

1           \***-3266/P1.135\*** SECTION 192 . 553.52 (2) of the statutes, as affected by 1997  
2           Wisconsin Act 283, is amended to read:

3           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
4           or artifice to defraud in connection with the offer or sale of any franchise or engages,  
5           directly or indirectly, in any act, practice, or course of business which operates or  
6           would operate as a fraud or deceit upon any person in connection with the offer or  
7           sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
8           ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

9           \***-3266/P1.136\*** SECTION 193 . 562.13 (3) of the statutes, as affected by 1997  
10          Wisconsin Act 283, is amended to read:

11          562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
12          ~~\$10,000 or imprisoned for not more than 7 years or both~~ is guilty of a Class I felony.

13          \***-3266/P1.137\*** SECTION 194 . 562.13 (4) of the statutes, as affected by 1997  
14          Wisconsin Act 283, is amended to read:

15          562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~  
16          ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
17          ~~or both~~ is guilty of a Class H felony

18          \***-3266/P1.138\*** SECTION 195 . 565.50 (2) of the statutes, as affected by 1997  
19          Wisconsin Act 283, is amended to read:

20          565.50 (2) Any person who alters or forges a lottery ticket or share or  
21          intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~  
22          ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
23          ~~or both~~ is guilty of a Class I felony

24          \***-3266/P1.139\*** SECTION 196 . 565.50 (3) of the statutes, as affected by 1997  
25          Wisconsin Act 283, is amended to read:

1           565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
2 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
3 more than ~~3 years~~ 9 months or both.

4           \***-3266/P1.140\*** SECTION 197. 601.64 (4) of the statutes, as affected by 1997  
5 Wisconsin Act 283, is amended to read:

6           601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
7 permits any person over whom he or she has authority to violate or intentionally aids  
8 any person in violating any insurance statute or rule of this state, s. 149.13 or  
9 149.144 or any effective order issued under s. 601.41 (4) ~~may be guilty of a Class I~~  
10 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~  
11 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
12 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both~~. Intent has the  
13 meaning expressed under s. 939.23.

14           \***-3266/P1.141\*** SECTION 198. 641.19 (4) (a) of the statutes, as affected by 1997  
15 Wisconsin Act 283, is amended to read:

16           641.19 (4) (a) Any person who wilfully violates or fails to comply with any  
17 provision of this chapter or the rules promulgated thereunder or who, knowingly,  
18 makes a false statement, a false representation of a material fact, or who fails to  
19 disclose a material fact in any registration, examination, statement or report  
20 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~  
21 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
22 guilty of a Class H felony.

23           \***-3266/P1.142\*** SECTION 199. 641.19 (4) (b) of the statutes, as affected by 1997  
24 Wisconsin Act 283, is amended to read:

1           641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully  
2 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
3 funds, securities, premiums, credits, property, or other assets of any employe welfare  
4 fund, or of any fund connected therewith, ~~shall 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           \***-0590/P5.28\*** SECTION 200. 753.061 (2m) of the statutes is amended to read:

8           753.061 (2m) The chief judge of the 1st judicial administrative district is  
9 authorized to designate 4 circuit court branches to primarily handle violent crime  
10 cases that involve a violation of s. 939.63, if a felony is committed while armed, and  
11 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32  
12 (2). If the circuit court branches are designated under this subsection, 2 shall begin  
13 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
14 primarily handle violent crime cases on August 1, 1992.

15           \***-3266/P1.143\*** SECTION 201. 765.30 (1) (intro.) of the statutes, as affected by  
16 1997 Wisconsin Act 283, is amended to read:

17           765.30 (1) (intro.) The following ~~shall~~ may be fined not ~~less than \$200 nor~~ more  
18 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years 9 months~~ or both:

19           \***-3266/P1.144\*** SECTION 202. 765.30 (2) (intro.) of the statutes, as affected by  
20 1997 Wisconsin Act 283, is amended to read:

21           765.30 (2) (intro.) The following ~~shall~~ may be fined not ~~less than \$100 nor~~ more  
22 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years 9 months~~ or both:

23           \***-3266/P1.145\*** SECTION 203. 768.07 of the statutes, as affected by 1997  
24 Wisconsin Act 283, is amended to read:

1           768.07 **Penalty.** Any person who violates any provision of this chapter may  
2 be fined not less than ~~\$100~~ nor more than ~~\$1,000~~ \$10,000 or imprisoned for not more  
3 than ~~2 years~~ 9 months or both.

4           \***-3266/P1.146\*** SECTION 204. 783.07 of the statutes, as affected by 1997  
5 Wisconsin Act 283, is amended to read:

6           **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
7 is directed to any public officer, body, board or person, - commanding the performance  
8 of any duty specially enjoined by law, ~~if it shall appear to the court that such~~ and the  
9 officer or person or any member of ~~such~~ the body or board has, without just excuse,  
10 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
11 ~~exceeding \$5,000, upon every such,~~ the officer, person or member of such the body or  
12 board, ~~or sentence the officer, person or member to imprisonment for not more than~~  
13 ~~7 years and 6 months~~ is guilty of a Class H felony.

14           \***-2889/P3.11\*** SECTION 205. 801.50 (5) of the statutes is amended to read:

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

20           \***-2889/P3.12\*** SECTION 206. 801.50 (5c) of the statutes is created to read:

21           801.50 (5c) Venue of an action for certiorari brought by the department of  
22 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke  
23 extended supervision shall be in the county in which the person on extended  
24 supervision was convicted of the offense for which he or she is on extended  
25 supervision.

*by a program review committee under s. 302.113(9)(c) 9g v*  
*a denial of a petition for modification of*  
*a bifurcated sentence*

1           \*~~3370~~/**P2.5**\* SECTION 207. 911.01 (4) (c) of the statutes is amended to read:

2           911.01 (4) **(c) *Miscellaneous proceedings.*** Proceedings for extradition or  
3 rendition; sentencing, ~~or~~ granting or revoking probation, modification of a bifurcated  
4 sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and  
5 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to  
6 pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
7 release on bail or as otherwise provided in ch. 969.

8           \*~~0590~~/**P5.29**\* SECTION 208. 938.208 (1) (a) of the statutes is amended to read:

9           938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
10 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
11 940.19 (2) to (6), 940.21, 940.225 (l), 940.31, 941.20 (3), 943.02 (1), 943.23 (lg), ~~(1m)~~  
12 ~~or (1r)~~, 943.32 (2), 947.013 (It), (1v) or (lx), 948.02 (1) or (2), 948.025 or 948.03 if  
13 committed by an adult.

14           \*~~0590~~/**P5.30**\* SECTION 209. 938.34 (4h) (a) of the statutes is amended to read:

15           938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated  
16 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
17 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (lg), ~~(1m)~~  
18 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, ~~(1) (a) or~~ 9 4 8 . 3 0 (2), ~~948.35 ( I -~~

19 or the juvenile is 10 years of age or over and has been adjudicated delinquent for  
20 attempting or committing a violation of s. 940.01 or for committing a violation of  
21 940.02 or 940.05.

22           \*~~0590~~/**P5.31**\* SECTION 210. 938.34 (4m) (b) 1. of the statutes is amended to  
23 read:

24           938.34 **(4m)** (b) 1. The juvenile has committed a delinquent act that would be  
25 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (l),

1 940.31, 941.20(3), 943.02(1), 943.23(1g), ~~(1m) or (1r)~~, 943.32(2), 947.013(1t), (1v)  
2 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

3 **\*-0590/P5.32\* SECTION 211.** 938.355 (2d) (b) 3. of the statutes is amended to  
4 read:

5 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2),  
6 ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a)  
7 or a violation of the law of any other state or federal law, if that violation would be  
8 a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025  
9 or 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted  
10 in great bodily harm, as defined in s. ~~938.22~~ 939.22 (14), or in substantial bodily  
11 harm, as defined in s. ~~938.22~~ 939.22 (38), to the juvenile or another child of the  
12 parent.

13 **\*-0590/P5.33\* SECTION 212.** 938.355 (4) (b) of the statutes is amended to read:

14 938.355 (4) (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
15 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
16 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th  
17 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
18 apply for 5 years, if the juvenile is adjudicated delinquent for committing an act that  
19 would be punishable as a Class B or C felony if committed by an adult, or until the  
20 juvenile reaches 25 years of age, if the juvenile is adjudicated delinquent for  
21 committing an act that would be punishable as a Class A felony if committed by an  
22 adult.

\*\*\*NOPE. Should this paragraph refer to felonies other than those in Classes A, B  
and C?

23 **\*-0590/P5.34\* SECTION 213.** 938.78 (3) of the statutes is amended to read:

1           938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
 2           938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
 3           or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
 4           941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28,  
 5           941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)  
 6           (a), 943.23 (lg), ~~(1m) or (1r)~~, 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055,  
 7           948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured  
 8           correctional facility, child caring institution, inpatient facility, as defined in s. 51.01  
 9           (lo), secure detention facility or juvenile portion of a county jail, or from the custody  
 10          of a peace officer or a guard of such a facility, institution or jail, or has been allowed  
 11          to leave a secured correctional facility, child caring institution, inpatient facility,  
 12          secure detention facility or juvenile portion of a county jail for a specified time period  
 13          and is absent from the facility, institution or jail for more than 12 hours after the  
 14          expiration of the specified period, the department or county department having  
 15          supervision over the juvenile may release the juvenile's name and any information  
 16          about the juvenile that is necessary for the protection of the public or to secure the  
 17          juvenile's return to the facility, institution or jail. The department of corrections  
 18          shall promulgate rules establishing guidelines for the release of the juvenile's name  
 19          or information about the juvenile to the public.

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20           \***-0590/P5.35\*** SECTION 214. 939.30 (1) of the statutes is amended to read:  
 21           939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever,  
 22           with intent that a felony be committed, advises another to commit that crime under  
 23           circumstances that indicate unequivocally that he or she has the intent is guilty of  
 24           a Class ~~D~~ H felony.

25           \***-0590/P5.36\*** SECTION 215. 939.30 (2) of the statutes is amended to read:

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1 939.30 (2) For a solicitation to commit a crime for which the penalty is life  
2 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
3 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony

4 **\*-0590/P5.37\*** SECTION 216. 939.50 (1) (intro.) of the statutes is amended to  
5 read:

6 939.50 (1) (intro.) ~~Except as provided in ss. 946.99 - Felonies~~  
7 in ~~chs. 939 to 951~~ the statutes are classified as follows:

8 **\*-0590/P5.38\*** SECTION 217. 939.50 (1) (bc) of the statutes is repealed.

9 **\*-0590/P5.39\*** SECTION 218. 939.50 (1) (f) of the statutes is created to read:  
10 939.50 (1) (f) Class F felony.

11 **\*-0590/P5.40\*** SECTION 219 . 939.50 (1) (g) of the statutes is created to read:  
12 939.50 (1) (g) Class G felony.

13 **\*-0590/P5.41\*** SECTION 220. 939.50 (1) (h) of the statutes is created to read:  
14 939.50 (1) (h) Class H felony.

