



State of Wisconsin
1999 - 2000 LEGISLATURE

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LRB-3420/P1
JEO/MGD
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* Needed by Thurs 8/19 @ 8:00 am *

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

4 →

WPD: 1) leave burning dots displayed
2) Delete all 4-star notes

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- 1 AN AC ~~reptal 939.50~~ (B) 939.50 939.615(c), 939.622, 939.623,
- 2 939.624, 939.625, 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09
- 3 (lb), 940.19 (3), 940.195 (3), 940.195 (6), 940.25 (lb), 940.285 (2) (b) 3., 941.29
- 4 (2m), 941.296 (3), 943.01 (2g), 943.23 (lm), 943.23 (lr), 946.42 (4), 946.425 (2),
- 5 948.02 (3m), 948.025 (2m), 948.35, 948.36, 948.605(4), 961.41 (1) (cm) 5., 961.41
- 6 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (lm) (cm) 5.,
- 7 961.41 (1m)(d) 5., 961.41 (1m)(d) 6., 961.41 (1m)(e) 5., 961.41 (1m)(e) 6., 961.41
- 8 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3),
- 9 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2.,
- 10 973.01 (2) (c) and 973.03 (3) (e) 3.; **to renumber** 961.49 (1); **to renumber and**
- 11 **amend 49.95** (1), 125.075 (2), 939.50 (3) (c), 943.20 (3) (c), 948.025 (l),
- 12 948.025 (2), 961.41 (1)(cm) l., 961.41 (lm) (cm) l., 961.41 (3g)(a)1., 961.46 (1),
- 13 961.48 (l), 971.17 (1), 973.01 (2) (b) 6. and 973.01 (2) (d); **to amend** 6.18, 11.61
- 14 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33 (13)
- 15 (cg), 26.14 (8), 29.971 (1) (c), 29.971 (lm) (c), 29.971 (llm) (a), 29.971 (11p) (a),

1 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d),
2 48.355(2d) (b) 3., 48.415(9m) (b) 2., 48.417 (1) (d), 48.57(3p) (g)2., 48.685 (5)
3 (bm) 2., 48.685 (5) (bm) 3., 48.685(5) (bm) 4., 49.127(8) (a) 2., 49.127 (8) (b)2.,
4 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141
5 (10) (b), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49
6 (4) (b), 49.95 (1), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b), 66.4025 (1) (c), 69.24
7 (1) (intro.), 70.47 (18) (a) , 71.83(2) (b), 86.192(4), 97.43(4), 97.45(2), 100.171
8 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 100.26 (7), 101.143 (10)
9 (b), 101.94(8) (b) , 102.835 (11) , 102.835(18), 102.85(3), 108.225 (11), 108.225
10 (18), 110.07(5) (a), 114.20(18) (c) , 115.31 (2g), 118.19 (4) (a) , 125.085 (3) (a)>2.,
11 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1),
12 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1),
13 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35
14 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10
15 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02
16 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636
17 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.),
18 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.035 (2), 301.035 (4), 301.26 (4) (cm)
19 1. , 302.095(2), 302.11 (1g) (a) 2., 302.11 (1p), 302.113(2), 302.113(7), 302.113
20 (9), 302.114 (6) (b), 302.114 (6) (c), 302.114 (9), 303.065 (1) (b) 1., 304.06(1)(b),
21 304.071 (2), 341.605 (3), 342.06 (2), 342.065(4) (b), 342.155(4) (b), 342.156 (6)
22 (b) , 342.30 (3) (a) , 342.32(3), 343.44(2) (b) (intro.), 344.48(2), 346.17(3) (a> ,
23 346.1(3) (a), 346.17 (3) (b), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (c) , 346.17
24 (3) (d), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4)
25 (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),

1 346.74 (5**b**), **346.74** (5) (c), 346.74 (d), 350.11 (2**m**), 446.07, 447.09, 450.11
2 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13
3 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),
4 753.061 (2**m**), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07, 801.50 (5),
5 911.01 (4) (c), 938.208 (1) (a), 938.34 (4**h**) (a), 938.34 (4**m**) (b) 1., 938.355 (2d) (b)
6 3., 938.355 (4) (b), 938.7(3), 939.30(1), 939.30 (2), 939.50 (1)(intro.), 939.50
7 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),
8 939.62 (1) (b), 939.62 (1) (c), 939.62 (2**m**) (a) 2m. a., 939.62 (2m) (a) 2m. b.,
9 939.632 (1) (e) 1., 939.7(1), 939.75(1), 940.02(2) (intro.), 940.03, 940.04 (1),
10 940.04 (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08
11 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12,
12 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6)
13 (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1), 940.20 (1**m**), 940.20 (2),
14 940.20 (2**m**) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.),
15 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.),
16 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225(3), 940.23
17 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25
18 (1) (intro.), 940.285 (2) (b)lg., 940.285 (2) (b)lm., 940.285 (2) (b)lr., 940.285
19 (2) (b) 2., 940.29, 940.295 (3) (b) lg., 940.295 (3)(b) lm., 940.295 (3)(b) lr.,
20 940.295 (3) (2.), 940.295 (3)(b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1)
21 (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2**m**), 940.32 (3)
22 (intro.), 940.32 (3**m**) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.),
23 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)(intro.), 941.21, 941.235 (1), 941.26
24 (2) (a), 941.26(2) (b), 941.26 (2) (e), 941.26(2) (f), 941.26 (2) (g), 941.26 (4) (d),
25 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.),

1 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.32, 941.325,
2 941.327 (2) (a) (intro.), 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3.,
3 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (2), 943.01 (2)
4 (intro.), 943.01 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.),
5 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017
6 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (l), 943.07
7 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b),
8 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3)
9 (d) 4., 943.201 (2), 943.205 (3), 943.21 (3) (a), 943.21 (3) (b), 943.23 (lg), 943.23
10 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (l), 943.24 (2), 943.25 (l), 943.25
11 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (l),
12 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.),
13 943.32 (2), 943.34 (1) (a), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38
14 (2), 943.39 (intro.), 943.395 (2) (a), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b),
15 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46
16 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.50 (4) (a), 943.50 (4) (b),
17 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4)
18 (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70
19 (3) (b) 3., 943.75 (2), 944.05 (1) (intro.), 944.16 (intro.), 944.205 (2) (intro.),
20 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (intro.),
21 945.05 (1) (intro.), 945.08 (l), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2),
22 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.),
23 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m)
24 (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (l), 946.425 (lm) (b),
25 946.425 (1r) (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (lg), 946.44 (lm),

1 946.47 (1) (intro.), 946.48 (l), 946.49 (1) (b), 946.49 (2), 946.60 (l), 946.60 (2),
2 946.61 (1) (intro.), 946.64, 946.65 (l), 946.68 (lr) (a), 946.68 (lr) (b), 946.68 (lr)
3 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (l), 946.74 (2), 946.76, 946.82 (4),
4 946.84 (l), 946.85 (1), 946.85 (l), 947.013 (lt), 947.013 (1v), 947.013 (lx) (intro.),
5 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03
6 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.64 (l),
7 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055
8 (2) (b), 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a),
9 948.11 (2) (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21 (l), 948.22 (2), 948.23,
10 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31
11 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b),
12 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62
13 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18
14 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),
15 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.),
16 961.41 (1) (d) l., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1)
17 (e) (intro.), 961.41 (1) (e) l., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4.,
18 961.41 (1) (f) (intro.), 961.41 (1) (f) l., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41
19 (1) (g) (intro.), 961.41 (1) (g) l., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h)
20 (intro.), 961.41 (1) (h) l., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41
21 (1) (j), 961.41 (lm) (intro.), 961.41 (lm) (a), 961.41 (lm) (b), 961.41 (lm) (cm)
22 (intro.), 961.41 (lm) (cm) 2., 961.41 (lm) (cm) 3., 961.41 (lm) (cm) 4., 961.41
23 (lm) (d) (intro.), 961.41 (lm) (d) l., 961.41 (lm) (d) 2., 961.41 (lm) (d) 3., 961.41
24 (lm) (d) 4., 961.41 (lm) (e) (intro.), 961.41 (lm) (e) l., 961.41 (lm) (e) 2., 961.41
25 (lm) (e) 3., 961.41 (lm) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) l., 961.41

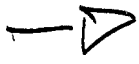
1 (lm) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) l., 961.41
2 (lm) (g) 2., 961.41 (1m) (g) 3., 961.41 (lm) (h) (intro.), 961.41 (1m) (h) 1., 961.41
3 (lm) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c),
4 961.41 (lq), 961.41 (lr), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41
5 (2) (d), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4)
6 (am) 3., 961.42 (2), 961.43 (2), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)
7 (a), 961.48 (3), 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08
8 (10) (a), 969.08 (10) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2) (a),
9 973.01 (2) (b) (intro.), 973.01 (2) (b) l., 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01
10 (2) (b) 5., 973.01 (4), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c)
11 2., 973.075 (1) (b) lm. e., 973.075 (2) (d), 973.09 (2) (b) l., 977.06 (2) (b) and
12 **978.13 (1) (c); to repeal and recreate** 944.15 (title); and **to create** 15.105 (26),
13 19.42 (10) (o), 19.42 (13) (n), 20.505 (4) (dr), 20.505 (4) (mr), 20.923 (4) (b) 7.,
14 20.923 (6) (hr), 125.075 (2) (b), 227.01 (13) (sm), 230.08 (2) (L) 6., 230.08 (2) (of),
15 302.113 (7m), 302.113 (9) (am), 302.113 (9) (d), 302.113 (9g), 302.114 (9) (d),
16 346.04 (2t), 346.04 (4), 346.17 (2t), 801.50 (5c), 939.50 (1) (f), 939.50 (1) (g),
17 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (c) 2., 939.50 (3) (f), 939.50 (3) (g), 939.50
18 (3) (h), 939.50 (3) (i), 940.09 (1c); 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm),
19 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b),
20 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm)
21 lg., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (lm) (cm) lg., 961.41 (lm) (h) 4.,
22 961.41 (1m) (h) 5., 961.41 (3g) (b) (title), 961.48 (1) (a) and (b), 971.17 (1) (b),
23 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b)
24 9., 973.01 (2) (d) 1. to 6., 973.01 (2m), 973.017, 973.30 and 977.05 (4) (jm) of the
25 statutes; **relating to:** classification and elements of felony offenses; revocation

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of extended supervision; ~~penalties for felony controlled substances offenses;~~
~~classification of felony offenses;~~ the creation of a sentencing commission and
 temporary sentencing guidelines; modification of a bifurcated sentence in
 certain cases ⁱⁿ making an appropriation; and providing penalties.

Analysis by the Legislative Reference Bureau

~~*** ANALYSIS FROM -0590/P5 ***
 This is a preliminary draft. An analysis will be provided in a later version of the draft.
 *** ANALYSIS FROM -2889/P3 ***
 This is a preliminary draft prepared for the Criminal Penalties Study Committee's extended supervision revocation subcommittee. An analysis will be provided in a later draft.
 *** ANALYSIS FROM -3265/P1 ***
 This is a preliminary draft. An analysis will be provided in a later version of the draft.
 *** ANALYSIS FROM -3266/P1 ***
 This is a preliminary draft. An analysis will be provided in a later version.
 *** ANALYSIS FROM -3361/P2 ***
 This is a preliminary draft. An analysis will be provided in a later version.
 *** ANALYSIS FROM -3370/P2 ***~~



This is a preliminary draft. An analysis will be provided in a later version of the draft.
 For further information **see** the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

5 ***-3266/P1.1*** SECTION 1. 6.18 of the statutes is amended to read:
 6 **6.18 Former residents.** If ineligible to qualify as an elector in the state to
 7 which the elector has moved, any former qualified Wisconsin elector may vote an
 8 absentee ballot in the ward of the elector's prior residence in any presidential election
 9 occurring within 24 months after leaving Wisconsin by requesting an application
 10 form and returning it, properly executed, to the municipal clerk of the elector's prior

1 Wisconsin residence. When requesting an application form for an absentee ballot,
2 the applicant shall specify the applicant's eligibility for only the presidential ballot.
3 The application form shall require the following information and be in substantially
4 the following form:

5 This blank shall be returned to the municipal clerk's office. Application must
6 be received in sufficient time for ballots to be mailed and returned prior to any
7 presidential election at which applicant wishes to vote. Complete all statements in
8 full.

