extended supervision.~~

7

SECTION 180. 301.38 (1) (am)<sup>v</sup> of the statutes is amended to read:

8

301.38 (1) (am) "Prisoner" has the meaning given in s. 301.01 (2), but does not

9

include any person in the intensive sanctions program under s. 301.048 or any person

10

who is imprisoned as an alternative to the revocation of probation, ~~extended~~<sup>strike</sup>

11

~~supervision~~<sup>strike</sup> or parole.

12

SECTION 181. 301.45 (1) (b)<sup>v</sup> of the statutes, ~~as affected by 1995 Wisconsin Act~~

13

~~440~~, is amended to read:

14

301.45 (1) (b) Is in prison, a secured correctional facility, as defined in s. 938.02

15

(15m), or a secured child caring institution, as defined in s. 938.02 (15g), or on

16

probation, ~~extended supervision~~<sup>plain comma strike</sup>, parole, supervision or aftercare supervision on or

17

after December 25, 1993, for any violation, ~~or~~<sup>plain</sup> for the solicitation, conspiracy or

18

attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02

19

(1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30, or of s.

20

940.30 or 940.31 if the victim was a minor and the person was not the victim's parent.

21

SECTION 182. 301.45 (1) (bm)<sup>v</sup> of the statutes, ~~as created by 1995 Wisconsin Act~~

22

~~440~~, is amended to read:

23

301.45 (1) (bm) Is in prison, a secured correctional facility, as defined in s.

24

938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or

25

on probation, ~~extended supervision~~<sup>plain comma strike</sup>, parole, supervision or aftercare supervision on

Please proof w/ stats.



1 or after December 25, 1993, for a violation, or for the solicitation, conspiracy or  
2 attempt to commit a violation, of a law of this state that is comparable to s. 940.22  
3 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
4 948.07, 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or  
5 940.31 if the victim was a minor and the person was not the victim's parent.

6 SECTION 183. 301.45 (1) (dh) of the statutes, ~~as created by 1995 Wisconsin Act~~

7 ~~440~~ is amended to read:

8 301.45 (1) (dh) Is on parole, <sup>strike</sup> ~~extended supervision~~ or probation in this state  
9 from another state under s. 304.13 or 304.135 on or after December 25, 1993, for a  
10 violation, or for the solicitation, conspiracy or attempt to commit a violation, of the  
11 law of another state that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2)  
12 or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08,  
13 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if the victim  
14 was a minor and the person was not the victim's parent.

15 SECTION 184. 301.45 (2) (a) 4. b. of the statutes, ~~as created by 1995 Wisconsin~~

16 ~~Act 440~~ is amended to read:

17 301.45 (2) (a) 4. b. The date the person was or is to be released from  
18 confinement, whether on parole, <sup>strike</sup> ~~extended supervision~~ or otherwise, or discharged  
19 or terminated from a sentence or commitment.

20 SECTION 185. 301.45 (2) (e) 1. of the statutes, ~~as created by 1995 Wisconsin Act~~

21 ~~440~~ is amended to read:

22 301.45 (2) (e) 1. Within 10 days after the person being placed on parole,  
23 <sup>strike</sup> ~~extended supervision~~ probation, supervision, aftercare supervision, conditional  
24 release or supervised release.

Please proof w/stats.

Please proof w/staTs.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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

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

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

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

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

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

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

301.45 (3) (b) 2. The department shall notify a person who is being released from prison because he or she has reached the expiration date of his or her sentence and who is covered under sub. (1) of the need to comply with this section. Also,

probation, ~~extended supervision~~ and parole agents, aftercare agents and agencies providing supervision shall notify any client who is covered under sub. (1) of the need to comply with this section at the time the client is placed on probation, ~~extended~~

~~supervision~~ parole, supervision or aftercare supervision or, if the client is on

1 probation, <sup>strike</sup> ~~extended supervision~~ or parole from another state under s. 304.13 or  
2 304.135, when the client enters this state.

3 SECTION 190. 301.45 (3) (b) 4. <sup>✓</sup> of the statutes, as affected by 1995 Wisconsin Act  
4 ~~440~~ is amended to read:

5 301.45 (3) (b) 4. Failure to receive notice under this paragraph from the  
6 department of health and family services, the department of corrections, a probation, <sup>strike</sup> ~~comma~~  
7 ~~extended supervision~~ <sup>strike</sup> and parole agent, an aftercare agent or an agency providing  
8 supervision is not a defense to liability under sub. (6).