15 **\*-0590/P5.42\*** SECTION 221. 939.50 (1) (i) of the statutes is created to read:  
16 939.50 (1) (i) Class I felony.

17 **\*-0590/P5.43\*** SECTION 222. 939.50 (2) of the statutes is amended to read:  
18 939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H or I felony when it  
19 is so specified in ~~chs. 939 to 951~~ the statutes.

20 **\*-0590/P5.44\*** SECTION 223. 939.50 (3) (bc) of the statutes, as affected by 1997  
21 Wisconsin Act 283, is repealed.

22 **\*-0590/P5.45\*** SECTION 224. 939.50 (3) (c) of the statutes, as affected by 1997  
23 Wisconsin Act 283, is amended to read:

24 939.50 (3) (c) For a Class C felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
25 imprisonment not to exceed ~~15~~ 40 years, or both.



1 **\*-3265/P1.5\* SECTION 225.** 939.50 (3) (c) of the statutes, as affected by 1997  
 2 Wisconsin Act 283, is renumbered 939.50 (3) (c) 1. and amended to read:  
 3 939.50 (3) (c) 1. ~~For~~ Except as provided in subd. 2., for a Class C felony, a fine  
 4 not to exceed ~~\$10,000~~ \$50,000 or imprisonment not to exceed ~~15~~ 25 years, or both.

\*\*\*NOTE: In the first compile, check for c&&-references to s. 939.50 (3) (c) that  
 make exceptions to the fine amount so that they can be changed to refer specifically to  
 subd. 1.

5 **\*-3265/P1.6\* SECTION 226.** 939.50 (3) (c) 2. of the statutes is created to read:  
 6 939.50 (3) (c) 2. For a Class C felony under ch. 961, a fine not to exceed \$100,000  
 7 or imprisonment not to exceed 25 years, or both.

8 **\*-0590/P5.46\* SECTION 227.** 939.50 (3) (d) of the statutes, as affected by 1997  
 9 Wisconsin Act 283, is amended to read:  
 10 939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
 11 imprisonment not to exceed ~~10~~ 25 years, or both.

12 **\*-0590/P5.47\* SECTION 228.** 939.50 (3) (e) of the statutes, as affected by 1997  
 13 Wisconsin Act 283, is amended to read:  
 14 939.50 (3) (e) For a Class E felony, a fine not to exceed ~~\$10,000~~ \$50,000 or  
 15 imprisonment not to exceed ~~5~~ 15 years, or both.

16 **\*-0590/P5.48\* SECTION 229.** 939.50 (3) (f) of the statutes is created to read:  
 17 939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
 18 not to exceed 12 years and 6 months, or both.

19 **\*-0590/P5.49\* SECTION 230.** 939.50 (3) (g) of the statutes is created to read:  
 20 939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
 21 not to exceed 10 years, or both.

22 **\*-0590/P5.50\* SECTION 231.** 939.50 (3) (h) of the statutes is created to read:

1 939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
2 not to exceed 6 years, or both.

3 **\*-0590/P5.51\*** SECTION 232. 939.50 (3) (i) of the statutes is created to read:

4 939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
5 not to exceed 3 years and 6 months, or both.

6 **\*-0590/P5.52\*** SECTION 233. 939.615 (7) (b) 2. of the statutes is amended to  
7 read:

8 939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the  
9 same conduct that violates par. (a) also constitutes a crime that is a felony.

10 **\*-0590/P5.53\*** SECTION 234. 939.615 (7) (c) of the statutes is repealed.

11 **\*-0590/P5.54\*** SECTION 235. 939.62 (1) (a) of the statutes is amended to read:

12 939.62 (1) (a) A maximum term of one year or less may be increased to not more  
13 than ~~3~~ 2 years.

14 **\*-0590/P5.55\*** SECTION 236. 939.62 (1) (b) of the statutes is amended to read:

15 939.62 (1) (b) A maximum term of more than one year but not more than 10  
16 years may be increased by not more than 2 years if the prior convictions were for  
17 misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for a felony.

18 **\*-0590/P5.56\*** SECTION 237. 939.62 (1) (c) of the statutes is amended to read:

19 939.62 (1) (c) A maximum term of more than 10 years may be increased by not  
20 more than 2 years if the prior convictions were for misdemeanors and by not more  
21 than ~~10~~ 6 years if the prior conviction was for a felony.

22 **\*-0590/P5.57\*** SECTION 238. 939.62 (2m) (a) 2m. a. of the statutes is amended  
23 to read:

24 939.62 (2m) (a) 2m. a. Any Class A, B or C felony under s. 961.41 (1), (lm) or  
25' ~~(1x) if the felony is punishable by a maximum prison term of 90 years or more.~~

1           **\*-0590/P5.58\*** SECTION 239. 939.62 (2m) (a) 2m. b. of the statutes is amended  
2 to read:

3           939.62 (2m) (a) 2m. b. Any felony under s. 940.01, 940.02, 940.03, 940.05,  
4 940.09 ~~(1)~~ (1c), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305,  
5 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (lg), ~~(1m) or (1r)~~, 943.32 (2),  
6 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08,  
7 or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

8           **\*-0590/P5.59\*** SECTION 240. 939.622 of the statutes is repealed.

9           **\*-0590/P5.60\*** SECTION 241. 939.623 of the statutes is repealed.

10          **\*-0590/P5.61\*** SECTION 242. 939.624 of the statutes is repealed.

11          **\*-0590/P5.62\*** SECTION 243. 939.625 of the statutes is repealed.

12          **\*-0590/P5.63\*** SECTION 244. 939.632 (1) (e) 1. of the statutes is amended to  
13 read:

14           939.632 (1) (e)1. Any felony under s.940.01, 940.02, 940.03, 940.05, 940.09~~(1)~~  
15 (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
16 941.21, 943.02, 943.06, 943.10 (2), 943.23 (lg), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or  
17 (2), 948.025, 948.03 (2) (a) or(c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~  
18 ~~(1) (b) or (c) or 948.36.~~

19          **\*-0590/P5.64\*** SECTION 245. 939.635 of the statutes is repealed.

20          **\*-0590/P5.65\*** SECTION 246. 939.64 of the statutes is repealed.

21          **\*-0590/P5.66\*** SECTION 247. 939.641 of the statutes is repealed.

22          **\*-0590/P5.67\*** SECTION 248. 939.646 of the statutes is repealed.

23          **\*-0590/P5.68\*** SECTION 249. 939.647 of the statutes is repealed.

24          **\*-0590/P5.69\*** SECTION 250. 939.648 of the statutes is repealed.

25          **\*-0590/P5.70\*** SECTION 251. 939.72 (1) of the statutes is amended to read:

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1 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
2 party to a crime which is the objective of the solicitation; or

3 **\*-0590/P5.71\*** SECTION 252. 939.75 (1) of the statutes is amended to read:

4 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02  
5 (lm), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (lg) (c)  
6 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to  
7 (e) ~~and (1b)~~, "unborn child" means any individual of the human species from  
8 fertilization until birth that is gestating inside a woman.

9 **\*-0590/P5.72\*** SECTION 253. 940.02 (2) (intro.) of the statutes is amended to  
10 read:

11 940.02 (2) (intro.) Whoever causes the death of another human being under any  
12 of the following circumstances is guilty of a Class ~~B~~ C felony:

13 **\*-0590/P5.73\*** SECTION 254. 940.03 of the statutes is amended to read:

14 **940.03 Felony murder.** Whoever causes the death of another human being  
15 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
16 (a), 943.02, 943.10(2), 943.23(1g) or 943.32 (2) may be imprisoned for not more than  
17 ~~20~~ 15 years in excess of the maximum ~~period~~ <sup>term</sup> of imprisonment provided by law for  
18 that crime or attempt.

19 **\*-0590/P5.74\*** SECTION 255. 940.04 (1) of the statutes is amended to read:

20 940.04 (1) Any person, other than the mother, who intentionally destroys the  
21 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~  
22 ~~than 8 years or both~~ is guilty of a Class H felony.

23 **\*-0590/P5.75\*** SECTION 256. 940.04 (2) (intro.) of the statutes is amended to  
24 read:

1           940.04 (2) (intro.) Any person, other than the mother, who does either of the  
2 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

3           \***-0590/P5.76\*** SECTION 257. 940.04 (4) of the statutes is amended to read:

4           940.04 (4) Any pregnant woman who intentionally destroys the life of her  
5 unborn quick child or who consents to such destruction by another ~~may be~~  
6 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

7           \***-0590/P5.77\*** SECTION 258. 940.06 (1) of the statutes is amended to read:

8           940.06 (1) Whoever recklessly causes the death of another human being is  
9 guilty of a Class ~~C~~ D felony.

10          \***-0590/P5.78\*** SECTION 259. 940.06 (2) of the statutes is amended to read:

11          940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
12 a Class ~~C~~ D felony

13          \***-0590/P5.79\*** SECTION 260. 940.07 of the statutes is amended to read:

14          **940.07 Homicide resulting from negligent control of vicious animal.**

15          Whoever knowing the vicious propensities of any animal intentionally allows it to go  
16 at large or keeps it without ordinary care, if such animal, while so at large or not  
17 confined, kills any human being who has taken all the precautions which the  
18 circumstances may permit to avoid such animal, is guilty of a Class ~~C~~ G felony.

19          \***-0590/P5.80\*** SECTION 261. 940.08 (1) of the statutes is amended to read:

20          940.08 (1) Whoever causes the death of another human being by the negligent  
21 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class  
22 ~~D~~ G felony.

23          \***-0590/P5.81\*** SECTION 262. 940.08 (2) of the statutes is amended to read:

1           940.08 (2) Whoever causes the death of an unborn child by the negligent  
2 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~D~~  
3 G felony.

4           \*~~0590/P5.82~~\* SECTION 263. 940.09 (1) (intro.) of the statutes is amended to  
5 read:

6           940.09 (1) (intro.) Any person who does any of the following ~~is guilty of a Class~~  
7 ~~B~~ felony may be penalized as provided in sub. (1c):

8           \*~~0590/P5.83~~\* SECTION 264. 940.09 (1b) of the statutes is repealed.

9           \*~~0590/P5.84~~\* SECTION 265. 940.09 (1c) of the statutes is created to read:

10          940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
11 guilty of a Class D felony.

12          (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
-13 one or more prior convictions, suspensions or revocations, as counted under s.  
14 343.307 (2).

15          \*~~0590/P5.85~~\* SECTION 266. 940.10 (1) of the statutes is amended to read:

16          940.10 (1) Whoever causes the death of another human being by the negligent  
17 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

18          \*~~0590/P5.86~~\* SECTION 267. 940.10 (2) of the statutes is amended to read:

19          940.10 (2) Whoever causes the death of an unborn child by the negligent  
20 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

21          \*~~0590/P5.87~~\* SECTION 268. 940.11 (1) of the statutes is amended to read:

22          940.11(1) Whoever mutilates, disfigures or dismembers a corpse, with intent  
23 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is  
24 guilty of a Class ~~C~~ F felony.