9 APPLICATION FOR PRESIDENTIAL
10 ELECTOR'S ABSENT BALLOT.
11 (To be voted at the Presidential Election
12 on November (year)

13 I, hereby swear or affirm that I am a citizen of the United States, formerly
14 residing at in the ward aldermanic district (city, town, village) of County
15 of for 10 days prior to leaving the State of Wisconsin. I, do solemnly swear or
16 affirm that I do not qualify to register or vote under the laws of the State of(State
17 you now reside in) where I am presently residing. A citizen must be a resident of:
18 State(Insert time) County(Insert time) City, Town or Village(Insert time),
19 in order to be eligible to register or vote therein. I further swear or affirm that my
20 legal residence was established in the State of(the State where you now reside)
21 on Month Day Year.

22 Signed
23 Address(Present address)
24(City)(State)

25 Subscribed and sworn to before me this day of (year)

wpo: center these lines

right flesh



1 . . .(Notary Public, or other officer authorized to administer oaths.)

2 . . .(County)

3 My Commission expires

4 MAIL BALLOT TO:

5 NAME

6 ADDRESS

7 CITY STATE ZIP CODE

8 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit
9 under this section may be fined not more than **\$1,000** or imprisoned for not more than
10 6 months, or both. Whoever intentionally votes more than once in an election may
11 be fined not more than **\$10,000** or imprisoned for not more than 3 years, and 6 months
12 or both.

13 ^A flush right(Municipal Clerk) →
14(Municipality)

15 ***-3266/P1.2* SECTION 2. 11.61 (1)** (a) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 **11.61 (1)** (a) Whoever intentionally violates s. 11.05 (l), (2), (2g) or (2r), 11.07
18 **(1) or (5), 11.10 (l), 11.12 (5), 11.23 (6)** or 11.24 (1) ~~may be fined not more than \$10,000~~
19 ~~or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a Class I
20 felony.

21 ***-3266/P1.3* SECTION 3. 11.61 (1)** (b) of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:

23 **11.61 (1)** (b) **Whoever intentionally** violates s. 11.25, 11.26, 11.27 (1), **11.30 (1)**
24 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve
25 a specific figure, or ~~where~~ if the intentional violation concerns a figure which exceeds

1 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~
2 ~~more than 4 years and 6 months or both.~~

3 ***-3266/P1.4*** SECTION 4. 12.60 (1) (a) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f),
6 (j), (k), (L), (m), (y) or (z) ~~may be fined not more than \$10,000 or imprisoned for not~~
7 ~~more than 4 years and 6 months or both~~ is guilty of a Class I felony.

8 ***-3266/P1.5*** SECTION 5. 13.05 of the statutes, as affected by 1997 Wisconsin
9 Act 283, is amended to read:

10 **13.05 Logrolling prohibited.** Any member of the legislature who gives,
11 offers or promises to give his or her vote or influence in favor of or against any
12 measure or proposition pending or proposed to be introduced? in the legislature in
13 consideration or upon condition that any other person elected to the same legislature
14 will give or will promise or agree to give his or her vote or influence in favor of or
15 against any other measure or proposition pending or proposed to be introduced in
16 such legislature, or who gives, offers or promises to give his or her vote or influence
17 for or against any measure on condition that any other member will give his or her
18 vote or influence in favor of any change in any other bill pending or proposed to be
19 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~
20 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~
21 is guilty of a Class I felony.

22 ***-3266/P1.6*** SECTION 6. 13.06 of the statutes, as affected by 1997 Wisconsin
23 Act 283, is amended to read:

24 **13.06 Executive favor.** Any member of the legislature who gives, offers or
25 promises to give his or her vote or influence in favor of or against any measure or

1 proposition pending or proposed to be introduced in the legislature, or that has
2 already been passed by either house of the legislature, in consideration of or on
3 condition that the governor approve, disapprove, veto or sign, or agree to approve,
4 disapprove, veto or sign, any other measure or proposition pending or proposed to be
5 introduced in the legislature or that has already been passed by the legislature, or
6 either house thereof, or in consideration or upon condition that the governor
7 nominate for appointment or appoint or remove any person to or from any office or
8 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~
9 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both guilty~~
10 of a Class I felony.

11 ***-3266/P1.7*** SECTION 7. 13.69 (6m) of the statutes, as affected by 1997
12 Wisconsin Act 283, is amended to read:

13 13.69 (6m) Any principal, lobbyist or other individual acting on behalf of a
14 principal who files a statement under s. 13.63(1), 13.64, 13.65, 13.67 or 13.68 which
15 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
17 felony.

18 ***-3361/P2.1*** SECTION 8. 15.01 (2) of the statutes is amended to read:

19 15.01 (2) "Commission" means a 3-member governing body in charge of a
20 department or independent agency or of a division or other subunit within a
21 department, except for the Wisconsin waterways commission which shall consist of
22 5 members, the parole commission which shall consist of 6 members and the Fox
23 river management commission which shall consist of 7 members. A Wisconsin group
24 created for participation in a continuing interstate body, or the interstate body itself,
25 shall be known as a "commission", but is not a commission for purposes of s. 15.06.

1 The parole commission created under s. 15.145 (1) shall be known as a “commission”,
2 but is not a commission for purposes of s. 15.06. The sentencing commission created
3 under s. 15.105 (26) shall be known as a “commission” but is not a commission for
4 purposes of s. 15.06 (1) to (4m), (7) and (9).

5 ***-3361/P2.2*** SECTION 9. 15.105 (26) of the statutes is created to read:

6 15.105 (26) SENTENCING COMMISSION. (a) **Creation; membership.** There is
7 created a sentencing commission which is attached to the department of
8 administration under s. 15.03 and which shall consist of the following members:

9 1. The attorney general or his or her designee.

10 2. The state public defender or his or her designee.

11 3. Seven members, at least 2 of whom are not employed by any unit of federal,
12 state or local government, appointed by the governor.

13 4. One majority party member from each house of the legislature, appointed
14 as are the members of standing committees in their respective houses.

15 5. One member appointed by the senate majority leader or, if the senate
16 majority leader and the governor are members of the same political party, by the
17 senate minority leader.

18 6. Two circuit judges, appointed by the supreme court.

19 7. One representative of crime victims and one district attorney, each appointed
20 by the attorney general.

21 8. One attorney in private practice engaged primarily in the practice of criminal
22 defense, appointed by the criminal law section of the State Bar of Wisconsin.

23 (b) **Nonvoting members.** The secretary of corrections or his or her designee, the
24 chairperson of the parole commission or his or her designee and the director of state
25 courts or his or her designee shall be nonvoting members of the commission.

1 **(c) Terms.** 1. Except as provided in subd. 2., members appointed under par. (a)
2 3. and 5. to 8. shall serve 3-year terms and are eligible for reappointment.

3 2. The term of a circuit judge appointed under par. (a) 6. shall end when such
4 person ceases to be a circuit judge. The term of a district attorney appointed under
5 par. (a) 7. shall end when such person ceases to be a district attorney.

6 **(d) Officers.** The governor shall designate annually one of the members of the
7 commission as chairperson. The commission may elect officers other than a
8 chairperson from among its members as its work requires.

9 **(e) Reimbursement and compensation.** Members of the commission shall be
10 reimbursed for their actual and necessary expenses incurred in the performance of
11 their duties. An officer or employe of the state shall be reimbursed by the agency that
12 pays the member's salary. Members who are full-time state officers or employes
13 shall receive no compensation for their services. Other members shall be paid \$25
14 per day, in addition to their actual and necessary expenses, for each day on which
15 they are actually and necessarily engaged in the performance of their duties.

16 **(f) Sunset.** This subsection does not apply after December 31, 2004.

17 ***-3361/P2.3*** SECTION 10. 19.42 (10) (o) of the statutes is created to read:

18 19.42 (10) (o) A member, the executive director or the deputy director of the
19 sentencing commission.

20 ***-3361/P2.4*** SECTION 11. 19.42 (13) (n) of the statutes is created to read:

21 19.42 (13) (n) The position of member, executive director or deputy director of
22 the sentencing commission.

23 ***-3361/P2.5*** SECTION 12. 20.005 (3) (schedule) of the statutes: at the
24 appropriate place, insert the following amounts for the purposes indicated:

1 1999-00 2000-01

2 **20.505 Administration, department of**

3 (4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND
4 COMMISSIONS

5 (dr) Sentencing commission GPR A 415,000 380,000

6 ***-3361/P2.6*** SECTION 13. 20.505 (4) (dr) of the statutes is created to read:

7 *20.505 (4) (dr) Sentencing commission.* The amounts in the schedule for the
8 general program operations of the sentencing commission. No money may be
9 encumbered from the appropriation under this paragraph after December 31, 2004.

10 ***-3361/P2.7*** SECTION 14. 20.505 (4) (mr) of the statutes is created to read:

11 *20.505 (4) (mr) Sentencing commission; federal aid.* All moneys received as
12 federal aid as authorized by the governor under s. 16.54 to carry out the purposes for
13 which the aid is provided. No money may be encumbered from the appropriation
14 under this paragraph after December 31, 2004.

15 ***-3361/P2.8*** SECTION 15. 20.923 (4) (b) 7. of the statutes is created to read:

16 20.923 (4) (b) 7. Sentencing commission: executive director.

17 ***-3361/P2.9*** SECTION 16. 20.923 (6) (hr) of the statutes is created to read:

18 20.923 (6) (hr) Sentencing commission: deputy director.

19 ***-3266/P1.8*** SECTION 17. 23.33 (13) (cg) of the statutes, as affected by 1997

20 Wisconsin Act 283, is amended to read:

21 *23.33 (13) (cg) Penalties related to causing death or injury; interference with*
22 *signs and standards.* A person who violates sub. (8) (f) 1. oh
23 ~~\$10,000 or imprisoned for not more than 2 years or both~~ is guilty of a Class H felony

1 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
2 person.

3 ***-3266/P1.9*** SECTION 18. 26.14 (8) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

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

8 ***-3266/P1.10*** SECTION 19. 29.971 (1) (c) of the statutes, as affected by 1997
9 Wisconsin Act 283, is amended to read:

10 29.971 (1) (c) ~~For A person~~ having fish in his or her possession in violation of
11 this chapter ~~and is guilty of a Class I felony~~ if the value of the fish under par. (d)
12 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~
13 ~~3 years or both.~~

14 ***-3266/P1.11*** SECTION 20. 29.971 (lm) (c) of the statutes, as affected by 1997
15 Wisconsin Act 283, is amended to read:

16 29.971 (1m) (c) ~~For A person~~ possessing clams in violation of s. 29.537, is guilty
17 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~
18 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

19 ***-3266/P1.12*** SECTION 21. 29.971 (llm) (a) of the statutes, as affected by 1997
20 Wisconsin Act 283, is amended to read:

21 29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or
22 possessing a bear without a valid Class A bear license, or for possessing a bear which
23 does not have a carcass tag attached or possessing a bear during the closed season,
24 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not
25 more than 6 months or both for the first violation, or by a fine of not more than \$5,000

1 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any
2 subsequent violation, and, in addition, the court shall revoke all hunting approvals
3 issued to the person under this chapter and shall prohibit the issuance of any new
4 hunting approval under this chapter to the person for 3 years.

5 ***-3266/P1.13*** SECTION 22. 29.971 (11p) (a) of the statutes, as affected by 1997
6 Wisconsin Act 283, is amended to read:

7 29.971 (11p) (a) For entering the den of a hibernating black bear and harming
8 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~2~~
9 years 9 months or both.