9 SECTION 191. 301.45 (5) (a) 1m. <sup>✓</sup> of the statutes, as created by 1995 Wisconsin  
10 Act ~~440~~ is amended to read:

11 301.45 (5) (a) 1m. If the person is on parole, <sup>strike</sup> ~~extended supervision~~ or probation  
12 from another state under s. 304.13 or 304.135, 15 years after discharge from that  
13 parole, <sup>strike</sup> ~~extended supervision~~ or probation.

14 SECTION 192. 301.46 (2) (b) 4. b. <sup>✓</sup> of the statutes, as created by 1995 Wisconsin  
15 Act ~~440~~ is amended to read:

16 301.46 (2) (b) 4. b. The date the person was released from confinement, whether  
17 on parole, <sup>strike</sup> ~~extended supervision~~ or otherwise, or discharged or terminated from a  
18 sentence or commitment.

19 SECTION 193. 302.045 (1) <sup>✓</sup> of the statutes is amended to read:

20 302.045 (1) PROGRAM. The department shall provide a challenge incarceration  
21 program for inmates selected to participate under sub. (2). The program shall  
22 provide participants with strenuous physical exercise, manual labor, personal  
23 development counseling, substance abuse treatment and education, military drill  
24 and ceremony and counseling in preparation for release on parole <sup>strike</sup> ~~or extended~~

25 <sup>strike</sup> ~~supervision~~. The department shall design the program to include not less than 50

Please proof w/ stats.

Proof w/ Stats.

Fix Component

Please proof w/ stats.

1 participants at a time and so that a participant may complete the program in not  
2 more than 180 days. The department may restrict participant privileges as  
3 necessary to maintain discipline.

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

5 ~~302.045 (2) (cm) If the inmate is serving a bifurcated sentence imposed under  
6 s. 973.01, the sentencing court decided under s. 973.01 (3m) that the inmate is  
7 eligible for the challenge incarceration program.~~

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

9 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
10 determines that an inmate has successfully completed the challenge incarceration  
11 program, the parole commission shall parole the inmate under s. 304.06, regardless  
12 of the time the inmate has served, ~~unless the person is serving a sentence imposed~~  
13 ~~under s. 973.01.~~ *strike* When the parole commission grants parole under this subsection,  
14 it must require the parolee to participate in an intensive supervision program for  
15 drug abusers as a condition of parole.

16 SECTION 196. 302.045 (3m) of the statutes is ~~created to read~~ *repealed*

17 ~~302.045 (3m) RELEASE TO EXTENDED SUPERVISION. (a) Except as provided in sub.  
18 (4), if the department determines that an inmate serving the term of confinement in  
19 prison portion of a bifurcated sentence imposed under s. 973.01 has successfully  
20 completed the challenge incarceration program, the department shall inform the  
21 court that sentenced the inmate.~~

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

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

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

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

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

10 302.045 (4) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. The department may  
11 place any intensive sanctions program participant in the challenge incarceration  
12 program. The participant is not subject to subs. (2) ~~and (3) and (3m)~~ ← plain period

13 SECTION 198. 302.095 (2) of the statutes is amended to read: Insert B

14 302.095 (2) Any officer or other person who delivers or procures to be delivered  
15 or has in his or her possession with intent to deliver to any inmate confined in a jail  
16 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts  
17 of a jail or prison, or in any vehicle going into the premises belonging to a jail or  
18 prison, any article or thing whatever, with intent that any inmate confined in the jail  
19 or prison shall obtain or receive the same, or who receives from any inmate any  
20 article or thing whatever with intent to convey the same out of a jail or prison,  
21 contrary to the rules or regulations and without the knowledge or permission of the  
22 sheriff or other keeper of the jail, in the case of a jail, or of the warden or  
23 superintendent of the prison, in the case of a prison, shall be imprisoned for not more  
24 than <sup>plain</sup> ~~2~~ years or fined not more than \$500.

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

Fix w/ stats.

Fix component

1 302.11 (1) The warden or superintendent shall keep a record of the conduct of  
 2 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),  
 3 (1m), ~~(1z)~~ (7) and (10), each inmate is entitled to mandatory release on parole by the  
 4 department. The mandatory release date is established at two-thirds of the  
 5 sentence. Any calculations under this subsection or sub. (2) (b) resulting in fractions  
 6 of a day shall be rounded in the inmate's favor to a whole day.