25          \*~~0590/P5.88~~\* SECTION 269. 940.11 (2) of the statutes is amended to read:

1           940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
2 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G  
3 felony.

4           \*~~0590/P5.89~~\* SECTION 270. 940.12 of the statutes is amended to read:

5           940.12 **Assisting suicide.** Whoever with intent that another take his or her  
6 own life assists such person to commit suicide is guilty of a Class ~~D~~ H felony.

7           \*~~0590/P5.90~~\* SECTION 271. 940.15 (2) of the statutes is amended to read:

8           940.15 (2) Whoever intentionally performs an abortion after the fetus or  
9 unborn child reaches viability, as determined by reasonable medical judgment of the  
10 woman's attending physician, is guilty of a Class ~~E~~ I felony.

11           \*~~0590/P5.91~~\* SECTION 272. 940.15 (5) of the statutes is amended to read:

12           940.15 (5) Whoever intentionally performs an abortion and who is not a  
13 physician is guilty of a Class ~~E~~ I felony.

14           \*~~0590/P5.92~~\* SECTION 273. 940.15 (6) of the statutes is amended to read:

15           940.15 (6) Any physician who intentionally performs an abortion under sub.  
16 (3) shall use that method of abortion which, of those he or she knows to be available,  
17 is in his or her medical judgment most likely to preserve the life and health of the  
18 fetus or unborn child. Nothing in this subsection requires a physician performing  
19 an abortion to employ a method of abortion which, in his or her medical judgment  
20 based on the particular facts of the case before him or her, would increase the risk  
21 to the woman. Any physician violating this subsection is guilty of a Class ~~E~~ I felony.

22           \*~~0590/P5.93~~\* SECTION 274. 940.19 (2) of the statutes is amended to read:

2 3           940.19 (2) Whoever causes substantial bodily harm to another by an act done  
24 with intent to cause bodily harm to that person or another is guilty of a Class ~~E~~ I  
25 felony.

1           **\*-0590/P5.94\*** SECTION 275. 940.19 (3) of the statutes is repealed.

2           **\*-0590/P5.95\*** SECTION 276. 940.19 (4) of the statutes is amended to read:

3           940.19 (4) Whoever causes great bodily harm to another by an act done with  
4 intent to cause bodily harm to that person or another is guilty of a Class ~~D~~ H felony.

5           **\*-0590/P5.96\*** SECTION 277. 940.19 (5) of the statutes is amended to read:

6           940.19 (5) Whoever causes great bodily harm to another by an act done with  
7 intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person  
8 or another is guilty of a Class ~~C~~ E felony.

9           **\*-0590/P5.97\*** SECTION 278. 940.19 (6) (intro.) of the statutes is amended to  
10 read:

11           940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by  
12 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H  
13 felony. A rebuttable presumption of conduct creating a substantial risk of great  
14 bodily harm arises:

15           **\*-0590/P5.98\*** SECTION 279. 940.195 (2) of the statutes is amended to read:

16           940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
17 act done with intent to cause bodily harm to that unborn child, to the woman who is  
18 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

19           **\*-0590/P5.99\*** SECTION 280. 940.195 (3) of the statutes is repealed.

20           **\*-0590/P5.100\*** SECTION 281. 940.195 (4) of the statutes is amended to read:

21           940.195 (4) Whoever causes great bodily harm to an unborn child by an act  
22 done with intent to cause bodily harm to that unborn child, to the woman who is  
23 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

24           **\*-0590/P5.101\*** SECTION 282. 940.195 (5) of the statutes is amended to read:



1           940.195 (5) Whoever causes great bodily harm to an unborn child by an act  
2 done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that  
3 unborn child, to the woman who is pregnant with that unborn child or another is  
4 guilty of a Class ~~C~~ E felony.

5           \***-0590/P5.102\*** SECTION 283. 940.195 (6) of the statutes is repealed.

6           \***-0590/P5.103\*** SECTION 284. 940.20 (1) of the statutes is amended to read:

7           940.20 (1) **BATTERY BY PRISONERS** Any prisoner confined to a state prison or  
8 other state, county or municipal detention facility who intentionally causes bodily  
9 harm to an officer, employe, visitor or another inmate of such prison or institution,  
10 without his or her consent, is guilty of a Class ~~D~~ H felony.

11           \***-0590/P5.104\*** SECTION 285, 940.20 (1m) of the statutes is amended to **read:**

12           940.20 (1m) **BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS.** (a) Any  
13 person who is subject to an injunction under s. 813.12 or a tribal injunction filed  
14 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who  
15 sought the injunction by an act done without the consent of the petitioner is guilty  
16 of a Class ~~E~~ I felony.

17           (b) Any person who is subject to an injunction under s. 813.125 and who  
18 intentionally causes bodily harm to the petitioner who sought the injunction by **an**  
19 act done without the consent of the petitioner is guilty of a Class ~~E~~ I felony

20           \***-0590/P5.105\*** SECTION 286. 940.20 (2) of the statutes is amended to read:

21           940.20 (2) **BATTERY TOLAWENFORCEMENTOFFICERSANDFIREFIGHTERS.** Whoever  
22 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those  
23 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the  
24 person knows or has reason to know that the victim *is* a law enforcement officer or

1 fire fighter, by an act done without the consent of the person so injured, is guilty of  
2 a Class ~~D~~ H felony.

3 **\*-0590/P5.106\*** SECTION 287. 940.20 (2m) (b) of the statutes is amended to  
4 read:

5 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,  
6 extended supervision and parole agent or an aftercare agent, acting in an official  
7 capacity and the person knows or has reason to know that the victim is a probation,  
8 extended supervision and parole agent or an aftercare agent, by an act done without  
9 the consent of the person so injured, is guilty of a Class ~~D~~ H felony.

10 **\*-0590/P5.107\*** SECTION 288. 940.20 (3) of the statutes is amended to read:

11 940.20 (3) ~~BATTERY TO JURORS~~. Whoever intentionally causes bodily harm to a  
12 person who he or she knows or has reason to know is or was a grand or petit juror,  
13 and by reason of any verdict or indictment assented to by the person, without the  
14 consent of the person injured, is guilty of a Class ~~D~~ H felony.

15 **\*-0590/P5.108\*** SECTION 289. 940.20 (4) of the statutes is amended to read:

16 940.20 (4) ~~BATTERY TO PUBLIC OFFICERS~~. Whoever intentionally causes bodily  
17 harm to a public officer in order to influence the action of such officer or as a result  
18 of any action taken within an official capacity, without the consent of the person  
19 injured, is guilty of a Class ~~E~~ I felony.

20 **\*-0590/P5.109\*** SECTION 290. 940.20 (5) (b) of the statutes is amended to read:

21 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
22 district or school district officer or employe acting in that capacity, and the person  
23 knows or has reason to know that the victim is a technical college district or school  
24 district officer or employe, without the consent of the person so injured, is guilty of  
25 a Class ~~E~~ I felony.

1           **\*-0590/P5.110\*** SECTION 291. 940.20 (6) (b) (intro.) of the statutes is amended  
2 to read:

3           940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
4 under any of the following circumstances is guilty of a Class ~~E~~ I felony:

5           **\*-0590/P5.111\*** SECTION 292. 940.20 (7) (b) of the statutes is amended to read:

6           940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
7 department worker, an emergency medical technician, a first responder or an  
8 ambulance driver who is acting in an official capacity and who the person knows or  
9 has reason to know is an emergency department worker, an emergency medical  
10 technician, a first responder or an ambulance driver, by an act done without the  
11 consent of the person so injured, is guilty of a Class ~~D~~ H felony.

12           **\*-0590/P5.112\*** SECTION 293. 940.201 (2) (intro.) of the statutes is amended  
13 to read:

14           940.201 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
15 felony:

16           **\*-0590/P5.113\*** SECTION 294. 940.203 (2) (intro.) of the statutes is amended  
17 to read:

18           940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
19 cause bodily harm to the person or family member of any judge under all of the  
20 following circumstances is guilty of a Class ~~D~~ H felony:

21           **\*-0590/P5.114\*** SECTION 295. 940.205 (2) (intro.) of the statutes is amended  
22 to read:

23           940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
24 cause bodily harm to the person or family member of any department of revenue

1 official, employe or agent under all of the following circumstances is guilty of a Class  
2 D H felony:

3 **\*-0590/P5.115\*** SECTION 296. 940.207 (2) (intro.) of the statutes is amended  
4 to read:

5 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
6 cause bodily harm to the person or family member of any department of commerce  
7 or department of workforce development official, employe or agent under all of the  
8 following circumstances is guilty of a Class D H felony:

9 **\*-0590/P5.116\*** SECTION 297. 940.21 of the statutes is amended to read:

10 940.21 Mayhem. Whoever, with intent to disable or disfigure another, cuts or  
11 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
12 guilty of a Class B C felony.

13 **\*-0590/P5.117\*** SECTION 298. 940.22 (2) of the statutes is amended to read:

14 940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
15 or herself out to be a therapist and who intentionally has sexual contact with a  
16 patient or client during any ongoing therapist-patient or therapist-client  
17 relationship, regardless of whether it occurs during any treatment, consultation,  
18 interview or examination, is guilty of a Class C F felony. Consent is not an issue in  
19 an action under this subsection.

20 **\*-0590/P5.118\*** SECTION 299. 940.225 (2) (intro.) of the statutes is amended  
21 to read:

22 940.225 (2) **SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the  
23 following is guilty of a Class BC C felony:

24 **\*-0590/P5.119\*** SECTION 300. 940.225 (3) of the statutes is amended to read:

1           940.225 (3) **THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse  
2 with a person without the consent of that person is guilty of a Class **D G** felony.  
3 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
4 without the consent of that person is guilty of a Class **D G** felony.

5           \***-0590/P5.120\*** SECTION 301. 940.23 (1) (a) of the statutes is amended to read:

6           940.23 (1) (a) Whoever recklessly causes great bodily harm to another human  
7 being under circumstances which show utter disregard for human life is guilty of a  
8 Class **C D** felony.

9           \***-0590/P5.121\*** SECTION 302. 940.23 (1) (b) of the statutes is amended to read:

10           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
11 under circumstances that show utter disregard for the life of that unborn child, the  
12 woman who is pregnant with that unborn child or another is guilty of a Class **C D**  
13 felony.

14           \***-0590/P5.122\*** SECTION 303. 940.23 (2) (a) of the statutes is amended to read:

15           940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
16 being is guilty of a Class **D F** felony.

17           \***-0590/P5.123\*** SECTION 304. 940.23 (2) (b) of the statutes is amended to read:

18           940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
19 is guilty of a Class **D F** felony.

20           \***-0590/P5.124\*** SECTION 305. 940.24 (1) of the statutes is amended to read:

21           940.24 (1) Whoever causes bodily harm to another by the negligent operation  
22 or handling of a dangerous weapon, explosives or fire is guilty of a Class **E I** felony.