10 ***-3266/P1.14*** SECTION 23. 30.80 (2g) (b) of the statutes, as affected by 1997
11 Wisconsin Act 283, is amended to read:

12 30.80 (2g) (b) Shall be fined not ~~less than \$300 nor~~ more than ~~\$5,000~~ \$10,000
13 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved
14 injury to a person but the person did not suffer great bodily harm.

15 ***-3266/P1.15*** SECTION 24. 30.80 (2g) (c) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 30.80 (2g) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
18 ~~than 8 years or both~~ Is guilty of a Class I felony if the accident involved injury to a
19 person and the person suffered great bodily harm.

20 ***-3266/P1.16*** SECTION 25. 30.80 (2g) (d) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
23 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
24 death to a person.

1 *~~-3266/P1.17~~* SECTION 26. 30.80 (3m) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~
4 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of
5 a Class H felony.

6 *~~-3266/P1.18~~* SECTION 27. 36.25 (6) (d) of the statutes, as affected by 1997
7 Wisconsin Act 283, is amended to read:

8 36.25 (6) (d) Any officer, agent, clerk or employe of the survey or department
9 of revenue who makes known to any person except the officers of the survey or
10 department of revenue, in any manner, any information given to such person in the
11 discharge of such person's duties under par. (c), which information was given to such
12 person with the request that it not be made known, ~~upon completion thereof, shall be~~
13 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~
14 ~~nor more than 3 years~~ is guilty of a Class I felony This paragraph shall not prevent
15 the use for assessment purposes of any information obtained under this subsection.

16 *~~-3266/P1.19~~* SECTION 28. 47.03 (3) (d) of the statutes, as affected by 1997
17 Wisconsin Act 283, is amended to read:

18 47.03 (3) (d) Any person who violates this subsection shall be fined not more
19 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

20 *~~-0590/P5.1~~* SECTION 29. 48.355 (2d) (b) 3. of the statutes is amended to read:

21 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2), (3),
22 (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a
23 violation of the law of any other state or federal law, if that violation would be a
24 violation of s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or
25 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in

1 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
2 defined in s. 939.22 (38), to the child or another child of the parent.

3 ***-0590/P5.2*** SECTION 30. 48.415 (9m) (b) 2. of the statutes is amended to read:

4 48.415 (9m) (b) 2. The commission of a violation of s. 940.19 (2), ~~(3)~~, (4) or (5),
5 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06
6 or 948.08 or a violation of the law of any other state or federal law, if that violation
7 would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2),
8 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 if committed in this state.

9 ***-0590/P5.3*** SECTION 31. 48.417 (1) (d) of the statutes is amended to read:

10 48.417 (1) (d) A court of competent jurisdiction has found that the parent has
11 committed a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or
12 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or
13 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225
14 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,
15 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or
16 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child
17 of the parent.

18 ***-0590/P5.4*** SECTION 32. 48.57 (3p) (g) 2. of the statutes is amended to read:

19 48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified
20 in s. 939.62, 939.621, 939.63, ~~939.64, 939.641~~ or 939.645 or has been convicted of a
21 violation of the law of any other state or federal law under circumstances under
22 which the person would be subject to a penalty specified in any of those sections if
23 convicted in this state.

24 ***-0590/P5.5*** SECTION 33. 48.685 (5) (bm) 2. of the statutes is amended to read:

1 48.685 (5) (bm) 2. A violation of s. 940.19 (2), ~~(3)~~, (4), (5) or (6) or 940.20 (1) or
2 (1m), if the victim is the spouse of the person.

3 ***-0590/P5.6*** SECTION 34. 48.685 (5) (bm) 3. of the statutes is amended to read:
4 48.685 (5) (bm) 3. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06,
5 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31, 941.20 (2) or (3), 941.21,
6 943.10 (2), 943.23 (lg), ~~(1m)~~ or ~~(1r)~~ or 943.32 (2).

7 ***-0590/P5.7*** SECTION 35. 48.685 (5) (bm) 4. of the statutes is amended to read:
8 48.685 (5) (bm) 4. A violation of s. 940.19 (2), ~~(3)~~, (4), (5) or (6), 940.20, 940.203,
9 940.205 or 940.207 or an offense under ch. 961 that is a felony, if committed not more
10 than 5 years before the date of the investigation under sub. (2) (am).

11 ***-3266/P1.20*** SECTION 36. 49.127 (8) (a) 2. of the statutes, as affected by 1997
12 Wisconsin Act 283, is amended to read:

13 49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than
14 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
15 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony

16 ***-3266/P1.21*** SECTION 37. 49.127 (8) (b) 2. of the statutes, as affected by 1997
17 Wisconsin Act 283, is amended to read:

18 49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
19 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
20 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
21 felony

22 ***-3266/P1.22*** SECTION 38. 49.127 (8) (c) of the statutes, as affected by 1997
23 Wisconsin Act 283, is amended to read:

1 49.127 (8) (c) For any offense under this section, if the value of the food coupons
2 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~
3 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is ailty of a Class G felony.

4 ***-3266/P1.23*** SECTION 39. 49.141 (7) (a) of the statutes, as affected by 1997
5 Wisconsin Act 283, is amended to read:

6 49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with
7 the furnishing by that person of items or services for which payment is or may be
8 made under Wisconsin works ~~may be fi i—imprisoned for~~
9 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

10 ***-3266/P1.24*** SECTION 40. 49.141 (7) (b) of the statutes, as affected by 1997
11 Wisconsin Act 283, is amended to read:

12 49.141 (7) (b) A person, other than a person under par. (a), who is convicted of
13 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than
14 ~~2 years 9 months~~ or both.

15 ***-3266/P1.25*** SECTION 41. 49.141 (9) (a) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,
18 in return for referring an individual to a person for the furnishing or arranging for
19 the furnishing of any item or service for which payment may be made in whole or in
20 part under Wisconsin works, or in return for purchasing, leasing, ordering, or
21 arranging for or recommending purchasing, leasing, or ordering any good, facility,
22 service, or item for which payment may be made in whole or in part under Wisconsin
23 works, is guilty of a Class H felony. except that, notwithstanding the maximum fine
24 specified in s. 939.50 (3) (h), the nerson may be fined not more than \$25,000 ~~or~~
25 ~~imprisoned for not more than 7 years and 6 months or both.~~

****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.

1 ***-3266/P1.26*** SECTION 42. 49.141 (9) (b) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to
4 any person to induce the person to refer an individual to a person for the furnishing
5 or arranging for the furnishing of any item or service for which payment may be made
6 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange
7 for or recommend purchasing, leasing, or ordering any good, facility, service or item
8 for which payment may be made in whole or in part under any provision of Wisconsin
9 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
10 specified in s. 939.50 (3)(h), the person may be fined not more than \$25,000 or
11 ~~imprisoned for not more than 7 years and 6 months or both.~~

****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.

12 ***-3266/P1.27*** SECTION 43. 49.141 (10) (b) of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 49.141 (10) (b) A person who violates this subsection is guilty of a Class H
15 felony, except that, notwithstanding the maximum fine specified in s. 939.50(3)(h),
16 the person may be fined not more than \$25,000 or imprisoned for not more than 7
17 ~~years and 6 months or both.~~

****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.

18 ***-3266/P1.28*** SECTION 44, 49.49 (1) (b) 1. of the statutes, as affected by 1997
19 Wisconsin Act 283, is amended to read:

20 49.49 (1) (b) 1. In the case of such a statement, representation, concealment,
21 failure, or conversion by any person in connection with the furnishing by that person

1 of items or services for which medical assistance is or may be made, a person
 2 ~~convicted of violating this subsection~~ is guilty of a Class H felony, except that,
 3 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be
 4 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~
 5 ~~or both.~~

→ ~~****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will
 eventually be compiled. Double-check the cross-reference in the first compile.~~

6 ***-3266/P1.29*** SECTION 45. 49.49 (2) (a) of the statutes, as affected by 1997
 7 Wisconsin Act 283, is amended to read:

8 **49.49 (2) (a) Solicitation or receipt of remuneration.** Any person who solicits
 9 or receives any remuneration, including any kickback, bribe, or rebate, directly or
 10 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual
 11 to a person for the furnishing or arranging for the furnishing of any item or service
 12 for which payment may be made in whole or in part under a medical assistance
 13 program, or in return for purchasing, leasing, ordering, or arranging for or
 14 recommending purchasing, leasing, or ordering any good, facility, service, or item for
 15 which payment may be made in whole or in part under a medical assistance program,
 16 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
 17 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~e-r-imprisoned for~~
 18 ~~not more than 7 years and 6 months or both~~

→ ~~****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will
 eventually be compiled. Double-check the cross-reference in the first compile.~~

19 ***-3266/P1.30*** SECTION 46. 49.49 (2) (b) of the statutes, as affected by 1997
 20 Wisconsin Act 283, is amended to read:

21 **49.49 (2) (b) Offer or payment of remuneration.** Whoever offers or pays any
 22 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly

1 or covertly, in cash or in kind to any person to induce such person to refer an
 2 individual to a person for the furnishing or arranging for the furnishing of any item
 3 or service for which payment may be made in whole or in part under a medical
 4 assistance program, or to purchase, lease, order, or arrange for or recommend
 5 purchasing, leasing, or ordering any good, facility, service or item for which payment
 6 may be made in whole or in part under a medical assistance program, is guilty of a
 7 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50
 8 (3)(h), the person may be fined not more than \$25,000 or imprisoned for not more
 9 than 7 years and 6 months or both.

****NOTE: Section 939.50(3)(h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.

10 ***-3266/P1.31*** SECTION 47. 49.49 (3) of the statutes, as affected by 1997
 11 Wisconsin Act 283, is amended to read:

12 **49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES.** No person may knowingly
 13 and wilfully make or cause to be made, or induce or seek to induce the making of, any
 14 false statement or representation of a material fact with respect to the conditions or
 15 operation of any institution or facility in order that such institution or facility may
 16 qualify either upon initial certification or upon recertification as a hospital, skilled
 17 nursing facility, intermediate care facility, or home health agency. Violators of A
 18 person who violates this subsection is guilty of a Class H felony except that,
 19 notwithstanding the maximum fine specified in s. 939.50 (3)(h), the person may be
 20 fined not more than \$25,000 or imprisoned for not more than 7 years and 6 months
 21 or both.

****NOTE: Section 939.50(3)(h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.

1 ***-3266/P1.32*** SECTION 48. 49.49 (3m) (b) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H
4 felony except that notwithstanding the maximum fine specified in s. 939.50 (3) (h)
5 the person may be fined not more than \$25,000 or imprisoned for not more than 7
6 years and 6 months or both.

→ ~~***NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

7 ***-3266/P1.33*** SECTION 49. 49.49 (4) (b) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

9 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,
10 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
11 person may be fined not more than \$25,000 or imprisoned for a
12 and 6 months or both.