7 SECTION 200. 302.11 (1) of the statutes, as affected by 1997 Wisconsin Acts 133  
 8 and ... (this act) is repealed and recreated to read: *amended*

9 302.11 (1) The warden or superintendent shall keep a record of the conduct of  
 10 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),  
 11 (1m), (1q), ~~(1z)~~, (7) and (10), each inmate is entitled to mandatory release on parole  
 12 by the department. The mandatory release date is established at two-thirds of the  
 13 sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b) resulting  
 14 in fractions of a day shall be rounded in the inmate's favor to a whole day.

15 SECTION 201. 302.11 (1g) (am) of the statutes is amended to read:

16 302.11 (1g) (am) The mandatory release date established in sub. (1) is a  
 17 presumptive mandatory release date for an inmate who is serving a sentence for a  
 18 serious felony committed on or after April 21, 1994, ~~but before December 31, 1999.~~ *strike*

19 SECTION 202. 302.11 (1i) of the statutes is amended to read:

20 302.11 (1i) ~~(An) Except as provided in sub. (1z), an~~ *strike* <sup>An</sup> inmate serving a sentence to  
 21 the intensive sanctions program is entitled to mandatory release. The mandatory  
 22 release date under sub. (1) is established at two-thirds of the sentence under s.  
 23 973.032 (3) (a).

24 SECTION 203. 302.11 (1p) of the statutes is amended to read:

Please proof w/ stats.

proof w/stats.  
1  
2  
3  
4  
5  
fix component

302.11 (1p) An inmate serving a term subject to s. 961.49 (2) ~~for a crime~~<sup>strike</sup>  
~~committed before December 31, 1999.~~<sup>strike</sup> is entitled to mandatory release, except the  
inmate may not be released before he or she has complied with s. 961.49 (2).

SECTION 204. 302.11 (1z) of the statutes is ~~created to read~~<sup>repealed</sup>

~~302.11 (1z) An inmate who is sentenced to a term of confinement in prison  
under s. 973.01 for a felony that is committed on or after December 31, 1999, is not  
entitled to mandatory release on parole under this section.~~

SECTION 205. 302.11 (6)<sup>✓</sup> of the statutes is amended to read:

302.11 (6) Any inmate released on parole under sub. (1) or (1g) (b) or s. 304.02  
or 304.06 (1) is subject to all conditions and rules of parole until the expiration of the  
sentence or until he or she is discharged by the department. Except as provided in  
ch. 304, releases from prison shall be on the Tuesday or Wednesday preceding the  
release date. The department may discharge a parolee on or after his or her  
mandatory release date or after 2 years of supervision. Any inmate sentenced to the  
intensive sanctions program who is released on parole under sub. (1) or s. 304.02 or  
304.06 (1) remains in the program unless discharged by the department under s.  
301.048 (6) ~~(a)~~<sup>strike</sup> ~~(b)~~<sup>plain period</sup>

SECTION 206. 302.11 (9)<sup>✓</sup> of the statutes is amended to read:

302.11 (9) Except as provided in ~~(a)~~<sup>strike</sup> ~~(b)~~<sup>Sub.</sup> (1g) (am) ~~and (1z)~~<sup>strike</sup> this section  
applies to persons committing offenses occurring on or after June 1, 1984, or persons  
filing requests in accordance with 1983 Wisconsin Act 528, section 29 (2) or (3).

SECTION 207. 302.113<sup>✓</sup> of the statutes is ~~created to read~~<sup>repealed</sup>

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

Proof w/stats.  
17  
18  
19  
20  
21  
22  
23  
24  
25  
fix component

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

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

- 10           1. Ten days for the first offense.
- 11           2. Twenty days for the 2nd offense.
- 12           3. Forty days for the 3rd or each subsequent offense.

13           (b) In addition to the sanctions under par. (a), if an inmate subject to this section  
14 is placed in adjustment, program or controlled segregation status, the department  
15 may extend his or her term of confinement in prison portion of the bifurcated  
16 sentence by a number of days equal to 50% of the number of days spent in segregation  
17 status. In administering this paragraph, the department shall use the definition of  
18 adjustment, program or controlled segregation status under departmental rules in  
19 effect at the time an inmate is placed in that status.