23           \***-0590/P5.125\*** SECTION 306. 940.24 (2) of the statutes is amended to read:

1           940.24 (2) Whoever causes bodily harm to an unborn child by the negligent  
2 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~  
3 I felony.

4           **\*-0590/P5.126\*** SECTION 307. 940.25 (1) (intro.) of the statutes is amended to  
5 read:

6           940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
7 ~~D~~ F felony:

8           **\*-0590/P5.127\*** SECTION 308. 940.25 (1b) of the statutes is repealed.

9           **\*-0590/P5.128\*** SECTION 309. 940.285 (2) (b) lg. of the statutes is amended to  
10 read:

11           940.285 (2) (b) lg. Any person violating par. (a) 1. or 2. under circumstances  
1 2 that cause death is guilty of a Class ~~B~~ C felony. Any person violating par. (a) 3. under  
13 circumstances that cause death is guilty of a Class D felony.

14           **\*-0590/P5.129\*** SECTION 310. 940.285 (2) (b) lm. of the statutes is amended  
15 to read:

16           940.285 (2) (b) lm. Any person violating par. (a) under circumstances that  
17 cause great bodily harm is guilty of a Class ~~C~~ F felony.

18           **\*-0590/P5.130\*** SECTION 311. 940.285 (2) (b) lr. of the statutes is amended to  
19 read:

20           940.285 (2) (b) lr. Any person violating par. (a) 1. under circumstances that are  
21 likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating  
22 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
23 guilty of a Class I felony.

24           **\*-0590/P5.131\*** SECTION 312. 940.285 (2) (b) 2. of the statutes is amended to  
25 read:

1           940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
2           cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
3           violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
4           of a Class I felony.

5           \*~~0590/P5.132~~\* SECTION 313. 940.285 (2) (b) 3. of the statutes is repealed.

6           \*~~0590/P5.133~~\* SECTION 314. 940.29 of the statutes is amended to read:

7           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
8           employed in a penal or correctional institution or other place of confinement who  
9           abuses, neglects or ill-treats any person confined in or a resident of any such  
10          institution or place or who knowingly permits another person to do so is guilty of a  
11          Class ~~E~~ I felony.

12          \*~~0590/P5.134~~\* SECTION 315. 940.295 (3) (b) lg. of the statutes is amended to  
13          read:

14          940.295 (3) (b) lg. Any person violating par. (a) 1. or 2. under circumstances  
15          that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person  
16          violating: par. (a) 3. under circumstances that cause death to a vulnerable person is  
17          guilty of a Class D felony.

18          \*~~0590/P5.135~~\* SECTION 316. 940.295 (3) (b) lm. of the statutes is amended  
19          to read:

20          940.295 (3) (b) lm. Any person violating par. (a) under circumstances that  
21          cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

22          \*~~0590/P5.136~~\* SECTION 317. 940.295 (3) (b) lr. of the statutes is amended to  
23          read:

24          940.295 (3) (b) lr. Except as provided in subd. lm., any person violating par.  
25          (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty

1 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
2 likely to cause great bodily harm is guilty of a Class G felony.

3 **\*-0590/P5.137\*** SECTION 318. 940.295 (3) (b) 2. of the statutes is amended to  
4 read:

5 940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
6 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
7 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
8 of a Class I felony.

9 **\*-0590/P5.138\*** SECTION 319. 940.295 (3) (b) 3. of the statutes is amended to  
10 read:

11 940.295 (3) (b) 3. Except as provided in subd. lm., any person violating par. (a)  
12 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is  
13 guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances  
14 that are likely to cause great bodily harm is guilty of a Class I felony.

15 **\*-0590/P5.139\*** SECTION 320. 940.30 of the statutes is amended to read:

16 940.30 False imprisonment. Whoever intentionally confines or restrains  
17 another without the person's consent and with knowledge that he or she has no  
18 lawful authority to do so is guilty of a Class ~~E~~ H felony.

19 **\*-0590/P5.140\*** SECTION 321. 940.305 (1) of the statutes is amended to read:

20 940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
21 imminent force seizes, confines or restrains a person without the person's consent  
22 and with the intent to use the person as a hostage in order to influence a person to  
23 perform or not to perform some action demanded by the actor is guilty of a Class 4  
24 B felony.

25 **\*-0590/P5.141\*** SECTION 322. 940.305 (2) of the statutes is amended to read:



1           940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
2 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as  
3 a hostage is released without bodily harm.

4           \*~~0590/P5.142~~\* SECTION 323. 940.31 (1) (intro.) of the statutes is amended to  
5 read:

6           940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
7 felony:

8           \*~~0590/P5.143~~\* SECTION 324. 940.31 (2) (a) of the statutes is amended to read:

9           940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with  
10 intent to cause another to transfer property in order to obtain the release of the victim  
11 is guilty of a Class ~~A~~ B felony.

12           \*~~0590/P5.144~~\* SECTION 325. 940.31 (2) (b) of the statutes is amended to read:

13           940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer  
14 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
15 the victim is released without permanent physical injury prior to the time the first  
16 witness is sworn at the trial.

17           \*~~0590/P5.145~~\* SECTION 326. 940.32 (2) (intro.) of the statutes is amended to  
18 read:

19           940.32 (2) (intro,) Whoever meets all of the following criteria is guilty of a Class  
20 ~~A misdemeanor~~ I felony:

21           \*~~0590/P5.146~~\* SECTION 327. 940.32 (2m) of the statutes is amended to read:

22           940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
23 intentionally gains access to a record in electronic format that contains personally  
24 identifiable information regarding the victim in order to facilitate the violation  
25 under sub. (2).

1           \***-0590/P5.147\*** SECTION 328. 940.32 (3) (intro.) of the statutes is amended to  
2 read:

3           940.32 (3) (intro.) Whoever violates sub. (2) under any of the following  
4 circumstances is guilty of a Class ~~E~~ H felony:

5           \***-0590/P5.148\*** SECTION 329. 940.32 (3m) (intro.) of the statutes is amended  
6 to read:

7           940.32 (**3m**) (intro.) Whoever violates sub. (3) under all of the following  
8 circumstances is guilty of a Class ~~D~~ G felony:

9           \***-0590/P5.149\*** SECTION 330. 940.43 (intro.) of the statutes is amended to  
10 read:

11           **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
12 940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

13           \***-0590/P5.150\*** SECTION 331. 940.45 (intro.) of the statutes is amended to  
14 read:

15           **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
16 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

17           \***-0590/P5.151\*** SECTION 332. 941.11 (intro.) of the statutes is amended to  
18 read:

19           **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
20 following is guilty of a Class ~~D~~ H felony:

21           \***-0590/P5.152\*** SECTION 333. 941.12 (1) of the statutes is amended to read:

22           941.12 (**1**) Whoever intentionally interferes with the proper functioning of a  
23 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of  
24 a Class ~~E~~ I felony.

1           **\*-0590/P5.153\*** SECTION 334. 941.20 (2) (intro.) of the statutes is amended to  
2 read:

3           941.20 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ G  
4 felony:

5           **\*-0590/P5.154\*** SECTION 335. 941.20 (3) (a) (intro.) of the statutes is amended  
6 to read:

7           941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a  
8 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot  
9 that is open to the public under any of the following circumstances is guilty of a Class  
10 ~~C~~ F felony:

11           **\*-0590/P5.155\*** SECTION 336. 941.21 of the statutes is amended to read:

12           941.21 Disarming a peace officer. Whoever intentionally disarms a peace  
13 officer who is acting in his or her official capacity by taking a dangerous weapon or  
14 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
15 without his or her consent is guilty of a Class ~~E~~ H felony. This section applies to any  
16 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)  
17 (a) that the officer is carrying or that is in an area within the officer's immediate  
18 presence.

19           **\*-0590/P5.156\*** SECTION 337. 941.235 (1) of the statutes is amended to read:

20           941.235 (1) Any person who goes armed with a firearm in any building owned  
21 or leased by the state or any political subdivision of the state is guilty of a Class ~~B~~  
22 A misdemeanor.

23           **\*-0590/P5.157\*** SECTION 338. 941.26 (2) (a) of the statutes is amended to read:

24           941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class ~~E~~ H felony.

25           **\*-0590/P5.158\*** SECTION 339. 941.26 (2) (b) of the statutes is amended to read:

1 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class ~~C~~ F felony.

2 **\*-0590/P5.159\*** SECTION 340. 941.26 (2) (e) of the statutes is amended to read:

3 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
4 commercial transportation of the bomb, grenade, projectile, shell or container under  
5 sub. (1) (b) is guilty of a Class ~~E~~ H felony.

6 **\*-0590/P5.160\*** SECTION 341. 941.26 (2) (f) of the statutes is amended to read:

7 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
8 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily  
9 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
10 who is acting in an official capacity is guilty of a Class ~~D~~ H felony.

11 **\*-0590/P5.161\*** SECTION 342. 941.26 (2) (g) of the statutes is amended to read:

12 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
13 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
14 of another crime to cause bodily harm or bodily discomfort to another or who  
15 threatens to use the bomb, grenade, projectile, shell or container during his or her  
16 commission of another crime to incapacitate another person is guilty of a Class ~~E~~ H  
17 felony.

18 **\*-0590/P5.162\*** SECTION 343. 941.26 (4) (d) of the statutes is amended to read:

19 941.26 (4) (d) Whoever intentionally uses a device or container described under  
20 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,  
21 or has reason to know, is a peace officer who is acting in an official capacity is guilty  
22 of a Class ~~D~~ H felony.

23 **\*-0590/P5.163\*** SECTION 344. 941.26 (4) (e) of the statutes is amended to read:

24 941.26 (4) (e) Whoever uses a device or container described under par. (a)  
25 during his or her commission of another crime to cause bodily harm or bodily

1 discomfort to another or who threatens to use the device or container during his or  
2 her commission of another crime to incapacitate another person is guilty of a Class  
3 ~~E~~ H felony.

4 **\*-0590/P5.164\*** SECTION 345. 941.28 (3) of the statutes is amended to read:  
5 941.28 (3) Any person violating this section is guilty of a Class ~~E~~ H felony.

6 **\*-0590/P5.165\*** SECTION 346. **941.29** (2) (intro.) of the statutes is amended to  
7 read:

8 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class ~~E~~ G felony  
9 if he or she possesses a firearm under any of the following circumstances:

10 **\*-0590/P5.166\*** SECTION 347. 941.29 (2m) of the statutes is repealed.

11 **\*-0590/P5.167\*** SECTION 348. 941.295 (1) of the statutes is amended to read:  
12 **941.295** (1) Whoever sells, transports, manufactures, possesses or goes armed  
13 with any electric weapon is guilty of a Class ~~E~~ H felony.

14 **\*-0590/P5.168\*** SECTION 349. **941.296** (2) (intro.) of the statutes is amended  
15 to read:

16 **941.296** (2) (intro.) Whoever uses or possesses a handgun during the  
17 commission of a crime under chs. 939 to 948 or **961** is guilty of a Class ~~E~~ H felony  
18 under any of the following circumstances.