→ ~~***NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

13 ***-0590/P5.8*** SECTION 50. 49.95 (1) of the statutes, as affected by 1997
14 Wisconsin Act 283, is amended to read:

15 49.95 (1) Any person who, with intent to secure public assistance under this
16 chapter, whether for himself or herself or for some other person, wilfully makes any
17 false representations may, if the value of the assistance so secured does not exceed
18 \$300, be required to forfeit not more than \$1,000; if the value of the assistance
19 exceeds \$300 but does not exceed \$1,000, be fined not more than \$250 or imprisoned
20 for not more than 6 months or both; if the value of the assistance exceeds \$1,000 but
21 does not exceed \$2,500, be fined not more than \$500 or imprisoned for not more than
22 7 years and 6 months or both; and if the value of the assistance exceeds \$2,500, be

~~1 punished as prescribed under s. 943.20 (3) (e) fined not more than \$10,000 or
2 imprisoned for not more than 15 years or both.~~

3 ***-3266/P1.34*** SECTION 51. 49.95 (1) of the statutes, as affected by 1997
4 Wisconsin Act 283, is renumbered 49.95 (1) (intro.) and amended to read:

5 49.95 (1) (intro.) Any person who, with intent to secure public assistance under
6 this chapter, whether for himself or herself or for some other person, wilfully makes
7 any false representations ~~may, if~~ is subject to the following penalties:

8 (a) If the value of the assistance so secured does not exceed \$300, the person
9 may be required to forfeit not more than \$1,000; ~~if.~~

10 (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the
11 person may be fined not more than \$250 or imprisoned for not more than 6 months
12 or both; ~~if.~~

13 (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500, ~~be~~ plain
14 plain ~~fined not more than \$500 or imprisoned for not more than 7 years and 6 months or~~
15 both; and if the person is guilty of a Class H felony. ~~if.~~ plain \$2,000, the person may

16 (d) If the value of the assistance exceeds \$2,500, ~~be punished as prescribed~~
17 under s. 943.20 (3) (e) the person is guilty of a Class H felony. plain \$2,000 but does not exceed \$5,000, I

***NOTE: The penalty for an offense involving more than \$2,500 is still under review by the subcommittee.

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18 ***-3266/P1.35*** SECTION 52. 51.15 (12) of the statutes, as affected by 1997
19 Wisconsin Act 283, is amended to read:

20 51.15 (12) **PENALTY.** Whoever signs a statement under sub. (4), (5) or (10)
21 knowing the information contained therein to be false ~~may~~ ~~not more than~~

22 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
23 Class H felony.

1 ***-3266/P1.36*** SECTION 53. 55.06 (11) (am) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the
4 information contained therein to be false ~~may be fined not more than \$10,000 or~~
5 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
6 felony.

7 ***-3266/P1.37*** SECTION 54. 66.4025 (1) (b) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

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

14 ***-3266/P1.38*** SECTION 55. 66.4025 (1) (c) of the statutes, as affected by 1997
15 Wisconsin Act 283, is amended to read:

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

21 ***-3266/P1.39*** SECTION 56. 69.24 (1) (intro.) of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:

23 69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~
24 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is ailty of a Class
25 I felony:

1 *~~-3266/P1.40~~* SECTION 57. 70.47 (18) (a) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

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

7 *~~-3266/P1.41~~* SECTION 58. 71.83 (2) (b) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

9 71.83 (2) (b) **Felony.** 1. 'False income tax return; fraud.' Any person, other than
10 a corporation or limited liability company, who renders a false or fraudulent income
11 tax return with intent to defeat or evade any assessment required by this chapter
12 ~~shall be~~ is guilty of a Class H felony and may be fined ~~not more than \$10,000 or~~
13 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
14 the cost of prosecution. In this subdivision, "return" includes a separate return filed
15 by a spouse with respect to a taxable year for which a joint return is filed under s.
16 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
17 the spouses with respect to a taxable year for which a separate return is filed under
18 s. 71.03 (2) (m) after the filing of that joint return.

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

1 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
2 depositing or concealing any property upon which a levy is authorized with intent
3 to evade or defeat the assessment or collection of any tax administered by the
4 department ~~is guilty of a Class I felony and may be fined not more than \$5,000 or~~
5 ~~imprisoned for not more than 4 years and 6 months or both, together with assessed~~
6 ~~the costs~~ cost of prosecution.

7 4. 'Fraudulent claim for credit.' The A claimant who ~~filed~~ files a claim for credit
8 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was
9 filed with fraudulent intent and any person who ~~assisted, with fraudulent intent,~~
10 assists in the preparation or filing of the false or excessive claim or supplied
11 information upon which the false or excessive claim was prepared-
12 &ken-t+ ~~is guilty of a Class H felony and may be fined not more than \$10,000 or~~
13 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
14 the cost of prosecution.

15 ***-3266/P1.42*** SECTION 59. 86.192 (4) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 86.192 (4) Any person who violates this section ~~shall be fined not more than~~
18 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
19 if the injury, defacement or removal causes the death of a person.

20 ***-3266/P1.43*** SECTION 60. 97.43 (4) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 97.43 (4) Whoever violates this section ~~may be fined not more than \$500 nor~~
23 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
24 guilty of a Class H felony.

1 ***-3266/P1.44*** SECTION 61. 97.45 (2) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~
4 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
5 guilty of a Class H felony.

6 ***-3266/P1.45*** SECTION 62. 100.171 (7) (b) of the statutes is amended to read:

7 100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~
8 ~~more than \$10,000 or imprisoned for not more than 2 years or both is guilty of a Class~~
9 I felony. A person intentionally violates this section if the violation occurs after the
10 department or a district attorney has notified the person by certified mail that the
11 person is in violation of this section.

12 ***-3266/P1.46*** SECTION 63. 100.2095 (6) (d) of the statutes is amended to read:

13 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) ~~may be fined not less~~
14 ~~than \$100 nor more than \$1,000 or imprisoned for not more than one year or both~~ *plain ↓*
15 ~~guilty of a Class I felony.~~ *plain ↓* Each day of violation constitutes a separate offense. *plain ↓*
plain ↓ *9 months* *plain ↓*
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16 ***-3266/P1.47*** SECTION 64. 100.26 (2) of the statutes, as affected by 1997

17 Wisconsin Act 283, is amended to read:

18 100.26 (2) Any person violating ~~s. 100.02 shall be fin~~
19 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
20 ~~6 months or both is guilty of a Class I felony~~

21 ***-3266/P1.48*** SECTION 65. 100.26 (5) of the statutes, as affected by 1997

22 Wisconsin Act 283, is amended 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~~ may be fined not ~~less than \$100 nor~~

1 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.
2 Each day of violation constitutes a separate offense.

3 ~~*-3265/P1.1* SECTION 66. 100.26 (7) of the statutes, as affected by 1997~~
4 ~~Wisconsin Act 283, is amended to read:~~
5 ~~100.26 (7) Any person violating s. 100.182 shall be fined not less than \$500 nor~~
6 ~~more than \$5,000 or imprisoned for not more than 2 years or both for each offense~~
7 ~~is guilty of a Class I felony. Each unlawful advertisement published, printed or~~
8 ~~mailed on separate days or in separate publications, hand bills or direct mailings is~~
9 ~~a separate violation of this section.~~

→ ~~***NOTE: The class of felony referred to in this provision is created in LRB-0590,~~
~~with which this draft will ultimately be compiled.~~

10 ~~*-3266/P1.49* SECTION 67. 100.26 (7) of the statutes, as affected by 1997~~
11 ~~Wisconsin Act 283, is amended to read:~~
12 ~~100.26 (7) Any person violating s. 100.182 shall may be fined not less than \$500~~
13 ~~nor more than \$5,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or~~
14 ~~both for each offense. Each unlawful advertisement published, printed or mailed on~~
15 ~~separate days or in separate publications, hand bills or direct mailings is a separate~~
16 ~~violation of this section.~~

17 ~~*-3266/P1.50* SECTION 68. 101.143 (10) (b) of the statutes, as affected by 1997~~
18 ~~Wisconsin Act 283, is amended to read:~~
19 ~~101.143 (10) (b) Any owner or operator, person owning a home oil tank system~~
20 ~~or service provider who intentionally destroys a document that is relevant to a claim~~
21 ~~for reimbursement under this section may be fined ~~not more than \$10,000~~ or~~
22 ~~imprisoned for not more than 15 years or both is guilty of a Class G felony.~~

1 ***-3266/P1.51*** SECTION 69. 101.94 (8) (b) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
4 knowingly and wilfully violates this subchapter in a manner which threatens the
5 health or safety of a purchaser ~~shall~~ may be fined not more than ~~\$1,000~~ \$10,000 or
6 imprisoned for not more than ~~2 years~~ 9 months or both.

7 ***-3266/P1.52*** SECTION 70. 102.835 (11) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

9 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in
10 removing, depositing or concealing any property upon which a levy is authorized
11 under this section with intent to evade or defeat the assessment or collection of any
12 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
13 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
14 costs of prosecution.

15 ***-3266/P1.53*** SECTION 71. 102.835 (18) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
18 employer may discharge or otherwise discriminate with respect to the terms and
19 conditions of employment against any employe by reason of the fact that his or her
20 earnings have been subject to levy for any one levy or because of compliance with any
21 provision of this section. Whoever wilfully violates this subsection may be fined not
22 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

23 ***-3266/P1.54*** SECTION 72. 102.85 (3) of the statutes, as affected by 1997
24 Wisconsin Act 283, is amended to read:

1 102.85 (3) An employer who violates an order to cease operations under s.
2 102.28(4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
3 ~~years or both~~ is guilty of a Class I felony.

4 ***-3266/P1.55* SECTION 73.** 108.225 (11) of the statutes, as affected by 1997
5 Wisconsin Act 283, is amended to read:

6 108.225 (11) **EVASION.** Any person who removes, deposits or conceals or aids in
7 removing, depositing or concealing any property upon which a levy is authorized
8 under this section with intent to evade or defeat the assessment or collection of any
9 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
10 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
11 costs of prosecution.

12 ***-3266/P1.56* SECTION 74.** 108.225 (18) of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 108.225 (18) **RESTRICTION ON EMPLOYMENT PENALTIES BYREASON OF LEVY.** No
15 employer may discharge or otherwise discriminate with respect to the terms and
16 conditions of employment against any employe by reason of the fact that his or her
17 earnings have been subject to levy for any one levy or because of compliance with any
18 provision of this section. Whoever wilfully violates this subsection may be fined not
19 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

20 ***-0590/P5.9* SECTION 75.** 110.07 (5) (a) of the statutes is amended to read:

21 110.07 (5) (a) In this subsection, "bulletproof garment" [↓] ~~has the meaning given~~
22 ~~in s. 939.64 (1) 9/2/01 (B)(C)(1)~~

23 ***-3266/P1.57* SECTION 76.** 114.20 (18) (c) of the statutes, as affected by 1997
24 Wisconsin Act 283, is amended to read:

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1 114.20 (18) (c) Any person who knowingly makes a false statement in any
2 application or in any other document required to be filed with the department? or who
3 knowingly foregoes the submission of any application, document, or any registration
4 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
5 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony

6 ***-0590/P5.10*** SECTION 77. 115.31 (2g) of the statutes is amended to read:

7 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
8 revoke a license granted by the state superintendent, without a hearing, if the
9 licensee is convicted of any Class A, B, C ~~or~~, E, F, G or H felony under ch. 940 or
10 948, except ss. 940.08 and 940.205, for a violation that occurs on or after September
11 12, 1991.

12 ***-0590/P5.11*** SECTION 78. 118.19 (4) (a) of the statutes is amended to read:

13 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
14 may not grant a license to any person who has been convicted of any Class A, B, C
15 ~~or~~, E, F, G or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, or of
16 an equivalent crime in another state or country, for a violation that occurs on or after
17 September 12, 1991, for 6 years following the date of the conviction, and may grant
18 the license only if the person establishes by clear and convincing evidence that he or
19 she is entitled to the license.

20 ***-3266/P1.58*** SECTION 79. 125.075 (2) of the statutes, as affected by 1997
21 Wisconsin Act 283, is renumbered 125.075 (2) (a) and amended to read:

22 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
23 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
24 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

25 ***-3266/P1.59*** SECTION 80. 125.075 (2) (b) of the statutes is created to read:

1 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
2 underage person dies.

3 *~~3266/P1.60~~* SECTION 81. 125.085 (3) (a) 2. of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
6 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
7 ~~3 years or both~~ is guilty of a Class I felony.

8 *~~3266/P1.61~~* SECTION 82. 125.105 (2) (b) of the statutes, as affected by 1997
9 Wisconsin Act 283, is amended to read:

10 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
11 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
12 ~~and 6 months or both~~ is guilty of a Class H felony.