20           (bm) An inmate subject to this section who files an action or special proceeding,  
21 including a petition for a common law writ of certiorari, to which s. 807.15 applies  
22 shall have his or her term of confinement extended by the number of days specified  
23 in the court order prepared under s. 807.15 (3). Upon receiving a court order issued  
24 under s. 807.15, the department shall recalculate the date on which the inmate to



1 whom the order applies will be entitled to release to extended supervision and shall  
2 inform the inmate of that date.

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

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

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

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

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

20 (7) Any inmate released to extended supervision under this section is subject  
21 to all conditions and rules of extended supervision until the expiration of the term  
22 of extended supervision portion of the bifurcated sentence. The department may set  
23 conditions of extended supervision in addition to any conditions of extended  
24 supervision set by the court under s. 973.01 (5) if the conditions set by the department  
25 do not conflict with the court's conditions.

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

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

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

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

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

3       SECTION 208. 302.114 of the statutes is ~~created to read~~ *repealed*

4       **302.114 Petition for release and release to extended supervision for**  
5 **felony offenders serving life sentences.** (1) An inmate is subject to this section  
6 if he or she is serving a life sentence imposed under s. 973.014 (1g) (a) 1. or 2. An  
7 inmate serving a life sentence under s. 939.62 (2m) or 973.014 (1g) (a) 3. is not eligible  
8 for release to extended supervision under this section.

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

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

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

5 (c) An inmate subject to this section who files an action or special proceeding,  
6 including a petition for a common law writ of certiorari, to which s. 807.15 applies  
7 shall have his or her extended supervision eligibility date set under s. 973.014 (1g)

8 (a) 1. or 2., whichever is applicable, extended by the number of days specified in the  
9 court order prepared under s. 807.15 (3). Upon receiving a court order issued under  
10 s. 807.15, the department shall recalculate the date on which the inmate to whom  
11 the order applies will be entitled to petition for release to extended supervision and  
12 shall inform the inmate of that date.

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

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

23 (am) The inmate shall serve a copy of a petition for release to extended  
24 supervision on the district attorney's office that prosecuted him or her, and the

1 district attorney shall file a written response to the petition within 45 days after the  
2 date he or she receives the petition.

3 (b) After reviewing a petition for release to extended supervision and the  
4 district attorney's response to the petition, the court shall decide whether to hold a  
5 hearing on the petition or, if it does not hold a hearing, whether to grant or deny the  
6 petition without a hearing. If the court decides to hold a hearing under this  
7 paragraph, the hearing shall be before the court without a jury. The office of the  
8 district attorney that prosecuted the inmate shall represent the state at the hearing.

9 (c) Before deciding whether to grant or deny the inmate's petition, the court  
10 shall allow a victim, as defined in s. 950.02 (4), to make a statement or submit a  
11 statement concerning the release of the inmate to extended supervision. The court  
12 may allow any other person to make or submit a statement under this paragraph.  
13 Any statement under this paragraph must be relevant to the release of the inmate  
14 to extended supervision.

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

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

20 (e) If the court denies the inmate's petition for release to extended supervision,  
21 the court shall specify the date on which the inmate may file a subsequent petition  
22 under this section. An inmate may file a subsequent petition at any time on or after  
23 the date specified by the court, but if the inmate files a subsequent petition for release  
24 to extended supervision before the date specified by the court, the court may deny  
25 the petition without a hearing.

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

6 (6) (a) In this subsection, “victim” has the meaning given in s. 950.02 (4).

7 (b) If an inmate petitions a court under sub. (5) or (9) (b) for release to extended  
8 supervision under this section, the clerk of the circuit court in which the petition is  
9 filed shall send a copy of the petition and, if a hearing is scheduled, a notice of hearing  
10 to the victim of the crime committed by the inmate, if the victim has submitted a card  
11 under par. (e) requesting notification.