19 **\*-0590/P5.169\*** SECTION 350. 941.296 (3) of the statutes is repealed.

20 **\*-0590/P5.170\*** SECTION 351. 941.298 (2) of the statutes is amended to read:

21 941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
22 a Class ~~E~~ H felony.

23 **\*-0590/P5.171\*** SECTION 352. 941.30 (1) of the statutes is amended to read:

1            941.30 (1) ~~FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY~~. Whoever recklessly  
2 endangers another's safety under circumstances which show utter disregard for  
3 human life is guilty of a Class ~~D~~ F felony

4            \***-0590/P5.172\*** SECTION 353. 941.30 (2) of the statutes is amended to read:  
5            941.30 (2) ~~SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY~~ Whoever  
6 recklessly endangers another's safety is guilty of a Class ~~E~~ G felony.

7            \***-0590/P5.173\*** SECTION 354. 941.31 (1) of the statutes is amended to read:  
8            941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
9 explosive compound or offers to do the same, either with intent to use such explosive  
10 to commit a crime or knowing that another intends to use it to commit a crime, is  
11 guilty of a Class ~~C~~ F felony.

12            \***-0590/P5.174\*** SECTION 355. 941.31 (2) (b) of the statutes is amended to read:  
13            941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
14 transfers any improvised explosive device, or possesses materials or components  
15 with intent to assemble any improvised explosive device, is guilty of a Class ~~E~~ H  
16 felony.

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17            \***-0590/P5.175\*** SECTION 356. 941.32 of the statutes is amended to read:  
18            **941.32 Administering dangerous or stupefying drug.** Whoever  
19 administers to another or causes another to take any poisonous, stupefying,  
20 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
21 commission of a crime is guilty of a Class ~~C~~ F felony.

22            \***-0590/P5.176\*** SECTION 357. 941.325 of the statutes is amended to read:  
23            **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
24 or other substances in candy or other liquid or solid edibles with the intent to cause  
25 bodily harm to another person is guilty of a Class ~~E~~ I felony.

1 **\*-0590/P5.177\* SECTION 358.** 941.327 (2) (a) (intro.) of the statutes is amended  
 2 to read:  
 3 941.327 (2) (a) (intro.) Whoever, with intent to ~~kill~~, injure or otherwise  
 4 endanger the health or safety of ~~any person~~ or to cause significant injury or damage  
 5 to the business of ~~any person or entity~~, does either of the following may be punished  
 6 under par. (b):

\*\*\*\*NOTE: The word "kill" is eliminated because it makes the offense duplicative of  
 first degree intentional homicide.

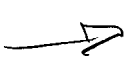
7 **\*-0590/P5.178\* SECTION 359.** 941.327 (2) (b) 1. of the statutes is amended to  
 8 read:  
 9 941.327 (2) (b) 1. Except as provided in subs. 2. to 4., a person violating par.  
 10 (a) is guilty of a Class ~~E~~ I felony.

11 **\*-0590/P5.179\* SECTION ,360.** 941.327 (2) (b) 2. of the statutes is amended to  
 12 read:  
 13 941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great  
 14 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

15 **\*-0590/P5.180\* SECTION 361.** 941.327 (2) (b) 3. of the statutes is amended to  
 16 read:  
 17 941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
 18 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

19 **\*-0590/P5.181\* SECTION 362.** 941.327 (2) (b) 4. of the statutes is amended to  
 20 read:  
 21 941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is  
 22 guilty of a Class ~~A~~ C felony.

→ \*\*\*\*NOTE: Because the word "kill" is eliminated from the language specifying the  
 elements of this crime, the committee thinks it proper to reduce the penalty for the crime  
 to a Class B felony so as to reserve Class A felonies for the most serious crimes against



persons and state. Because, after the amendment to the elements of the crime, the statute no longer punishes acts undertaken with the intent to kill, classification as a Class C felony provides sufficient punishment.

1           \***-0590/P5.182\*** SECTION 363. 941.327 (3) of the statutes is amended to read:  
2           941.327 (3) Whoever intentionally imparts or conveys false information,  
3 knowing the information to be false, concerning an act or attempted act which, if  
4 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ **I** felony.

5           \***-0590/P5.183\*** SECTION 364. 941.37 (3) of the statutes is amended to read:  
6           941.37 (3) Any person who intentionally interferes with any emergency  
7 medical personnel in the performance of duties relating to an emergency or rescue  
8 and who has reasonable grounds to believe that the interference may endanger  
9 another's safety is guilty of a Class ~~E~~ **I** felony.

10          \***-0590/P5.184\*** SECTION 365. 941.37 (4) of the statutes is amended to read:  
11          941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
12 death of another is guilty of a Class ~~C~~ **E** felony.

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102-12

13          \***-0590/P5.185\*** SECTION 366. 941.38 (2) of the statutes is amended to read:  
14          941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
15 activity is guilty of a Class ~~E~~ **I** felony.

16          \***-0590/P5.186\*** SECTION 367. 943.01 (2) (intro.) of the statutes is amended to  
17 read:  
18          943.01 (2) (intro.) Any person violating sub. (1) under any of the following  
19 circumstances is guilty of a Class ~~D~~ **I** felony:

20          \***-0590/P5.187\*** SECTION 368. 943.01 (2) (d) of the statutes is amended to read:  
21          943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
22 in value by more than ~~\$1,000~~ **\$2,000** the purposes of this paragraph, property



1 is reduced in value by the amount which it would cost either to repair or replace it,  
2 whichever is less.

3 **\*-0590/P5.188\*** SECTION 369. 943.01 (2g) of the statutes is repealed.

4 **\*-0590/P5.189\*** SECTION 370. 943.011 (2) (intro.) of the statutes is amended  
5 to read:

6 943.011 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ **I**  
7 felony:

8 **\*-0590/P5.190\*** SECTION 371. 943.012 (intro.) of the statutes is amended to  
9 read:

10 **943.012 Criminal damage to or graffiti on religious and other property.**  
11 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
12 writes with ink or another substance on or intentionally etches into any physical  
13 property of another, without the person's consent and with knowledge of the  
14 character of the property, is guilty of a Class ~~E~~ **I** felony if the property consists of one  
15 or more of the following:

16 **\*-0590/P5.191\*** SECTION 372. 943.013 (2) (intro.) of the statutes is amended  
17 to read:

18 943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
19 to any physical property that belongs to a judge or his or her family member under  
20 all of the following circumstances is guilty of a Class ~~D~~ **I** felony:

21 **\*-0590/P5.192\*** SECTION 373. 943.014 (2) of the statutes is amended to read:

22 943.014 (2) Whoever intentionally demolishes a historic building without a  
23 permit issued by a city, village, town or county or without an order issued under s.  
24 66.05 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~  
25 ~~building and the land upon which the building is located immediately prior to~~

1 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A  
2 misdemeanor.

3 **\*-0590/P5.193\*** SECTION 374. 943.015 (2) (intro.) of the statutes is amended  
4 to read:

5 943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
6 to any physical property which belongs to a department of revenue official, employe  
7 or agent or his or her family member under all of the following circumstances is guilty  
8 of a Class ~~D~~ I felony:

9 **\*-0590/P5.194\*** SECTION 375. 943.017 (2) (intro.) of the statutes is amended  
10 to read:

11 943.017 (2) (intro.) Any person violating sub. (1) under any of the following  
12 circumstances is guilty of a Class ~~D~~ I felony:

13 **\*-0590/P5.195\*** SECTION 376. 943.017 (2) (d) of the statutes is amended to  
14 read:

15 943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced  
16 in value by more than ~~\$1,000~~ ~~\$2,000~~ the purposes of this paragraph, property  
17 is reduced in value by the amount which it would cost to repair or replace it or to  
18 remove the marking, drawing, writing or etching, whichever is less.

19 **\*-0590/P5.196\*** SECTION 377. 943.017 (2m) (b) (intro.) of the statutes is  
20 amended to read:

21 943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~  
22 I felony:

23 **\*-0590/P5.197\*** SECTION 378. 943.02 (1) (intro.) of the statutes is amended to  
24 read:

1           943.02 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
2 felony:

3           \*~~0590/P5.198~~\* SECTION 379. 943.03 of the statutes is amended to read:

4           **943.03 Arson of property other than building.** Whoever, by means of fire,  
5 intentionally damages any property (other than a building) of another without the  
6 person's consent, if the property is of the value of \$100 or more, is guilty of a Class  
7 ~~E~~ I felony.

8           \*~~0590/P5.199~~\* SECTION 380. 943.04 of the statutes is amended to read:

9           **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages  
10 any property (other than a building) with intent to defraud an insurer of that  
11 property is guilty of a Class ~~D~~ H felony. Proof that the actor recovered or attempted  
12 to recover on a policy of insurance by reason of the fire is relevant but not essential  
13 to establish the actor's intent to defraud the insurer.

14           \*~~0590/P5.200~~\* SECTION 381. 943.06 (2) of the statutes is amended to read:

15           943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or  
16 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

17           \*~~0590/P5.201~~\* SECTION 382. 943.07 (1) of the statutes is amended to read:

18           943.07 (1) Whoever intentionally causes damage or who causes another person  
19 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,  
20 tunnel or signal or any railroad property used in providing rail services, which could  
21 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

22           \*~~0590/P5.202~~\* SECTION 383. 943.07 (2) of the statutes is amended to read:

23           943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
24 train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

1           \***-0590/P5.203\*** SECTION 384. 943.10 (1) (intro.) of the statutes is amended to  
2 read:

3           943.10 **(1)** (intro.) Whoever intentionally enters any of the following places  
4 without the consent of the person in lawful possession and with intent to steal or  
5 commit a felony in such place is guilty of a Class ~~C~~ **F** felony:

6           \***-0590/P5.204\*** SECTION 385. 943.10 (2) (intro.) of the statutes is amended to  
7 read:

8           943.10 (2) (intro.) Whoever violates sub. (1) under any of the following  
9 circumstances is guilty of a Class ~~B~~ **E** felony:

10          \***-0590/P5.205\*** SECTION 386. 943.12 of the statutes is amended to read:

11          **943.12 Possession of burglarious tools.** Whoever has in personal  
12 possession any device or instrumentality intended, designed or adapted for use in  
13 breaking into any depository designed for the safekeeping of any valuables or into  
14 any building or room, with intent to use such device or instrumentality to break into  
15 a depository, building or room, and to steal therefrom, is guilty of a Class ~~E~~ **I** felony.

16          \***-0590/P5.206\*** SECTION 387. 943.20 (3) (a) of the statutes is amended to read:

17          943.20 (3) (a) If the value of the property does not exceed ~~\$1,000~~ \$2,000, is  
18 guilty of a Class A misdemeanor.

19          \***-0590/P5.207\*** SECTION 388. 943.20 (3) (b) of the statutes is amended to read:

20          943.20 (3) (b) If the value of the property exceeds ~~\$1,000~~ \$2,000 but ~~does not~~  
21 ~~\$2,500~~ exceed \$5,000, is guilty of a Class ~~E~~ **I** felony.