13 *~~3266/P1.62~~* SECTION 83. 125.66 (3) of the statutes, as affected by 1997
14 Wisconsin Act 283, is amended to read:

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

20 *~~3266/P1.63~~* SECTION 84. 125.68 (12) (b) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

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

1 ***-3266/P1.64*** SECTION 85. 125.68 (12) (c) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 125.68 (12) (c) Any person causing the death of another human being through
4 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
5 or alcohol or alcoholic liquid redistilled from denatured alcohol-
6 ~~for not more than 15 years is guilty of a Class E felony.~~

7 ***-3266/P1.65*** SECTION 86. 132.20 (2) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

9 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
10 in this state in a counterfeit mark or in any goods or service bearing or provided
11 under a counterfeit mark ~~shall is~~ guilty of a Class H felony except that,
12 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
13 individual? he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~
14 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
15 person may be fined not more than \$1,000,000.

→ ~~****NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

16 ***-3266/P1.66*** SECTION 87. 133.03 (1) of the statutes, as affected by 1997
17 Wisconsin Act 283, is amended to read:

18 133.03 (1) Every contract, combination in the form of trust or otherwise, or
19 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
20 contract or engages in any combination or conspiracy in restraint of trade or
21 commerce ~~is guilty of a Class H felony except that, notwithstanding the maximum~~
22 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if

1 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~
2 ~~imprisoned for not more than 7 years and 6 months or both.~~

→ ~~***NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

3 ***-3266/P1.67* SECTION 88.** 133.03 (2) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
6 combines or conspires with any other person or persons to monopolize any part of
7 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
8 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
9 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000

1 0 ~~or imprisoned for not more than 7 years and 6 months or both~~

→ ~~***NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

11 ***-3266/P1.68* SECTION 89.** 134.05 (4) of the statutes, as affected by 1997
12 Wisconsin Act 283, is amended to read:

13 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
14 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
15 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
16 9 months or both.

17 ***-3266/P1.69* SECTION 90.** 134.16 of the statutes, as affected by 1997
18 Wisconsin Act 283, is amended to read:

19 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
20 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
21 brokerage or deposit company, corporation or institution, or of any person, company
22 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit

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

9 ***-3266/P1.70* SECTION 91.** 134.20 (1) (intro.) of the statutes, as affected by
10 1997 Wisconsin Act 283, is amended to read:

11 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
12 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~
13 ~~months or both~~ is guilty of a Class H felony:

14 ***-3266/P1.71* SECTION 92.** 134.205 (4) of the statutes, as affected by 1997
15 Wisconsin Act 283, is amended to read:

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

20 ***-3266/P1.72* SECTION 93.** 134.58 of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 **134.58 Use of unauthorized persons as officers.** Any person who,
23 individually, in concert with another or as agent or officer of any firm, joint-stock
24 company or corporation, uses, employs, aids or assists in employing any body of
25 armed persons to act as militia, police or peace officers for the protection of persons

1 or property or for the suppression of strikes, not being authorized by the laws of this
2 state to so act, ~~shall be fined not more than \$1,000 and imprisoned for not less than~~
3 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

4 ***-3266/P1.73*** SECTION 94. 139.44 (1) of the statutes, as affected by 1997
5 Wisconsin Act 283, is amended to read:

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

13 ***-3266/P1.74*** SECTION 95. 139.44 (lm) of the statutes, as affected by 1997
14 Wisconsin Act 283, is amended to read:

15 139.44 (lm) Any person who falsely or fraudulently tampers with a cigarette
16 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
17 ~~one year~~ ~~or more than 15 years~~ is guilty of a Class G felony.

18 ***-3266/P1.75*** SECTION 96. 139.44 (2) of the statutes, as affected by 1997
19 Wisconsin Act 283, is amended to read:

20 139.44 (2) Any person who makes or signs any false or fraudulent report or who
21 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
22 evasion or attempted evasion of that tax ~~shall may be fined not less than \$1,000 nor~~
23 ~~more than \$5,000~~ \$10,000 or imprisoned ~~for not less than 90 days nor more than 2~~
24 years 9 months or both.

1 ***-3266/P1.76*** SECTION 97. 139.44 (8) (c) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
4 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
5 Class I felony.

6 ***-3266/P1.77*** SECTION 98. 139.95 (2) of the statutes, as affected by 1997
7 Wisconsin Act 283, is amended to read:

8 139.95 (2) A dealer who possesses a schedule I controlled substance or schedule
9 II controlled substance that does not bear evidence that the tax under s. 139.88 has
10 been paid ~~may be fined not more than \$10,000 or imprisoned for not more than 7~~
11 ~~years and 6 months or both~~ is guilty of a Class H felony.

12 ***-3266/P1.78*** SECTION 99. 139.95 (3) of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
15 any stamp or procures or causes the same to be done or who knowingly utters,
16 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
17 affixes a counterfeit stamp to a schedule I controlled substance or schedule II
18 controlled substance or who possesses a schedule I controlled substance or schedule
19 II controlled substance to which a false, altered or counterfeit stamp is affixed ~~may~~
20 ~~be fined not more than \$10,000 or imprisoned for not less than one year nor more~~
21 ~~than 15 years or both~~ is guilty of a Class F felony

22 ***-3266/P1.79*** SECTION 100. 146.345 (3) of the statutes, as affected by 1997
23 Wisconsin Act 283, is amended to read:

24 146.345 (3) Any person who violates this section is ailty of a Class H felony,
25 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the

1 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~
2 ~~and 6 months or both.~~

→ ~~***NOTE: Section 939.50 (3) (a) is created in LRB-0596, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

3 ***-3266/P1.80*** SECTION 101. 146.35 (5) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
6 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
7 felony.

8 ***-3266/P1.81*** SECTION 102. 146.60 (9) (am) of the statutes, as affected by 1997
9 Wisconsin Act 283, is amended to read:

10 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~
11 may be fined not ~~less than \$1,000 nor~~ more than \$50,000 or imprisoned for not more
12 than ~~2 years 9 months~~ 9 months or both.

13 ***-3266/P1.82*** SECTION 103. 146.70 (10) (a) of the statutes, as affected by 1997
14 Wisconsin Act 283, is amended to read:

15 146.70 (10) (a) Any person who intentionally dials the telephone number "911"
16 to report an emergency, knowing that the fact situation which he or she reports does
17 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
18 than 90 days or both for the first offense and ~~shall be fined more than \$10,000~~
19 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
20 felony for any other offense committed within 4 years after the first offense.

21 ***-3266/P1.83*** SECTION 104. 154.15 (2) of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:

1 154.15 (2) Any person who, with the intent to cause a withholding or
2 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
3 the declarant, illegally falsifies or forges the declaration of another or conceals a
4 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
5 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
6 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
7 felony.

8 ***-3266/P1.84*** SECTION 105. 154.29 (2) of the statutes, as affected by 1997
9 Wisconsin Act 283, is amended to read:

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

17 ***-3266/P1.85*** SECTION 106. 166.20 (11) (b) of the statutes, as affected by 1997
18 Wisconsin Act 283, is amended to read:

19 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
20 release of a hazardous substance covered under 42 USC 11004 as required under sub.
21 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following
22 penalties:

23 1. For the first offense, the person is guilty of a Class I felony. except that,
24 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be

1 fined not less than ~~\$100~~ nor more than \$25,000 or imprisoned for not more than 3
2 years or both.

3 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,
4 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the
5 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not
6 more than 3 years or both.

→ ****NOTE: Section 939.50 (3) (i) is created in LRB-0590, with which this draft will
eventually be compiled. Double-check the cross-reference in the first compile.

7 ***-3266/P1.86*** SECTION 107. 167.10 (9) (g) of the statutes, as affected by 1997
8 Wisconsin Act 283, is amended to read:

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

12 ***-3266/P1.87*** SECTION 108. 175.20 (3) of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 175.20 (3) Any person who violates any of the provisions of this section ~~shall~~
15 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be
16 imprisoned for not less than ~~30 days nor~~ more than ~~2 years 9 months~~ or both. In
17 addition, the court may revoke the license or licenses of the person or persons
18 convicted.

19 ***-3266/P1.88*** SECTION 109. 180.0129 (2) of the statutes, as affected by 1997
20 Wisconsin Act 283, is amended to read:

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

1 ***-3266/P1.89* SECTION 110.** 181.0129 (2) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 181.0129 (2) PENALTY. Whoever violates this section
4 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ ^{“ a ” “ “ “ “ “ “ ”} is ailty of a Class I
5 felony

6 ***-3266/P1.90* SECTION 111.** 185.825 of the statutes, as affected by 1997
7 Wisconsin Act 283, is amended to read:

8 **185.825 Penalty for false document.** Whoever causes a document to be
9 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
10 ~~\$1,000 or imprisoned for not more than 4 years and 6 months~~ ^{or both} is ailty of a
11 Class I felony.

12 ***-3266/P1.91* SECTION 112. 200.09 (2)** of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 200.09 (2) Every director, president, secretary or other official or agent of any
15 public service corporation, who shall practice fraud or knowingly make any false
16 statement to secure a certificate of authority to issue any security, or issue under a
17 certificate so obtained and with knowledge of such fraud, or false statement, or
18 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~
19 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
20 ~~15 years or both~~ is ailty of a Class I felony.

21 ***-3266/P1.92* SECTION 113.** 214.93 of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:

23 **214.93 False statements.** A person may not knowingly make, cause, or allow
24 another person to make or cause to be made, a false statement, under oath if required
25 by this chapter or on any report or statement required by the division or by this

1 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
2 section ~~may be imprisoned for not more than 30 years~~ is aulvtv of a Class F felony.

3 ***-3266/P1.93* SECTION 114.** 215.02 (6) (b) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any
6 debtor of any association or any information about the private account or
7 transactions of such association, discloses any fact obtained in the course of any
8 examination of any association, or discloses examination or other confidential
9 information obtained from any state or federal regulatory authority, including an
10 authority of this state or another state, for financial institutions, mortgage bankers,
11 insurance or securities, except as provided in par. (a), he or she is aulvtv of a Class
12 I felony and shall forfeit his or her office or position ~~and may be fined not less than~~
13 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~
14 ~~3 years or both.~~

15 ***-3266/P1.94* SECTION 115.** 215.12 of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
18 director, employe or agent of any association who steals, abstracts, or wilfully
19 misapplies any property of the association, whether owned by it or held in trust, or
20 who, without authority, issues or puts forth any certificate of savings accounts,
21 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
22 in any book, record, report or statement of the association with intent to injure or
23 defraud the association or any person or corporation, or to deceive any officer or
24 director of the association, or any other person, or any agent appointed to examine
25 the affairs of such association, or any person who, with like intent, aids or abets any

1 officer, director, employe or agent in the violation of this section, ~~shall be imprisoned~~
2 ~~in the Wisconsin state prisons~~ ~~not more than 30 years~~ is guilty of a Class F felony

3 ***-3266/P1.95*** SECTION 116. 215.21 (21) of the statutes, as affected by 1997
4 Wisconsin Act 283, is amended to read:

5 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
6 director, employe or agent of any association, or any appraiser making appraisals for
7 any association, who accepts or receives, or offers or agrees to accept or receive
8 anything of value in consideration of its loaning any money to any person; or any
9 person who offers, gives, presents or agrees to give or present anything of value to
10 any officer, director, employe or agent of any association or to any appraiser making
11 appraisals for any association in consideration of its loaning money to the person,
12 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
13 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
14 subsection prohibits an association from employing an officer, employe or agent to
15 solicit mortgage loans and to pay the officer, employe or agent on a fee basis.

16 ***-3266/P1.96*** SECTION 117. 218.21 (7) of the statutes, as affected by 1997
17 Wisconsin Act 283, is amended to read:

18 218.21 (7) Any person who knowingly makes a false statement in an
19 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
20 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
21 Class H felony.