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

16 (d) The clerk of the circuit court shall make a reasonable attempt to send a copy  
17 of the inmate’s petition to the last-known address of the victim within 7 days of the  
18 date on which the petition is filed and shall make a reasonable attempt to send the  
19 notice of hearing, if a hearing is scheduled, to the last-known address of the persons  
20 victim, 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 victim to  
22 send to the clerk of the circuit court in which the inmate is convicted and sentenced.  
23 The cards shall have space for a victim to provide his or her name and address, the  
24 name of the applicable inmate and any other information the director of state courts  
25 determines is necessary. The director of state courts shall provide the cards, without

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

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

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

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

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

24 (b) If a person is returned to prison under par. (a) after revocation of extended  
25 supervision, the department of corrections in the case of a waiver or the division of

1 hearings and appeals in the department of administration in the case of a hearing  
 2 under par. (a) shall specify a period of time for which the person shall be incarcerated  
 3 before being eligible for release to extended supervision. The period of time specified  
 4 under this paragraph may not be less than 5 years and may be extended in  
 5 accordance with sub. (3).

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

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

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

21 SECTION 209. 302.14<sup>v</sup> of the statutes is amended to read:

22 302.14 (title) **Property of deceased inmates, parolees ~~or~~ probationers**

23 ~~or persons on extended supervision,~~ disposition. When an inmate of a prison

24 ~~or~~ a parolee of an institution, ~~a person on extended supervision~~ or a person on

25 probation to the department dies leaving an estate of \$150 or less in the trust of the

Please  
Proof  
w/strats.

Handwritten annotations: "strike" above "or persons on extended supervision"; "plain comma" above "or" and "a person on extended supervision"; "strike comma" and "or" circled above "or" in the title; "or" circled above "or" in the title.



1 warden, superintendent or secretary, the warden, superintendent or secretary shall  
2 try to determine whether or not the estate is to be probated. If probate proceedings  
3 are not commenced within 90 days, the warden, superintendent or secretary shall  
4 turn over the money or securities to the nearest of kin as evidenced by the records  
5 of the institution and the department.

6 SECTION 210. 302.17 (2) of the statutes is amended to read:

7 302.17 (2) The department shall make entries on the register to reflect the  
8 progress made by each inmate while incarcerated and the inmate's release on parole  
9 ~~or extended supervision~~ condition at the time of release on parole ~~or extended~~  
10 ~~supervision~~ and progress made while on parole ~~or extended supervision~~. This  
11 subsection does not apply to inmates subject to an order under s. 48.366.

12 SECTION 211. 302.25 (4) (c) of the statutes is amended to read:

13 302.25 (4) (c) Inmates confined in an institution pursuant to the terms of this  
14 compact shall at all times be subject to the jurisdiction of the sending state and may  
15 at any time be removed therefrom for transfer to a prison or other institution within  
16 the sending state, for transfer to another institution in which the sending state may  
17 have a contractual or other right to confine inmates, for release on probation,  
18 ~~extended supervision~~ or parole, for discharge, or for any other purpose permitted by  
19 the laws of the sending state; provided, that the sending state shall continue to be  
20 obligated to such payments as may be required pursuant to the terms of any contract  
21 entered into under the terms of sub. (3).

22 SECTION 212. 302.33 (2) (a) (intro.) of the statutes is amended to read:

23 302.33 (2) (a) (intro.) The department shall pay for the maintenance of persons  
24 in its custody who are placed in the county jail or other county facility, or in a tribal

please proof w/ stats

9  
10  
17  
18

<sup>strike</sup>  
~~or extended supervision~~ <sup>plain comma</sup> condition at the time of <sup>plain</sup> release on parole ~~or extended~~  
<sup>strike</sup> ~~supervision~~ and progress made while on parole ~~or extended~~ <sup>strike</sup> ~~supervision~~ <sup>plain</sup>

<sup>strike comma</sup> ←

Please proof w/ stats.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

jail under s. 302.445, pending disposition of parole, ~~extended supervision~~<sup>strike</sup> or probation revocation proceedings subject to the following conditions:

**SECTION 213.** 302.33 (2) (b) of the statutes is amended to read:

302.33 (2) (b) This subsection applies only to probationers ~~and~~<sup>or</sup> parolees ~~or~~<sup>strike</sup> ~~persons on extended supervision~~<sup>strike</sup> who were placed on that status in connection with a conviction for a felony. This subsection applies only to confinements initiated after July 2, 1983.