22          \***-0590/P5.208\*** SECTION 389. 943.20 (3) (bm) of the statutes is created to read:

23          943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed  
24 \$10,000, is guilty of a Class H felony.

25          \***-0590/P5.209\*** SECTION 390. 943.20 (3) (c) of the statutes is amended to read:

1           943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of  
2 a Class ~~C~~ G felony.

3           \***-0590/P5.210\*** SECTION 391. 943.20 (3) (d) (intro.) of the statutes is amended  
4 to read:

5           943.20 (3) (d) (intro.) If ~~the value of the property does not exceed \$2,500 and~~  
6 any of the following circumstances ~~exist~~ exists, is guilty of a Class ~~D~~ H felony:

7           \***-0590/P5.211\*** SECTION 392. 943.20 (3) (d) 1. of the statutes is amended to  
8 read:

9           943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

10           \***-0590/P5.212\*** SECTION 393. 943.20 (3) (d) 2. of the statutes is renumbered  
11 943.20 (3) (e) and amended to read:

12           943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from  
13 a corpse; ~~or,~~ is guilty of a Class G felony.

14           \***-0590/P5.213\*** SECTION 394. 943.20 (3) (d) 3. of the statutes is amended to  
15 read:

16           943.20 (3) (d) 3. The property is taken from a building which has been destroyed  
17 or left unoccupied because of physical disaster, riot, bombing or the proximity of  
18 battle; ~~or,~~

19           \***-0590/P5.214\*** SECTION 395. 943.20 (3) (d) 4. of the statutes is amended to  
20 read:

21           943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
22 the proximity of battle has necessitated its removal from a building; ~~or,~~

23           \***-0590/P5.215\*** SECTION 396. 943.201 (2) of the statutes is amended to read:

24           943.201 (2) Whoever intentionally uses or attempts to use any personal  
25 identifying information or personal identification document of an individual to

1 obtain credit, money, goods, services or anything else of value without the  
2 authorization or consent of the individual and by representing that he or she is the  
3 individual or is acting with the authorization or consent of the individual is guilty  
4 of a Class ~~D~~ H felony.

5 **\*-0590/P5.216\*** SECTION 397. 943.205 (3) of the statutes is amended to read:

6 943.205 (3) Anyone who violates this section is guilty of a Class ~~E~~ I felony.

7 **\*-0590/P5.217\*** SECTION 398. 943.21 (3) (a) of the statutes is amended to read:

8 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
9 beverage, food, lodging, accommodation, transportation or other service is ~~\$1,000~~  
10 \$2,000 or less.

11 **\*-0590/P5.218\*** SECTION 399. 943.21 (3) (b) of the statutes is amended to read:

12 943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,  
13 food, lodging, accommodation, transportation or other service exceeds ~~\$1,000~~ \$2,000.

14 **\*-0590/P5.219\*** SECTION 400. 943.23 (lg) of the statutes is amended to read:

15 943.23 (**lg**) Whoever, while possessing a dangerous weapon and by the use of,  
16 or the threat of the use of, force or the weapon against another, intentionally takes  
17 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

18 **\*-0590/P5.220\*** SECTION 401. 943.23 (1m) of the statutes is repealed.

19 **\*-0590/P5.221\*** SECTION 402. 943.23 (1r) of the statutes is repealed.

20 **\*-0590/P5.222\*** SECTION 403. 943.23 (2) of the statutes is amended to read:

21 943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
22 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
23 H felony.

24 **\*-0590/P5.223\*** SECTION 404. 943.23 (3) of the statutes is amended to read:

1           943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
2 drives or operates any vehicle without the consent of the owner is guilty of a Class  
3 ~~E I~~ felony.

4           \***-0590/P5.224\*** SECTION 405. 943.23 (3m) of the statutes is created to read:

5           943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.  
6 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
7 after the vehicle was taken. from the possession of the owner An affirmative defense under this subsection mitigates

8 the offense to a Class A misdemeanor. A defendant who raises this affirmative  
9 defense has the burden of proving the defense by a preponderance of the evidence.

10          \***-0590/P5.225\*** SECTION 406. 943.23 (4m) of the statutes is amended to read:

11          943.23 (4m) Whoever knows that the owner does not consent to the driving or  
12 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,  
13 a person while he or she violates sub. (1g), ~~(1m), (1r),~~ (2) ~~or,~~ (3) ~~or (3m)~~ is guilty of a  
14 Class A misdemeanor.

15          \***-0590/P5.226\*** SECTION 407. 943.23 (5) of the statutes is amended to read:

16          943.23 (5) Whoever intentionally removes a major part of a vehicle without the  
17 consent of the owner is guilty of a Class ~~E I~~ felony. Whoever intentionally removes  
18 any other part or component of a vehicle without the consent of the owner is guilty  
19 of a Class A misdemeanor.

20          \***-0590/P5.227\*** SECTION 408. 943.24 (1) of the statutes is amended to read:

21          943.24 (1) Whoever issues any check or other order for the payment of not more  
22 than ~~\$1,000~~ \$2,000 which, at the time of issuance, he or she intends shall not be paid  
23 is guilty of a Class A misdemeanor.

24          \***-0590/P5.228\*** SECTION 409. 943.24 (2) of the statutes is amended to read:

1           943.24 (2) Whoever issues any single check or other order for the payment of  
2 more than ~~\$1,000~~ \$2,000 or whoever within a 15-day period issues more than one  
3 check or other order amounting in the aggregate to more than ~~\$1,000~~ \$2,000 which,  
4 at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I  
5 felony.

6           \***-0590/P5.229\*** SECTION 410. 943.25 (1) of the statutes is amended to read:

7           943.25 (1) Whoever, with intent to defraud, conveys real property which he or  
8 she knows is encumbered, without informing the grantee of the existence of the  
9 encumbrance is guilty of a Class ~~E~~ I felony.

10          \***-0590/P5.230\*** SECTION 411. 943.25 (2) (intro.) of the statutes is amended to  
11 read:

12          943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following  
13 is guilty of a Class ~~E~~ I felony:

14          \***-0590/P5.231\*** SECTION 412. 943.26 (2) of the statutes is amended to read:

15          943.26 (2) If the security is impaired by more than ~~\$1,000~~ \$2,000, the  
16 mortgagor or vendee is guilty of a Class ~~E~~ I felony.

17          \***-0590/P5.232\*** SECTION 413. 943.27 of the statutes is amended to read:

18          **943.27 Possession of records of certain usurious loans.** Any person who  
19 knowingly possesses any writing representing or constituting a record of a charge of,  
20 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
21 upon \$100 for one year computed upon the declining principal balance of the loan,  
22 use or forbearance of money, goods or things in action or upon the loan, use or sale  
23 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
24 ~~E~~ I felony.

25          \***-0590/P5.233\*** SECTION 414. 943.28 (2) of the statutes is amended to read:



1           943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
2 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
3 is guilty of a Class C F felony.

4           \***-0590/P5.234\*** SECTION 415. 943.28 (3) of the statutes is amended to read:

5           943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
6 as an investment, pursuant to a partnership or profit-sharing agreement, or  
7 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
8 Class C F felony.

9           \***-0590/P5.235\*** SECTION 416. 943.28 (4) of the statutes is amended to read:

10          943.28 (4) Whoever knowingly participates in any way in the use of any  
11 extortionate means to collect or attempt to collect any extension of credit, or to punish  
12 any person for the nonrepayment thereof, is guilty of a Class C F felony.

13          \***-0590/P5.236\*** SECTION 417. 943.30 (1) of the statutes is amended to read:

14          943.30 (1)     Whoever, either verbally or by any written or printed  
15 communication, maliciously threatens to accuse or accuses another of any crime or  
16 offense, or threatens or commits any injury to the person, property, business,  
17 profession, calling or trade, or the profits and income of any business, profession,  
18 calling or trade of another, with intent thereby to extort money or any pecuniary  
19 advantage whatever, or with intent to compel the person so threatened to do any act  
20 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

21          \***-0590/P5.237\*** SECTION 418. 943.30 (2) of the statutes is amended to read:

22          943.30 (2)' Whoever violates sub. (1) by obstructing, delaying or affecting  
23 commerce or business or the movement of any article or commodity in commerce or  
24 business is guilty of a Class D H felony.

25          \***-0590/P5.238\*** SECTION 419. 943.30 (3) of the statutes is amended to read:

1           943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
2 grand juror, in the performance of his or her functions as such, is guilty of a Class ~~D~~  
3 H felony.

4           \***-0590/P5.239**\* **SECTION 420.** 943.30 (4) of the statutes is amended to read:

5           943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
6 action of any public officer is guilty of a Class ~~D~~ H felony.

7           \***-0590/P5.240**\* **SECTION 421.** 943.30 (5) (b) of the statutes is amended to read:

8           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
9 maliciously uses, or threatens to use, the patient health care records of another  
10 person, with intent thereby to extort money or any pecuniary advantage, or with  
11 intent to compel the person so threatened to do any act against the person's will *or*  
12 omit to do any lawful act, is guilty of a Class ~~D~~ H felony.

13           \***-0590/P5.241**\* **SECTION 422.** 943.31 of the statutes is amended to read:

14           **943.31 Threats to communicate derogatory information,** Whoever  
15 threatens to communicate to anyone information, whether true or false, which would  
16 injure the reputation of the threatened person or another unless the threatened  
17 person transfers property to a person known not to be entitled to it is guilty of a Class  
18 ~~E~~ I felony.

19           \***-0590/P5.242**\* **SECTION 423.** 943.32 (1) (intro.) of the statutes is amended to  
20 read:

21           943.32 **(1)** (intro.) Whoever, with intent to steal, takes property from the person  
22 or presence of the owner by either of the following means is guilty of a Class ~~C~~ E  
23 felony:

24           \***-0590/P5.243**\* **SECTION 424.** 943.32 (2) of the statutes is amended to read:

1           943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
2           weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
3           fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
4           weapon or such a device or container is guilty of a Class ~~B~~ C felony.

5           \***-0590/P5.244\*** SECTION 425. 943.34 (1) (a) of the statutes is amended to read:

6           943.34 (1) (a) A Class A misdemeanor, if the value of the property does not  
7           exceed ~~\$1,000~~ \$2,000.

8           \***-0590/P5.245\*** SECTION 426. 943.34 (1) (b) of the statutes is amended to read:

9           943.34 (1) (b) A Class ~~E~~ I felony, if the value of the property exceeds ~~\$1,000~~  
10          \$2,000 but does not ~~more than \$2,500~~ exceed \$5,000.

11          \***-0590/P5.246\*** SECTION 427. 943.34 (1) (bm) of the statutes is created to read:

12          943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but  
13          does not exceed \$10,000.

14          \***-0590/P5.247\*** SECTION 428. 943.34 (1) (c) of the statutes is amended to read:

15          943.34 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds ~~\$2,500~~  
16          \$10,000.