22 ***-3266/P1.97*** SECTION 118. 220.06 (2) of the statutes, as affected by 1997
23 Wisconsin Act 283, is amended to read:

24 220.06 (2) If any employe in the division or any member of the banking review
25 board or any employe thereof discloses the name of any debtor of any bank or

1 licensee, or anything relative to the private account or transactions of such bank or
2 licensee, or any fact obtained in the course of any examination of any bank or
3 licensee, except as herein provided, that person is guilty of a Class I felony and shall
4 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~
5 ~~than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more~~
6 ~~than 3 years or both.~~

7 ***-3266/P1.98*** SECTION 119. 221.0625 (2) (intro.) of the statutes, as affected
8 by 1997 Wisconsin Act 283, is amended to read:

9 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
10 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
11 ~~not more than 15 years~~ is guilty of a Class F felony:

12 ***-3266/P1.99*** SECTION 120. 221.0636 (2) of the statutes, as affected by 1997
13 Wisconsin Act 283, is amended to read:

14 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
15 ~~not more than 30 years~~ is guilty of a Class H felony

16 ***-3266/P1.100*** SECTION 121. 221.0637 (2) of the statutes, as affected by 1997
17 Wisconsin Act 283, is amended to read:

18 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~
19 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
20 felony.

21 ***-3266/P1.101*** SECTION 122. 221.1004 (2) of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:

23 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~
24 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~
25 ~~than 15 years or both~~ is guilty of a Class F felony.

1 ***-3361/P2.10*** SECTION 123. 227.01 (13) (sm) of the statutes is created to read:
2 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

3 ***-3361/P2.11*** SECTION 124. 230.08 (2) (L) 6. of the statutes is created to read:
4 230.08 (2) (L) 6. Sentencing commission.

5 ***-3361/P2.12*** SECTION 125. 230.08 (2) (of) of the statutes is created to read:
6 230.08 (2) (of) The executive director of the sentencing commission.

7 ***-3266/P1.102*** SECTION 126. 253.06 (4) (b) of the statutes is amended to read:
8 253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~
9 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~
10 of a Class I felony for the first offense and may be fined not more than \$10,000 or
11 ~~imprisoned for not more than 7 years and 6 months, or both, guilty of a Class H~~
12 felony for the 2nd or subsequent offense.

13 ***-3266/P1.103*** SECTION 127. 285.87 (2) (b) of the statutes, as affected by 1997
14 Wisconsin Act 283, is amended to read:

15 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
16 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony except
17 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may
18 be fined not more than \$50,000 per day of violation or imprisoned for not more than
19 3 years or both.

→ ~~****NOTE: Section 939.50 (3) (i) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

20 ***-3266/P1.104*** SECTION 128. 291.97 (2) (b) (intro.) of the statutes, as affected
21 by 1997 Wisconsin Act 283, is amended to read:

22 291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~
23 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified

1 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than
2 \$100,000 ~~or imprisoned for not more than 7 years and 6 months or both.~~

→ ~~***NOTE: Section 939.50 (3) (h) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

3 ***-3266/P1.105*** SECTION 129. 291.97 (2) (c) 1. and 2. of the statutes, as affected
4 by 1997 Wisconsin Act 283, are amended to read:

5 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person ~~shall~~
6 is guilty of a Class I felony. except that, notwithstanding the maximum fine specified
7 in s. 939.50(3)(i), the person may be fined not less than \$1,000 nor more than \$50,000
8 ~~or imprisoned for not more than 2 years or both.~~

→ ~~***NOTE: Section 939.50 (3) (i) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

9 2. For a 2nd or subsequent violation under par. (b), a person ~~shall~~ is guilty of
10 a Class F felony. except that, notwithstanding the maximum fine specified in s.
11 939.50(3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
12 ~~or imprisoned for not more than 15 years or both.~~

→ ~~***NOTE: Section 939.50 (3) (f) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

13 ***-3266/P1.106*** SECTION 130. 299.53 (4) (c) 2. of the statutes, as affected by
14 1997 Wisconsin Act 283, is amended to read:

15 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
16 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
17 or imprisoned for not more than one year in the county jail or both. For a 2nd or
18 subsequent violation, the person ~~shall~~ is guilty of a Class I felony. except that,
19 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
20 fined not more than \$50,000 ~~or imprisoned for not more than 3 years or both.~~

→ ~~***NOTE: Section 939.50 (3) (i) is created in LRB-0590, with which this draft will eventually be compiled. Double-check the cross-reference in the first compile.~~

1 ***-2889/P3.1*** SECTION 131. 301.035 (2) of the statutes is amended to read:

2 301.035 (2) Assign hearing examiners from the division to preside over
3 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
4 (2) and ch. 304.

5 ***-2889/P3.2*** SECTION 132. 301.035 (4) of the statutes is amended to read:

6 301.035 (4) Supervise employes in the conduct of the activities of the division
7 and be the administrative reviewing authority for decisions of the division under ss.
8 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
9 ch. 304.

10 ***-0590/P5.12*** SECTION 133. 301.26 (4) (cm) 1. of the statutes is amended to
11 read:

12 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
13 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
14 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile
15 correctional institutions, secured child caring institutions, as defined in s. 938.02
16 (15g), alternate care providers, aftercare supervision providers and corrective
17 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
18 care of any juvenile 14 years of age or over who has been placed in a juvenile
19 correctional facility based on a delinquent act that is a violation of s. 939.31, 939.32
20 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10
21 (2), 943.23 (lg), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1), 948.025, ~~(1) ~~1411~~~~ or 948.30 (2),
22 ~~948.35 (1) (b) or 948.36~~ and for the care of any juvenile 10 years of age or over who
23 has been placed in a juvenile correctional institution or a secured child caring
24 institution for attempting or committing a violation of s. 940.01 or for committing a
25 violation of s. 940.02 or 940.05.

1 ***-3266/P1.107*** SECTION 134. 302.095 (2) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

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

14 ***-0590/P5.13*** SECTION 135. 302.11 (lg) (a) 2. of the statutes is amended to
15 read:

16 302.11 (lg) (a) 2. Any felony under s. 940.02, 940.03, 940.05, 940.09 ~~(1)~~ (1c),
17 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305 (2), 940.31 (1) or (2) (b),
18 943.02, 943.10 (2), 943.23 (lg) ~~or (1m)~~, 943.32 (2), 946.43, 948.02 (1) or (2), 948.025,
19 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08, or 948.30(2), 948.35(1)(b) or (e)
20 ~~or 948.36.~~

21 ***-3265/P1.2*** SECTION 136. 302.11 (lp) of the statutes is amended to read:

22 302.11 (lp) An inmate serving a term subject to s. 961.49 (2), 1997 stats. for
23 a crime committed before December 31, 1999, is entitled to mandatory release,
24 except the inmate may not be released before he or she has complied with s. 961.49
25 (2), 1997 stats.

1 ***-3370/P2.1*** SECTION 137. 302.113 (2) of the statutes is amended to read:

2 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
3 section is entitled to release to extended supervision after he or she has served the
4 term of confinement in prison portion of the sentence imposed under s. 973.01, as
5 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if
6 applicable.

7 ***-3370/P2.2*** SECTION 138. 302.113 (7) of the statutes is amended to read:

8 302.113 (7) Any person released to extended supervision under this section is
9 subject to all conditions and rules of extended supervision until the expiration of the
10 term of extended supervision portion of the bifurcated sentence. The department
11 may set conditions of extended supervision in addition to any conditions of extended
12 supervision set by the court under sub. (7m) or s. 973.01 (5) if the conditions set by
13 the department do not conflict with the court's conditions.

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14 ***-3370/P2.3*** SECTION 139. 302.113 (7m) of the statutes is created to read;

15 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
16 or the department may petition the sentencing court to modify any conditions of
17 extended supervision set by the court.

18 (b) If the department files a petition under this subsection, it shall serve a copy
19 of the petition on the person who is the subject of the petition and, if the person is
20 represented by an attorney, on the person's attorney. If a person who is subject to this
21 section or his or her attorney files a petition under this subsection, the person or his
22 or her attorney shall serve a copy of the petition on the department. The court shall
23 serve a copy of a petition filed under this section on the district attorney. The court
24 may direct the clerk of the court to provide notice of the petition to a victim of a crime
25 committed by the person who is the subject of the petition.

1 (c) The court may conduct a hearing to consider the petition. The court may
2 grant the petition in full or in part if it determines that the modification would meet
3 the needs of the department and the public and would be consistent with the
4 objectives of the person's sentence.

5 (d) A person subject to this section or the department may appeal an order
6 entered by the court under this subsection. The appellate court may reverse the
7 order only if it determines that the sentencing court ^{erroneously} ~~improperly~~ exercised its
8 discretion in granting or denying the petition.

9 (e) 1. An inmate may not petition the court to modify the conditions of extended
10 supervision earlier than one year before the date of the inmate's scheduled date of
11 release to extended supervision or more than once before the inmate's release to
12 extended supervision.

13 2. A person subject to this section may not petition the court to modify the
14 conditions of extended supervision within one year after the inmate's release to
15 extended supervision. If a person subject to this section files a petition authorized
16 by this subsection after his or her release from confinement, the person may not file
17 another petition until one year after the date of filing the former petition.

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18 *-2889/P3.3* SECTION 140. 302.113 (9) of the statutes is amended to read:

19 302.113 (9) (a) If a person released to extended supervision under this section
20 violates a condition of extended supervision, the division of hearings and appeals in
21 the department of administration, upon proper notice and hearing, or the
22 department of corrections, if the person on extended supervision waives a hearing,
23 may revoke the extended supervision of the person ~~and return the person to prison.~~
24 If the extended supervision of the person is revoked, the person shall be returned to
25 the court that sentenced the person and the court shall order the person to be

1 returned to prison, ~~he or she shall be returned to prison~~ for any specified period of
 2 time that does not exceed the time remaining on the bifurcated sentence. The time
 3 remaining on the bifurcated sentence is the total length of the bifurcated sentence,
 4 less time served by the person in custody ^{under the sentence} before release to extended supervision
 5 under sub. (2) and less ^{all} time served in custody for a previous revocation ^{of} of
 6 extended supervision. ^{under the sentence} The ~~revocation court~~ order returning a person to prison under
 7 this paragraph shall provide the person ~~on~~ whose extended supervision was revoked
 8 with credit in accordance with ss. 304.072 and 973.155.

9 (b) A person who is returned to prison after revocation of extended supervision
 10 shall be incarcerated for the entire period of time specified by the ~~department of~~
 11 ~~corrections in the case of a waiver or by the division of hearings and appeals in the~~
 12 ~~department of administration in the case of a hearing court~~ under par. (a). r i o d
 13 of time specified under par. (a) may be extended in accordance with sub. (3). If
 14 person is returned to prison under par. (a) for a period of time that is less than the
 15 time remaining on the bifurcated sentence. the person shall be released to extended
 16 sunervision after he or she has served the period of time specified by the court under
 17 par. (a) ^{and} ~~including~~ (any periods of extension imposed in accordance with sub. (3).

18 (c) A person who is subsequently released to extended supervision after service
 19 of the period of time specified by the ~~department of correcti~~ ~~the case of a waiver~~
 20 ~~or by the division of hearings and appeals in the department of administration in the~~
 21 ~~case of a hearing court~~ under par. (a) is subject to all conditions and rules under sub.
 22 (7) until the expiration of the term of remaining extended supervision portion of the
 23 bifurcated sentence. The remaining extended supervision nortion of the bifurcated
 24 sentence is the total length of the bifurcated sentence. less the time served by the
 25 person in custody ^{under the sentence} before release to extended sunervision under sub. (2) and less ~~the~~

served in custody for any previous revocations of extended supervision under the sentence

all

1 ~~period of time specified by the court under par. (a), including any period of extension~~
2 ~~imposed in accordance with sub. (3).~~

3 ***-2889/P3.4*** SECTION 141. 302.113 (9) (am) of the statutes is created to read:
4 302.113 (9) (am) When a person is returned to the sentencing court under par.
5 (a) after revocation of extended supervision, the division of hearings and appeals in
6 the department of administration, in the case of a hearing, or the department of
7 corrections, in the case of a waiver, shall make a recommendation to the sentencing
8 court concerning the period of time for which the person should be returned to prison.
9 The recommended time period may not exceed the time remaining on the bifurcated
10 sentence, as calculated under par. (a).