**SECTION 214.** 302.335 (title) of the statutes is amended to read:

**302.335 (title) Restrictions on detaining probationers ~~and~~<sup>and</sup> parolees ~~and persons on extended supervision in county or tribal jail.~~**

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

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

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

302.335 (2) (a) (intro.) The department shall begin a preliminary revocation hearing within 15 working days after the probationer ~~or~~<sup>or</sup> parolee ~~or person on extended supervision~~<sup>strike</sup> is detained in the county jail, other county facility or the tribal jail. The department may extend, for cause, this deadline by not more than 5 additional working days upon written notice to the probationer ~~or~~<sup>or</sup> parolee ~~or person on extended supervision~~<sup>strike</sup> and the sheriff, the tribal chief of police or other person in charge of the county facility. This paragraph does not apply under any of the following circumstances:

**SECTION 217.** 302.335 (2) (a) 1. of the statutes is amended to read:

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

3 SECTION 218. 302.335 (2) (a) 2. <sup>✓</sup> of the statutes is amended to read:

4 302.335 (2) (a) 2. The probationer ~~or parolee or person on extended supervision~~<sup>or</sup>  
5 has given and signed a written statement that admits the violation.

6 SECTION 219. 302.335 (2) (a) 3. <sup>✓</sup> of the statutes is amended to read:

7 302.335 (2) (a) 3. There has been a finding of probable cause in a felony criminal  
8 action and the probationer ~~or parolee or person on extended supervision~~<sup>or</sup> is bound  
9 over for trial for the same or similar conduct that is alleged to be a violation of  
10 supervision.

11 SECTION 220. 302.335 (2) (b) <sup>✓</sup> of the statutes is amended to read:

12 302.335 (2) (b) The division shall begin a final revocation hearing within 50  
13 calendar days after the person is detained in the county jail, other county facility or  
14 the tribal jail. The department may request the division to extend this deadline by  
15 not more than 10 additional calendar days, upon notice to the probationer ~~or~~<sup>or</sup> parolee  
16 ~~or person on extended supervision~~<sup>plain</sup> the sheriff, the tribal chief of police or other  
17 person in charge of the facility, and the division. The division may grant the request.  
18 This paragraph does not apply if the probationer ~~or~~<sup>or</sup> parolee ~~or person on extended~~<sup>strike</sup>  
19 ~~supervision~~ has waived the right to a final revocation hearing.

20 SECTION 221. 302.335 (3) <sup>✓</sup> of the statutes is amended to read:

21 302.335 (3) If there is a failure to begin a hearing within the time requirements  
22 under sub. (2), the sheriff, the tribal chief of police or other person in charge of a  
23 county facility shall notify the department at least 24 hours before releasing a  
24 probationer ~~or~~<sup>strike</sup> parolee ~~or person on extended supervision~~<sup>strike</sup> under this subsection.

25 SECTION 222. 302.335 (4) <sup>✓</sup> of the statutes is amended to read:

Please proof w/stats.

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

6 SECTION 223. 303.065 (1) of the statutes is renumbered 303.065 (1) ~~and~~ <sup>(b)</sup>  
 7 is amended to read:

8 303.065 (1) (a) ~~The~~ <sup>plain</sup> Except as provided in par. (b), the department may grant  
 9 work release privileges to any person incarcerated within the state prisons, except  
 10 that no ~~person~~ <sup>plain</sup>

11 ~~(b) 1.~~ <sup>no 7</sup> ~~A person serving a life sentence other than a life sentence specified in~~  
 12 ~~subd. 2.~~ <sup>plain</sup> may be considered for work release ~~only after~~ <sup>plain</sup> he or she has reached  
 13 parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever is  
 14 applicable, ~~and~~ <sup>strike comma</sup> ~~or he or she has reached his or her extended supervision eligibility~~ <sup>strike</sup>  
 15 ~~date under s. 302.114 (2) (b) or 973.014 (1g) (a) 1. or 2., whichever is applicable.~~ <sup>plain</sup>

16 ~~2.~~ <sup>(c)</sup> ~~A person serving a life sentence under s. 939.62 (2m) or 973.014 (1) (c) or (1d)~~ <sup>strike</sup>  
 17 ~~may not~~ <sup>plain</sup> be considered for work release.

18 SECTION 224. 303.21 (1) (a) <sup>(c)</sup> of the statutes, as affected by 1997 Wisconsin Act  
 19 ~~a~~ is amended to read:

20 303.21 (1) (a) If an inmate of a state institution, in the performance of assigned  
 21 work is injured so as to be permanently incapacitated or to have materially reduced  
 22 earning power, the inmate may, upon being released from such institution, either  
 23 upon <sup>plain</sup> ~~release on parole or extended supervision~~ <sup>strike</sup> or upon final discharge, be allowed  
 24 and paid such compensation as the department of workforce development finds the  
 25 inmate entitled to. The inmate shall be compensated on the same basis as if the

Please proof w/ stats.