17          \***-0590/P5.248\*** SECTION 429. 943.38 (1) (intro.) of the statutes is amended to  
18          read:

19          943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
20          writing or object of any of the following kinds so that it purports to have been made  
21          by another, or at another time, or with different provisions, or by authority of one who  
22          did not give such authority, is guilty of a Class ~~C~~ H felony:

23          \***-0590/P5.249\*** SECTION 430. 943.38 (2) of the statutes is amended to read:

1           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
2 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
3 been thus falsely made or altered, is guilty of a Class ~~C~~ H felony.

4           \*~~-0590/P5.250~~\* SECTION 431. **943.39** (intro.) of the statutes is amended to  
5 read:

6           **943.39 Fraudulent writings**, (intro.) Whoever, with intent to injure or  
7 defraud, does any of the following is guilty of a Class ~~D~~ H felony:

8           \*~~-0590/P5.251~~\* SECTION 432. 943.395 (2) (a) of the statutes is amended to  
9 read:

10           943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or  
11 benefit does not exceed ~~\$1,000~~ \$2,000.

12           \*~~-0590/P5.252~~\* SECTION 433. 943.395 (2) (b) of the statutes is amended to  
13 read:

14           943.395 (2) (b) Is guilty of a Class ~~E~~ I felony if the value of the claim or benefit  
15 exceeds ~~\$1,000~~ \$2,000.

16           \*~~-0590/P5.253~~\* SECTION 434. 943.40 (intro.) of the statutes is amended to  
17 read:

18           **943.40 Fraudulent destruction of certain writings**. (intro.) Whoever with  
19 intent to defraud does either of the following is guilty of a Class ~~D~~ H felony:

20           \*~~-0590/P5.254~~\* SECTION 435. 943.41 (8) (b) of the statutes is amended to read:  
21           943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)  
22 or (6m) is guilty of a Class ~~E~~ I felony.

23           \*~~-0590/P5.255~~\* SECTION 436, 943.41 (8) (c) of the statutes is amended to read:  
24           943.41 (8) (c) Any person violating any provision of sub, (5) or (6) (a), (b) or (d),  
25 if the value of the money, goods, services or property illegally obtained does not

1 exceed ~~\$1,000~~ \$2,000 is guilty of a Class A misdemeanor; if the value of the money,  
 2 goods, services or property exceeds ~~\$1,000~~ \$2,000 but does not exceed ~~\$2,500~~ \$5,000,  
 3 in a single transaction or in separate transactions within a period not exceeding 6  
 4 months, the person is guilty of a Class ~~E~~ I felony; if the value of the money goods,  
 5 services or property exceeds \$5,000 but does not exceed \$10,000. iningle  
 6 transaction or in separate transactions within a period not exceeding 6 months, the  
 7 person is guilty of a Class H felony; or if the value of the money, goods, services or  
 8 property exceeds ~~\$2,500~~ \$10,000, the person is guilty of a Class ~~C~~ G felony.

9 **\*-0590/P5.256\*** SECTION 437. 943.45 (3) (c) of the statutes is amended to read:

10 943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)  
 11 for direct or indirect commercial advantage or private financial gain is guilty of a  
 12 Class ~~E~~ felony A misdemeanor.

13 **\*-0590/P5.257\*** SECTION 438. 943.45 (3) (d) of the statutes is amended to read:

14 943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial  
 15 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
 16 ~~D~~ I felony.

17 **\*-0590/P5.258\*** SECTION 439. 943.455 (4) (c) of the statutes is amended to  
 18 read:

19 943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
 20 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty  
 21 of a Class ~~E~~ felony A misdemeanor.

22 **\*-0590/P5.259\*** SECTION 440. 943.455 (4) (d) of the statutes is amended to  
 23 read:

in a single transaction or in  
separate transactions within a  
period not exceeding 6  
months

1 943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect  
2 commercial advantage or private financial gain as a 2nd or subsequent offense is  
3 guilty of a Class ~~D~~ I felony.

4 **\*-0590/P5.260\*** SECTION 441. 943.46 (4) (c) of the statutes is amended to read:

5 943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
6 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty  
7 of a Class ~~E~~ A misdemeanor.

8 **\*-0590/P5.261\*** SECTION 442. 943.46 (4) (d) of the statutes is amended to read:

9 943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect  
10 commercial advantage or private financial gain as a 2nd or subsequent offense is  
11 guilty of a Class ~~D~~ I felony.

12 **\*-0590/P5.262\*** SECTION 443. 943.47 (3) (c) of the statutes is amended to read:

13 943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)  
14 for direct or indirect commercial advantage or private financial gain is guilty of a  
15 Class ~~E~~ A misdemeanor.

16 **\*-0590/P5.263\*** SECTION 444. 943.47 (3) (d) of the statutes is amended to read:

17 943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial  
18 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
19 ~~D~~ I felony.

20 **\*-0590/P5.264\*** SECTION 445. 943.50 (4) (a) of the statutes is amended to read:

21 943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not  
22 exceed ~~\$1,000~~ \$2,000.

23 **\*-0590/P5.265\*** SECTION 446. 943.50 (4) (b) of the statutes is amended to read:

24 943.50 (4) (b) A Class ~~E~~ I felony, if the value of the merchandise exceeds ~~\$1,000~~  
25 \$2,000 but does not ~~\$2,500~~ exceed \$5,000.

1           \***-0590/P5.266\*** SECTION 447. 943.50 (4) (bm) of the statutes is created to read:  
2           943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000  
3 but does not exceed \$10,000.

4           \***-0590/P5.267\*** SECTION 448. 943.50 (4) (c) of the statutes is amended to read:  
5           943.50 (4) (c) A Class ~~C~~G felony, if the value of the merchandise exceeds ~~\$2,500~~  
6 \$10,000.

7           \***-0590/P5.268\*** SECTION 449. 943.60 (1) of the statutes is amended to read:  
8           943.60 (1) Any person who submits for filing, entering or recording any lien,  
9 claim of lien, lis pendens, writ of attachment, financing statement or any other  
10 instrument relating to a security interest in or title to real or personal property, and  
11 who knows or should have known that the contents or any part of the contents of the  
12 instrument are false, a sham or frivolous, is guilty of a Class ~~D~~H felony.

13           \***-0590/P5.269\*** SECTION 450. 943.61 (5) (b) of the statutes is amended to read:  
14           943.61 (5) (b) A Class ~~E~~I felony, if the value of the library materials exceeds  
15 \$1,000 but does not exceed \$2,500.

16           \***-0590/P5.270\*** SECTION 451. 943.61 (5) (c) of the statutes is amended to read:  
17           943.61 (5) (c) A Class ~~C~~H felony, if the value of the library materials exceeds  
18 \$2,500.

19           \***-0590/P5.271\*** SECTION 452. 943.62 (4) (b) of the statutes is amended to read:  
20           943.62 (4) (b) A Class ~~E~~I felony, if the value of the advance payment or required  
21 refund, as applicable, exceeds \$500 but does not exceed \$2,500.

22           \***-0590/P5.272\*** SECTION 453. 943.62 (4) (c) of the statutes is amended to read:  
23           943.62 (4) (c) A Class ~~C~~F felony, if the value of the advance payment or required  
24 refund, as applicable, exceeds \$2,500.

1           **\*-0590/P5.273\*** SECTION 454. 943.70 (2) (b) 2. of the statutes is amended to  
2 read:

3           943.70 (2) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or to  
4 obtain property.

5           **\*-0590/P5.274\*** SECTION 455. 943.70 (2) (b) 3. of the statutes is amended to  
6 read:

7           943.70 (2) (b) 3. A Class ~~D~~ H felony if the damage is greater than ~~\$2,500~~ \$5,000  
8 or if it causes an interruption or impairment of governmental operations or public  
9 communication, of transportation or of a supply of water, gas or other public service.

10           **\*-0590/P5.275\*** SECTION 456. 943.70 (2) (b) 4. of the statutes is amended to  
11 read:

12           943.70 (2) (b) 4. A Class ~~C~~ F felony if the offense creates a substantial and  
13 unreasonable risk of death or great bodily harm to another.

14           **\*-0590/P5.276\*** SECTION 457. 943.70 (3) (b) 2. of the statutes is amended to  
15 read:

16           943.70 (3) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or  
17 obtain property.

18           **\*-0590/P5.277\*** SECTION 458. 943.70 (3) (b) 3. of the statutes is amended to  
19 read:

20           943.70 (3) (b) 3. A Class ~~D~~ H felony if the damage to the computer, computer  
21 system, computer network, equipment or supplies is greater than ~~\$2,500~~ \$5,000.

22           **\*-0590/P5.278\*** SECTION 459. 943.75 (2) of the statutes is amended to read:

23           943.75 (2) Whoever intentionally releases an animal that is lawfully confined  
24 for scientific, farming, companionship or protection of persons or property,  
25 recreation, restocking, research, exhibition, commercial or educational purposes,

↓  
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1 acting without the consent of the owner or custodian of the animal, is guilty of a Class  
2 C misdemeanor. A 2nd violation of this section by a person is a Class A misdemeanor.  
3 A 3rd or subsequent violation of this section by a person is a Class ~~E~~ I felony.

4 **\*-0590/P5.279\*** SECTION 460. 944.05 (1) (intro.) of the statutes is amended to  
5 read:

6 944.05 (1) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I  
7 felony:

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8 **\*-0590/P5.280\*** SECTION 461. 944.15 (title) of the statutes is repealed and  
9 recreated to read:

10 **94415 (title) Public fornication.**

11 **\*-0590/P5.281\*** SECTION 462. 944.16 (intro.) of the statutes is amended to  
12 read:

13 944.16 **Adultery.** (intro.) Whoever does either of the following is guilty of a  
14 Class ~~E~~ I felony:

15 **\*-0590/P5.282\*** SECTION 463. 944.205 (2) (intro.) of the statutes is amended  
16 to read:

17 944.205 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I  
18 felony:

19 **\*-0590/P5.283\*** SECTION 464. 944.21 (5) (c) of the statutes is amended to read:  
20 944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior  
21 convictions under this section, the person is guilty of a Class ~~D~~ H felony.

22 **\*-0590/P5.284\*** SECTION 465. 944.21 (5) (e) of the statutes is amended to read:  
23 944.21 (5) (e) Regardless of the number of prior convictions, if the violation  
24 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,  
25 the person is guilty of a Class ~~D~~ H felony.

1           \***-0590/P5.285\*** SECTION 466. 944.32 of the statutes is amended to read:

2           **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever  
3 intentionally solicits or causes any person to practice prostitution or establishes any  
4 person in a place of prostitution is guilty of a Class **D H** felony.

5           \***-0590/P5.286\*** SECTION 467. 944.33 (2) of the statutes is amended to read:

6           944.33 (2) If the person received compensation from the earnings of the  
7 prostitute, such person is guilty of a Class **E F** felony.