11 ***-2889/P3.5*** SECTION 142. 302.113 (9) (d) of the statutes is created to read:
12 302.113 (9) (d) In any case in which there is a hearing before the division of
13 hearings and appeals in the department of administration concerning whether to
14 revoke of a person's extended supervision, the person on extended supervision may
15 seek review of a decision to revoke extended supervision and the department of
16 corrections may seek review of a decision to not revoke extended supervision. Review
17 of a decision under this paragraph may be sought only by an action for certiorari.

18 ***-3370/P2.4*** SECTION 143. 302.113 (9g) of the statutes is created to read:
19 302.113 (9g) (a) In this subsection, "program review committee" means the
20 committee at a correctional institution that reviews the security classifications,
21 institution assignments and correctional programming assignments of inmates
22 confined in the institution.

23 (b) An inmate subject to this section may seek modification of his or her
24 bifurcated sentence in the manner specified in par. (f) if he or she meets one of the
25 following criteria:

1 1. The inmate is 65 years of age or older and has served at least 5 years of the
2 term of confinement in prison portion of the bifurcated sentence.

3 2. The inmate is 60 years of age or older and has served at least 10 years of the
4 term of confinement in prison portion of the bifurcated sentence.

5 (c) An inmate who meets one of the criteria under par. (b) may submit a petition
6 to the program review committee at the correctional institution in which the inmate
7 is confined requesting a modification of the inmate's bifurcated sentence in the
8 manner specified in par. (f). If the program review committee determines that the
9 public interest would be served by a modification of the inmate's bifurcated sentence
10 in the manner provided under par. (f), the committee shall approve the petition for
11 referral to the sentencing court and notify the department of its approval. The
12 department shall then refer the inmate's petition to the sentencing court and request
13 the court to conduct a hearing on the petition. If the program review committee
14 determines that the public interest would not be served by a modification of the
15 inmate's bifurcated sentence in the manner specified in par. (f), the committee shall
16 deny the inmate's petition.

17 (d) When a court is notified by the department that it is referring to the court
18 an inmate's petition for modification of the inmate's bifurcated sentence, the court
19 shall set a hearing to determine whether the public interest would be served by a
20 modification of the inmate's bifurcated sentence in the manner specified in par. (f).
21 The inmate and the district attorney have the right to be present at the hearing, and
22 any victim of the inmate's crime has the right to be present at the hearing and to
23 provide a statement concerning the modification of the inmate's bifurcated sentence.
24 The court shall order such notice of the hearing date as it considers adequate to be
25 given to the department, the inmate, the attorney representing the inmate, if

1 applicable, and the district attorney. Victim notification shall be provided as
2 specified under par. (g).

3 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
4 by the greater weight of the credible evidence that a modification of the bifurcated
5 sentence in the manner specified in par. (f) would serve the public interest. If the
6 inmate proves that a modification of the bifurcated sentence in the manner specified
7 in par. (f) would serve the public interest, the court shall modify the inmate's
8 bifurcated sentence in that manner. If the inmate does not prove that a modification
9 of the bifurcated sentence in the manner specified in par. (f) would serve the public
10 interest, the court shall deny the inmate's petition for modification of the bifurcated
11 sentence.

12 (f) A court may modify an inmate's bifurcated sentence under this section only
13 as follows:

14 1. The court shall reduce the term of confinement in prison portion of the
15 inmate's bifurcated sentence in a manner that provides for the release of the inmate
16 to extended supervision within 30 days after the date on which the court issues its
17 order modifying the bifurcated sentence.

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

20 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

21 2. When a court sets a hearing date under par. (d), the clerk of the circuit court
22 shall send a notice of hearing to the victim of the crime committed by the inmate, if
23 the victim has submitted a card under subd. 3. requesting notification. The notice
24 shall inform the victim that he or she may appear at the hearing scheduled under
25 par. (d) and shall inform the victim of the manner in which he or she may provide a

1 statement concerning the modification of the inmate's bifurcated sentence in the
2 manner provided in par. (f). The clerk of the circuit court shall make a reasonable
3 attempt to send the notice of hearing to the last-known address of the inmate's
4 victim, postmarked at least 10 days before the date of the hearing.

5 3. The director of state courts shall design and prepare cards for a victim to send
6 to the clerk of the circuit court for the county in which the inmate was convicted and
7 sentenced. The cards shall have space for a victim to provide his or her name and
8 address, the name of the applicable inmate and any other information that the
9 director of state courts determines is necessary. The director of state courts shall
10 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court
11 shall provide the cards, without charge, to victims. Victims may send completed
12 cards to the clerk of the circuit court for the county in which the inmate was convicted
13 and sentenced. All court records or portions of records that relate to mailing
14 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

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(h) An inmate may appeal a court's decision ^{to} ~~denying~~ the inmate's petition for
modification of his or her bifurcated sentence. In an appeal under this paragraph,
the appellate court may reverse a decision ^{granting or} ~~denying~~ a petition for modification of a
bifurcated sentence ^{erroneously} ~~only~~ if it determines that the sentencing court ^{improperly} ~~exercised~~
its discretion ^{granting or} in denying the ~~referral~~ ^{petition}.

20 (i) If the program review committee denies an inmate's petition under par. (c),
21 the inmate may not file another petition within one year after the date of the program
22 review committee's denial. If the program review committee approves an inmate's
23 petition for referral to the sentencing court under par. (c) but the sentencing court
24 denies the petition, the inmate may not file another petition under par. (c) within one
25 year after the date of the court's decision.

1 (j) An inmate eligible to seek modification of his or her bifurcated sentence
 2 under this subsection has a right to be represented by counsel in proceedings under
 3 this subsection. An inmate, or the department on the inmate's behalf, may apply to
 4 the state public defender for determination of indigency and appointment of counsel
 5 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
 6 committee under par. (c). If an inmate whose petition has been referred to the court
 7 under par. (c) is without counsel, the court shall refer the matter to the state public
 8 defender for determination of indigency and appointment of counsel under s. 977.05
 9 (4) (jm).

INS
58-9

10 ***-2889/P3.6*** SECTION 144. 302.114 (6) (b) of the statutes is amended to read:

11 302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for
 12 release to extended supervision under this section, the clerk of the circuit court in
 13 which the petition is filed shall send a copy of the petition and, if a hearing is
 14 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if
 15 the victim has submitted a card under par. (e) requesting notification.

16 ***-2889/P3.7*** SECTION 145. 302.114 (6) (c) of the statutes is amended to read:

17 302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she
 18 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,
 19 and shall inform the victim of the manner in which he or she may provide written
 20 statements concerning the inmate's petition for release to extended supervision.

INS
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21 ***-2889/P3.8*** SECTION 146. 302.114 (9) of the statutes is amended to read:

22 302.114 (9) (a) If a person released to extended supervision under this section
 23 violates a condition of extended supervision, the division of hearings and appeals in
 24 the department of administration, upon proper notice and hearing, or the
 25 department of corrections, if the person on extended supervision waives a hearing,

1 may revoke the extended supervision of the person ~~and return the person to prison.~~
2 If the extended supervision of the person is revoked, the person shall be returned to
3 the court that sentenced the person and the court shall order the person to be
4 returned to prison, he or she shall be returned to prison for a specified period of time,
5 as provided under par. (b) before he or she is eligible for being released again to
6 extended supervision. The period of time specified under this paragraph may not be
7 less than 5 years and may be extended in accordance with sub. (3).

8 (b) ~~If~~ When a person is returned to ~~prison~~ the sentencing court under par. (a)
9 after revocation of extended supervision, the department of corrections, in the case
10 of a waiver, or the division of hearings and appeals in the department of
11 administration, in the case of a hearing ~~under par. (a), shall specify a~~ make a
12 recommendation to the sentencing court concerning the period of time for which the
13 person shall be incarcerated should be returned to prison before being eligible for
14 release to extended supervision. The period of time ~~specified~~ recommended under
15 this paragraph may not be less than 5 years ~~and may be extended in accordance with~~
16 sub. (3).

17 (bm) A person who is returned to prison under par. (a) after revocation of
18 extended supervision may, upon petition to the sentencing court, be released to
19 extended supervision after he or she has served the entire period of time specified
20 ~~in~~ by the court under par. (a), including any periods of extension imposed under
21 sub. (3). A person may not file a petition under this paragraph earlier than 90 days
22 before the date on which he or she is eligible to be released to extended supervision.
23 If a person files a petition for release to extended supervision under this paragraph
24 at any time earlier than 90 days before the date on which he or she is eligible to be
25 released to extended supervision, the court shall deny the petition without a hearing.

1 The procedures specified in sub. (5) (am) to (f) apply to a petition filed under this
2 paragraph.

3 (c) A person who is subsequently released to extended supervision under par.
4 ~~(b)~~ (bm) is subject to all conditions and rules under sub. (8) until the expiration of the
5 sentence.

6 ***-2889/P3.9*** SECTION 147. 302.114 (9) (d) of the statutes is created to read:
7 302.114 (9) (d) In any case in which there is a hearing before the division of
8 hearings and appeals in the department of administration concerning whether to
9 revoke a person's extended supervision, the person on extended supervision may
10 seek review of a decision to revoke extended supervision and the department of
11 corrections may seek review of a decision to not revoke extended supervision. Review
12 of a decision under this paragraph may be sought only by an action for certiorari.

13 ***-2889/P3.10*** SECTION 148. 303.065 (1) (b) 1. of the statutes is amended to
14 read:

15 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence
16 specified in subd. 2., may be considered for work release only after he or she has
17 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever
18 is applicable, or he or she has reached his or her extended supervision eligibility date
19 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (lg) (a) 1. or 2., whichever is applicable.

20 ***-3265/P1.3*** SECTION 149. 304.06 (1) (b) of the statutes is amended to read:

21 304.06 (1) (b) Except as provided in s. 961.49 (2), 1997 stats., sub. (lm) or s.
22 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an
23 inmate of the Wisconsin state prisons or any felon or any person serving at least one
24 year or more in a county house of correction or a county reforestation camp organized
25 under s. 303.07, when he or she has served 25% of the sentence imposed for the

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1 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)
2 or 973.014 (1) (b) or (c), (lg) or (2), the parole commission may parole an inmate
3 serving a life term when he or she has served 20 years, as modified by the formula
4 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.
5 The person serving the life term shall be given credit for time served prior to
6 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary
7 may grant special action parole releases under s. 304.02. The department or the
8 parole commission shall not provide any convicted offender or other person
9 sentenced to the department's custody any parole eligibility or evaluation until the
10 person has been confined at least 60 days following sentencing.

11 ***-3265/P1.4*** SECTION 150. 304.071 (2) of the statutes is amended to read:

12 304.071 (2) If a prisoner is not eligible for parole under ~~s. 961.49 (2), 1997 stats.,~~
13 ~~or~~ s. 939.62 (2m) (c), ~~961.49 (2),~~ 973.01 (6), 973.014 (1) (c) or (lg) or 973.032 (5), he
14 or she is not eligible for parole under this section.

15 ***-3266/P1.108*** SECTION 151. 341.605 (3) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
18 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~
19 guilty of a Class H felony.

20 ***-3266/P1.109*** SECTION 152. 342.06 (2) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 342.06 (2) Any person who knowingly makes a false statement in an
23 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
24 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

1 ***-3266/P1.110*** SECTION 153. 342.065 (4) (b) of the statutes, as affected by
2 1997 Wisconsin Act 283, is amended to read:

3 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~
4 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
5 ~~or both~~ is guilty of a Class H felony.

6 ***-3266/P1.111*** SECTION 154. 342.155 (4) (b) of the statutes, as affected by
7 1997 Wisconsin Act 283, is amended to read:

8 342.155 (4) (b) Any person who violates this section with intent to defraud may
9 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
10 or both is euilty of Class H felony

11 ***-3266/P1.112*** SECTION 155. 342.156 (6) (b) of the statutes, as affected by
12 1997 Wisconsin Act 283, is amended to read:

13 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~
14 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
15 ~~or both~~ is guilty of a Class H felony.