1 injury had been covered by ch. 102, except that the total paid to any inmate may not  
2 exceed \$10,000 and may be paid in instalments. If the injury results from  
3 employment in a prison industry, the payment shall be made from the revolving  
4 appropriation for its operation. If there is no revolving appropriation, payment shall  
5 be made from the general fund. In case of dispute, the procedure for hearing, award  
6 and appeal shall be as set forth in ss. 102.16 to 102.26.

7 **SECTION 225.** 303.215<sup>✓</sup> of the statutes is amended to read:

8 **303.215 Compensation to prisoners or residents injured in prison**  
9 **industries employment.** In accordance with s. 102.03 (2), for an inmate of a state  
10 institution or a resident subject to s. 303.01 (1) (b) employed under s. 303.06 (2),  
11 compensation under ch. 102 on being released from the applicable institution, on  
12 parole, ~~on extended supervision~~<sup>strike</sup> on final discharge or in accordance with ch. 938,  
13 whichever is applicable, is the exclusive remedy against the department and any  
14 employe of the department for any injury sustained by the inmate or resident while  
15 performing service growing out of and incidental to that employment. The  
16 department shall make any payments required under this section from the revolving  
17 appropriation for the operation of prison industries or, if there is no revolving  
18 appropriation for the operation of prison industries, from the general fund.

19 **SECTION 226.** 304.02 (3) (c)<sup>✓</sup> of the statutes is amended to read:

20 304.02 (3) (c) The institution social worker or the probation, ~~extended~~<sup>strike</sup>  
21 ~~supervision~~<sup>strike</sup> and parole agent of record has reason to believe the prisoner will be able  
22 to maintain himself or herself in society without engaging in assaultive activity.

23 **SECTION 227.** 304.02 (4)<sup>✓</sup> of the statutes is amended to read:

Please Proof w/stats.

Please  
w/ Proof  
Stats.

1  
2  
3  
4  
5  
6  
7

304.02 (4) If a person is sentenced under s. 973.032, he or she is eligible for a release to parole supervision under this section and remains in the intensive sanctions program unless discharged by the department under s. 301.048 (6) <sup>strike</sup> ~~(6)~~ <sup>plain</sup> ~~(6)~~ <sup>period</sup>

SECTION 228. 304.02 (5) of the statutes is amended to read:

304.02 (5) Notwithstanding subs. (1) to (3), a prisoner who is serving a life sentence under s. 939.62 (2m) <sup>plain</sup> ~~(2m)~~ <sup>(c)</sup> or 973.014 (1) (c) <sup>strike</sup> ~~(1g)~~ is not eligible for release to parole supervision under this section.

Fix  
Component

8  
9  
10  
11

SECTION 229. 304.02 (6) of the statutes is ~~created to read~~ <sup>repealed</sup>

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

SECTION 230. 304.06 (1) (b) of the statutes is amended to read:

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

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 parole eligibility or evaluation until the person has been confined at least 60 days  
2 following sentencing.

3 SECTION 231. 304.06 (1) (b) of the statutes, as affected by 1997 Wisconsin Acts

4 133 and ... (this act) is repealed and recreated to read: amended

5 304.06 (1) (b) Except as provided in sub. (1m) or s. 302.045 (3), 961.49 (2),  
6 973.01(6) or 973.0135, the parole commission may parole an inmate of the Wisconsin  
7 state prisons or any felon or any person serving at least one year or more in a county  
8 house of correction or a county reforestation camp organized under s. 303.07, when  
9 he or she has served 25% of the sentence imposed for the offense, or 6 months,  
10 whichever is greater. Except as provided in s. 939.62 (2m) or 973.014 (1)(b) or (c),  
11 (1g) or (2), the parole commission may parole an inmate serving a life term when he  
12 or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject  
13 to extension under s. 302.11 (1q) and (2), if applicable. The person serving the life  
14 term shall be given credit for time served prior to sentencing under s. 973.155,  
15 including good time under s. 973.155 (4). The secretary may grant special action  
16 parole releases under s. 304.02. The department or the parole commission shall not  
17 provide any convicted offender or other person sentenced to the department's custody  
18 any parole eligibility or evaluation until the person has been confined at least 60 days  
19 following sentencing.

20 SECTION 232. 304.06 (1y) of the statutes is amended to read:

21 304.06 (1y) If a person is sentenced under s. 973.032, he or she is eligible for  
22 a release to parole supervision under this section and remains in the intensive  
23 sanctions program unless discharged by the department under s. 301.048 (6) ~~two~~ <sup>strike</sup>

24 SECTION 233. 304.062 (title) of the statutes is amended to read:

plain period

Please proof w/ stats.

please proof w/stats.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

**304.062 (title) Ordering parolees ~~and persons on extended supervision~~<sup>strike</sup> to perform community service work.**

**SECTION 234.** 304.062 (1) of the statutes is amended to read:

304.062 (1) The department may order that a parolee ~~or a person on extended~~<sup>strike</sup> ~~supervision~~<sup>strike</sup> perform community service work for a public agency or a nonprofit charitable organization. An order may apply only if agreed to by the parolee ~~or the~~<sup>strike</sup> ~~person on extended supervision~~ and the organization or agency. The department shall ensure that the parolee ~~or the person on extended supervision~~<sup>strike</sup> is provided a written statement of the terms of the community service order and shall monitor the ~~parolee's~~ compliance ~~of the parolee or person on extended supervision~~<sup>strike</sup> with the community service order. <sup>plain</sup>

**SECTION 235.** 304.062 (2) of the statutes is amended to read:

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

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

**304.063 (title) Notification prior to release ~~on extended supervision or~~<sup>strike</sup> parole.**

**SECTION 237.** 304.063 (2) (intro.) of the statutes ~~was affected by 1997 Wisconsin~~

~~Act ... (Assembly bill 342)~~ is amended to read:

304.063 (2) (intro.) Before a prisoner is released on parole under s. 302.11, 304.02 or 304.06 ~~or on extended supervision under s. 302.113 or 302.114~~<sup>strike</sup> if <sup>plain comma</sup>



1 applicable, for a violation of s. 940.01, 940.03, 940.05, 940.225 (1) or (2), 948.02 (1)  
2 or (2), 948.025, 948.06 or 948.07, the department shall make a reasonable attempt  
3 to notify all of the following persons, if they can be found, in accordance with sub. (3)  
4 and after receiving a completed card under sub. (4):

5 SECTION 238. 304.063 (3) of the statutes is amended to read:

6 304.063 (3) The department shall make a reasonable ~~effort~~ <sup>plain</sup> attempt to send the  
7 notice, postmarked at least 7 days before a prisoner is released on parole ~~or extended~~ <sup>strike</sup>  
8 ~~supervision~~, to the last-known address of the persons under sub. (2).

9 SECTION 239. 304.071 (2) of the statutes is amended to read:

10 304.071 (2) If a prisoner is not eligible for parole under s. 939.62 (2m) <sup>(c)</sup>, 961.49  
11 (2), ~~973.01 (6)~~ 973.014 (1) (c) ~~or (1e)~~ or 973.032 (5), he or she is not eligible for parole  
12 under this section.

13 SECTION 240. 304.072 (title) of the statutes is amended to read:

14 304.072 (title) **Period of probation, ~~extended supervision~~ <sup>strike</sup> or parole**  
15 **tolled.**

16 SECTION 241. 304.072 (1) of the statutes is amended to read:

17 304.072 (1) If the department of corrections in the case of a parolee ~~or~~ <sup>strike comma</sup>  
18 probationer ~~or person on extended supervision~~ <sup>strike</sup> who is reinstated or waives a hearing  
19 or the division of hearings and appeals in the department of administration in the  
20 case of a hearing determines that a parolee ~~or~~ <sup>strike comma</sup> probationer ~~or person on extended~~ <sup>strike</sup>  
21 ~~supervision~~ <sup>strike</sup> has violated the terms of his or her supervision, the department or  
22 division may toll all or any part of the period of time between the date of the violation  
23 and the date an order of revocation or reinstatement is entered, subject to credit  
24 according to the terms of s. 973.155 for any time the parolee ~~or~~ <sup>strike comma</sup> probationer ~~or person~~ <sup>or</sup>  
25 ~~on extended supervision~~ spent confined in connection with the violation.

Please proof w/stats.