16 ***-3266/P1.113*** SECTION 156. 342.30 (3) (a) of the statutes is amended to read:

17 342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~
18 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
19 Class H felony.

20 ***-3266/P1.114*** SECTION 157. 342.32 (3) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined no~~ ~~more than \$5,000~~
23 ~~or imprisoned for not more than 7~~ ~~ars and 6 months or both, for each violation is~~
24 guilty of a Class H felony.

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in the county jail

1 ***-3266/P1.115*** SECTION 158. 343.44 (2) (b) (intro.) of the statutes, as affected
2 by 1997 Wisconsin Act 84, is amended to read:

3 343.44 (2) (b) Except as provided in par. (am), any person who violates sub. (1)

④ (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more than one

⑤ year or both its guilt of a Class I felony. In imposing a sentence under this paragraph,

6 or a local ordinance in conformity with this paragraph, the court shall review the
7 record and consider the following:

8 ***-3266/P1.116*** SECTION 159. 344.48 (2) of the statutes, as affected by 1997
9 Wisconsin Act 283, is amended to read:

10 344.48 (2) Any person violating this section may be fined not more than \$1,000
11 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

12 ***-0590/P5.14*** SECTION 160. 346.04 (2t) of the statutes is created to read:

13 346.04 (2t) No operator of a vehicle, after having received a visible or audible
14 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall
15 intentionally resist the traffic officer by failing to stop his or her vehicle as promptly
16 as safety reasonably permits.

17 ***-0590/P5.15*** SECTION 161. 346.04 (4) of the statutes is created to read:

18 346.04 (4) A person may not be convicted of violating both subs. (2t) and (3) for
19 acts arising out of the same incident or occurrence.

20 ***-0590/P5.16*** SECTION 162. 346.17 (2t) of the statutes is created to read:

21 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than
22 \$10,000 or imprisoned for not more than 9 months or both.

23 ***-0590/P5.17*** SECTION 163. 346.17 (3) (a) of the statutes, as affected by 1997
24 Wisconsin Act 283, is amended to read:

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1 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
2 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~
3 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony

4 ~~*-3266/P1.117* SECTION 164. 346.17 (3) (a) of the statutes, as affected by 1997~~
5 ~~Wisconsin Act 283, is amended to read:~~
6 ~~346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.~~
7 ~~346.04 (3) shall be fined not less than \$600 nor more than \$10,000 and may be~~
8 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

9 *-0590/P5.18* SECTION 165. 346.17 (3) (b) of the statutes, as affected by 1997
10 Wisconsin Act 283, is amended to read:
11 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
12 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
13 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~
14 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

15 ~~*-3266/P1.118* SECTION 166. 346.17 (3) (b) of the statutes, as affected by 1997~~
16 ~~Wisconsin Act 283, is amended to read:~~
17 ~~346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),~~
18 ~~to another, or causes damage to the property of another, as defined in s. 939.22 (28),~~
19 ~~the person shall be fined not less than \$1,000 nor more than \$10,000 and may be~~
20 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

21 *-0590/P5.19* SECTION 167. 346.17 (3) (c) of the statutes, as affected by 1997
22 Wisconsin Act 283, is amended to read:
23 346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22
24 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~
25 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

1 ~~*-3266/P1.119* SECTION 168. 346.17 (3) (c) of the statutes, as affected by 1997~~
 2 ~~Wisconsin Act 283, is amended to read:~~
 3 ~~346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22~~
 4 ~~(14), to another, the person shall be fined not less than \$1,100 nor more than \$10,000~~
 5 ~~and may be imprisoned for not more than 3 years is guilty of a Class F felony.~~

6 *-0590/P5.20* SECTION 169. 346.17 (3) (d) of the statutes, as affected by 1997
 7 Wisconsin Act 283, is amended to read:
 8 346.17 (3) (d) If the violation results in the death of another, the person shall
 9 be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not
 10 more than 7 years and 6 months is guilty of a Class E felony.

11 ~~*-3266/P1.120* SECTION 170. 346.17 (3) (d) of the statutes, as affected by 1997~~
 12 ~~Wisconsin Act 283, is amended to read:~~
 13 ~~346.17 (3) (d) If the violation results in the death of another, the person shall~~
 14 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~
 15 ~~more than 7 years and 6 months is guilty of a Class E felony.~~

16 *-0590/P5.21* SECTION 171. 346.175 (1) (a) of the statutes is amended to read:
 17 346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a
 18 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for
 19 the violation as provided in this section.

20 *-0590/P5.22* SECTION 172. 346.175 (1) (b) of the statutes is amended to read:
 21 346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a
 22 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this
 23 section if the person operating the vehicle or having the vehicle under his or her
 24 control at the time of the violation has been convicted for the violation under this
 25 section or under s. 346.04 (2t) or (3).

1 *~~0590/P5.23~~* SECTION 173. 346.175 (4) (b) of the statutes is amended to read:

2 346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by
3 the authority issuing the citation with the name and address of the person operating
4 the vehicle or having the vehicle under his or her control at the time of the violation
5 and sufficient information for the officer to determine that probable cause does not
6 exist to believe that the owner of the vehicle was operating the vehicle at the time
7 of the violation, then the owner of the vehicle shall not be liable under this section
8 or under s. 346.04 (2t) or (3).

9 *~~0590/P5.24~~* SECTION 174. 346.175 (4) (c) of the statutes is amended to read:

10 346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of
11 the violation the vehicle was in the possession of a lessee, and the lessor provides a
12 traffic officer employed by the authority issuing the citation with the information
13 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under
14 this section or under s. 346.04 (2t) or (3).

15 *~~0590/P5.25~~* SECTION 175. 346.175 (4) (d) of the statutes is amended to read:

16 346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)
17 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time
18 of the violation the vehicle was being operated by or was under the control of any
19 person on a trial run, and if the dealer provides a traffic officer employed by the
20 authority issuing the citation with the name, address and operator's license number
21 of the person operating the vehicle, then that person, and not the dealer, shall be
22 liable under this section or under s. 346.04 (2t) or (3).

23 *~~0590/P5.26~~* SECTION 176. 346.175 (5) (intro.) of the statutes is amended to
24 read:

1 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.
2 346.17 ~~(2t) or~~ (3) for a violation of s. 346.04 ~~(2t) or~~ (3):

3 ***-0590/P5.27*** SECTION 177. 346.175 (5) (a) of the statutes is amended to read:

4 346.175 (5) (a) A vehicle owner or other person found liable under this section
5 for a violation of s. 346.04 ~~(2t) or~~ (3) shall be required to forfeit not less than \$300 nor
6 more than \$1,000.

7 ***-3266/P1.121*** SECTION 178. 346.65 (2) (e) of the statutes is amended to read:

8 346.65 (2) (e) Except as provided in par. (f), ~~is guilty of a Class H felony and shall~~
9 be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not less than
10 6 months ~~nor more than 5 years~~ if the total number of suspensions, revocations and
11 convictions counted under s. 343.307 (1) equals 5 or more, except that suspensions,
12 revocations or convictions arising out of the same incident or occurrence shall be
13 counted as one.

14 ***-3266/P1.122*** SECTION 179. 346.65 (5) of the statutes, as affected by 1997
15 Wisconsin Act 283, is amended to read:

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

19 ***-3266/P1.123*** SECTION 180. 346.74 (5) (b) of the statutes, as affected by 1997
20 Wisconsin Act 283, is amended to read:

21 **346.74 (5) (b)** ~~Shall~~ May be fined not less than ~~\$300~~ nor more than ~~\$5,000~~
22 \$10,000 or imprisoned for not less than ~~10 days~~ nor more than ~~2 years~~ 9 months or
23 both if the accident involved injury to a person but the person did not suffer great
24 bodily harm.

1 ***-3266/P1.124*** SECTION 181. 346.74 (5) (c) of the statutes, as affected by 1997
2 Wisconsin Act 283, is amended to read:

3 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned for more than~~
4 ~~3 years or both~~ Is ailty of a Class I felony if the accident involved injury to a person
5 and the person suffered great bodily harm.

6 ***-3266/P1.125*** SECTION 182. 346.74 (5) (d) of the statutes, as affected by 1997
7 Wisconsin Act 283, is amended to read:

8 346.74 (5) (d) ~~May be fined more than \$10,000 or imprisoned not more than~~
9 ~~7 years and 6 months or both~~ Is ailty of a Class H felony if the accident involved
10 death to a person.

11 ***-3266/P1.126*** SECTION 183. 350.11 (2m) of the statutes, as affected by 1997
12 Wisconsin Act 283, is amended to read:

13 350.11 (2m) Any person who violates s. 350.135(1) ~~shall be fined not more than~~
14 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is ailty of a Class H felony
15 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
16 person.

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17 ***-3266/P1.127*** SECTION 184. 446.07 of the statutes, as affected by 1997
18 Wisconsin Act 283, is amended to read:

19 **446.07 Penalty.** Anyone violating this chapter may be fined not ~~less than \$100~~
20 ~~nor~~ more than \$500 \$10,000 or imprisoned for not more than 2 years 9 months or
21 both.

22 ***-3266/P1.128*** SECTION 185. 447.09 of the statutes, as affected by 1997
23 Wisconsin Act 283, is amended to read:

24 **447.09 Penalties.** Any person who violates this chapter may be fined not more
25 than \$1,000 or imprisoned for not more than one year in the county jail or both for

1 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~
2 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction
3 within 5 years.

4 ***-3266/P1.129*** SECTION 186. 450.11 (9) (b) of the statutes, as affected by 1997
5 Wisconsin Act 283, is amended to read:

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

10 ***-3266/P1.130*** SECTION 187. 450.14 (5) of the statutes, as affected by 1997
11 Wisconsin Act 283, is amended to read:

12 450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~
13 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
14 ~~and 6 months or both~~ is guilty of a Class H felony.

15 ***-3266/P1.131*** SECTION 188. 450.15 (2) of the statutes, as affected by 1997
16 Wisconsin Act 283, is amended to read:

17 450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~
18 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
19 ~~and 6 months or both~~ is guilty of a Class H felony.

20 ***-3266/P1.132*** SECTION 189. 551.58 (1) of the statutes, as affected by 1997
21 Wisconsin Act 283, is amended to read:

22 551.58 (1) Any person who wilfully violates any provision of this chapter except
23 s. 551.54, or any rule under this chapter, or any order of which the person has notice,
24 or who violates s. 551.54 knowing or having reasonable cause to believe that the
25 statement made was false or misleading in any material respect, ~~may be fined not~~

1 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
2 guilty of a Class H felony. Each of the acts specified shall constitute a separate
3 offense and a prosecution or conviction for any one of such offenses shall not bar
4 prosecution or conviction for any other offense.

5 ***-3266/P1.133*** SECTION 190 . 552.19 (1) of the statutes, as affected by 1997
6 Wisconsin Act 283, is amended to read:

7 552.19 (1) Any person, including a controlling person of an offeror or target
8 company, who wilfully violates this chapter or any rule under this chapter, or any
9 order of which the person has notice, ~~may be fined not more than \$5,000 or~~
10 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
11 felony. of the acts specified constitutes a separate offense and a prosecution or
12 conviction for any one of the offenses does not bar prosecution or conviction for any
13 other offense.

14 ***-3266/P1.134*** SECTION 191 . 553.52 (1) of the statutes, as affected by 1997
15 Wisconsin Act 283, is amended to read:

16 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of
17 which the person has notice, or who violates s. 553.41 (1) knowing or having
18 reasonable cause to believe either that the statement made was false or misleading
19 in any material respect or that the failure to report a material event under s. 553.31
20 (1) was false or misleading in any material respect, ~~may be fined not more than~~
21 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
22 Class G felony. Each of the acts specified is a separate offense, and a prosecution or
23 conviction for any one of those offenses does not bar prosecution or conviction for any
24 other offense.