8           \***-0590/P5.287\*** SECTION 468. 944.34 (intro.) of the statutes is amended to  
9 read:

10          **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does  
11 any of the following is guilty of a Class **D H** felony:

12          \***-0590/P5.288\*** SECTION 469. 945.03 (intro.) of the statutes is amended to  
13 read:

14          **945.03 Commercial gambling.** (intro.) Whoever intentionally does any of  
15 the following is engaged in commercial gambling and is guilty of a Class **E I** felony:

16          \***-0590/P5.289\*** SECTION 470. 945.05 (1) (intro.) of the statutes is amended to  
17 read:

18          945.05 **(1)** (intro.) Whoever manufactures, transfers commercially or possesses  
19 with intent to transfer commercially either of the following is guilty of a Class **E I**  
20 felony:

21          \***-0590/P5.290\*** SECTION 471. 945.08 (1) of the statutes is amended to read:

22          945.08 **(1)** Any person who, with intent to influence any participant to refrain  
23 from exerting full skill, speed, strength or endurance, transfers or promises any  
24 property or any personal advantage to or on behalf of any participant in a contest of  
25 skill, speed, strength or endurance is guilty of a Class **D H** felony.

1           \***-0590/P5.291\*** SECTION 472. 946.02 (1) (intro.) of the statutes is amended to  
2 read:

3           946.02 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
4 felony:

5           \***-0590/P5.292\*** SECTION 473. 946.03 (1) (intro.) of the statutes is amended to  
6 read:

7           946.03 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
8 felony:

9           \***-0590/P5.293\*** SECTION 474. 946.03 (2) of the statutes is amended to read:

10          946.03 (2) Whoever permits any premises under his or her care, control or  
11 supervision to be used by an assembly with knowledge that the purpose of the  
12 assembly is to advocate or teach the duty, necessity, desirability or propriety of  
13 overthrowing the government of the United States or this state by the use or threat  
14 of physical violence with intent that such government be overthrown or, after  
15 learning that the premises are being so used, permits such use to be continued is  
16 guilty of a Class E I felony.

17          \***-0590/P5.294\*** SECTION 475. 946.05 (1) of the statutes is amended to read:

18          946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts  
19 contempt upon the flag is guilty of a Class E I felony.

20          \***-0590/P5.295\*** SECTION 476. 946.10 (intro.) of the statutes is amended to  
21 read:

22          **946.10 Bribery of public officers and employes.** (intro.) Whoever does  
23 either of the following is guilty of a Class D H felony:

24          \***-0590/P5.296\*** SECTION 477. 946.11 (1) (intro.) of the statutes is amended to  
25 read:

1 946.11 (1) (intro.) Whoever does the following is guilty of a Class ~~E~~ I felony:

2 **\*-0590/P5.297\*** SECTION 478. 946.12 (intro.) of the statutes is amended to  
3 read:

4 **946.12 Misconduct in public office.** (intro.) Any public officer or public  
5 employe who does any of the following is guilty of a Class ~~E~~ I felony:

6 **\*-0590/P5.298\*** SECTION 479. 946.13 (1) (intro.) of the statutes is amended to  
7 read:

8 946.13 (1) (intro.) Any public officer or public employe who does any of the  
9 following is guilty of a Class ~~E~~ I felony:

10 **\*-0590/P5.299\*** SECTION 480. 946.14 of the statutes is amended to read:

11 **946.14 Purchasing claims at less than full value.** Any public officer or  
12 public employe who in a private capacity directly or indirectly intentionally  
13 purchases for less than full value or discounts any claim held by another against the  
14 state or a political subdivision thereof or against any public fund is guilty of a Class  
15 ~~E~~ I felony.

16 **\*-0590/P5.300\*** SECTION 481. 946.15 (1) of the statutes is amended to read:

17 946.15 (1) Any employer, or any agent or employe of an employer, who induces  
18 any person who seeks to be or is employed pursuant to a public contract as defined  
19 in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing  
20 wage rate determination has been issued by the department of workforce  
21 development under s. 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental  
22 unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to give up, waive or return any  
23 part of the compensation to which that person is entitled under his or her contract  
24 of employment or under the prevailing wage rate determination issued by the  
25 department or local governmental unit, or who reduces the hourly basic rate of pay

1 normally paid to an employe for work on a project on which a prevailing wage rate  
2 determination has not been issued under s. 66.293 (3) or (6), 103.49 (3) or 103.50 (3)  
3 during a week in which the employe works both on a project on which a prevailing  
4 wage rate determination has been issued and on a project on which a prevailing wage  
5 rate determination has not been issued, is guilty of a Class ~~E~~ I felony.

6 **\*-0590/P5.301\*** SECTION 482. 946.15 (3) of the statutes is amended to read:  
7 946.15 (3) Any employer or labor organization, or any agent or employe of an  
8 employer or labor organization, who induces any person who seeks to be or is  
9 employed on a project on which a prevailing wage rate determination has been issued  
10 by the department of workforce development under s. 66.293 (3), 103.49 (3) or 103.50  
11 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6)  
12 to permit any part of the wages to which that person is entitled under the prevailing  
13 wage rate determination issued by the department or local governmental unit to be  
14 deducted from the person's pay is guilty of a Class ~~E~~ I felony, unless the deduction  
15 would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project  
16 that is subject to 40 USC 276c.

17 **\*-0590/P5.302\*** SECTION 483. 946.31 (1) (intro.) of the statutes is amended to  
18 read:

19 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false  
20 material statement which the person does not believe to be true, in any matter, cause,  
21 action or proceeding, before any of the following, whether legally constituted or  
22 exercising powers as if legally constituted, is guilty of a Class ~~D~~ H felony:

23 **\*-0590/P5.303\*** SECTION 484. 946.32 (1) (intro.) of the statutes is amended to  
24 read:

1           946.32 (1) (intro.) Whoever does either of the following is guilty of a Class ~~D~~  
2 H felony:

3           \*~~0590/P5.304~~\* SECTION 485. 946.41 (2m) (intro.) of the statutes is amended  
4 to read:

5           946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following  
6 circumstances is guilty of a Class ~~D~~ H felony:

7           \*~~0590/P5.305~~\* SECTION 486. 946.415 (2) (intro.) of the statutes is amended  
8 to read:

9           946.415 (2) (intro.) Whoever intentionally does all of the following is guilty of  
10 a Class ~~E~~ I felony:

11           \*~~0590/P5.306~~\* SECTION 487. 946.42 (3) (intro.) of the statutes is amended to  
12 read:

13           946.42 (3) (intro.) A person in custody who intentionally escapes from custody  
14 under any of the following circumstances is guilty of a Class ~~D~~ H felony:

15           \*~~0590/P5.307~~\* SECTION 488. 946.42 (4) of the statutes is repealed.

16           \*~~0590/P5.308~~\* SECTION 489. 946.425 (1) of the statutes is amended to read:

17           946.425 (1) Any person who is subject to a series of periods of imprisonment  
18 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as  
19 required under the sentence is guilty of a Class ~~D~~ H felony.

20           \*~~0590/P5.309~~\* SECTION 490. 946.425 (1m) (b) of the statutes is amended to  
21 read:

22           946.425 (1m) (b) Any person who receives a stay of execution of a sentence of  
23 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who  
24 intentionally fails to report to the county jail as required under the sentence is guilty  
25 of a Class ~~D~~ H felony.

1           \***-0590/P5.310\*** SECTION 491. 946.425 (lr) (b) of the statutes is amended to  
2 read:

3           946.425 (**1r**) (b) Any person who is subject to a confinement order under s.  
4 973.09 (4) as the result of a conviction for a felony and who intentionally fails to  
5 report to the county jail or house of correction as required under the order is guilty  
6 of a Class **D H** felony.

7           \***-0590/P5.311\*** SECTION **492.** 946.425 (2) of the statutes is repealed.

8           \***-0590/P5.312\*** SECTION 493. 946.43 (intro.) of the statutes is amended to  
9 read:

10          946.43 Assaults by prisoners. (intro.) Any prisoner confined to a state  
11 prison or other state, county or municipal detention facility who intentionally does  
12 any of the following is guilty of a Class **C F** felony:

13          \***-0590/P5.313\*** SECTION 494. 946.44 (1) (intro.) of the statutes is amended to  
14 read:

15          946.44 (1) (intro.) Whoever does the following is guilty of a Class **D H** felony:

16          \***-0590/P5.314\*** SECTION 495. 946.44 (lg) of the statutes is amended to read:

17          946.44 (lg) Any public officer or public employe who violates sub. (1) (a) or (b)  
18 is guilty of a Class **C F** felony.

19          \***-0590/P5.315\*** SECTION 496. 946.44 (lm) of the statutes is amended to read:

20          946.44 (lm) Whoever intentionally introduces into an institution where  
21 prisoners are detained or transfers to a prisoner any firearm, whether loaded or  
22 unloaded, or any article used or fashioned in a manner to lead another person to  
23 believe it is a firearm, is guilty of a Class **C F** felony.

24          \***-0590/P5.316\*** SECTION 497. 946.47 (1) (intro.) of the statutes is amended to  
25 read:

1           946.47 (1) (intro.) Whoever does either of the following is guilty of a Class ~~E~~ I  
2 felony:

3           \*~~0590/P5.317~~\* SECTION 498. 946.48 (1) of the statutes is amended to read:

4           946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any  
5 written or oral communication with intent to induce a false belief that the sender has  
6 knowledge of the whereabouts, physical condition, or terms imposed upon the return  
7 of a kidnapped or missing person is guilty of a Class ~~D~~ H felony.

8           \*~~0590/P5.318~~\* SECTION 499. 946.49 (1) (b) of the statutes is amended to read:

9           946.49 (1) (b) If the offense with which the person is charged is a felony, guilty  
10 of a Class ~~D~~ H felony.

11          \*~~0590/P5.319~~\* SECTION 500. 946.49 (2) of the statutes is amended to read:

12          946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is  
13 guilty of a Class ~~E~~ I felony for failure to appear as provided.

14          \*~~0590/P5.320~~\* SECTION 501. 946.50 (5d) of the statutes is created to read:

15          946.50 (5d) A Class F felony, if the person was adjudicated delinquent for  
16 committing an act that would be a Class F felony if committed by an adult.

17          \*~~0590/P5.321~~\* SECTION 502. 946.50 (5h) of the statutes is created to read:

18          946.50 (5h) A Class G felony, if the person was adjudicated delinquent for  
19 committing an act that would be a Class G felony if committed by an adult.

20          \*~~0590/P5.322~~\* SECTION 503. 946.50 (5p) of the statutes is created to read:

21          946.50 (~~5p~~) A Class H felony, if the person was adjudicated delinquent for  
22 committing an act that would be a Class H felony if committed by an adult.

23          \*~~0590/P5.323~~\* SECTION 504. 946.50 (5t) of the statutes is created to read:

24          946.50 (5t) A Class I felony, if the person was adjudicated delinquent for  
25 committing an act that would be a Class I felony if committed by an adult.



1           \*~~0590/P5.324~~\* SECTION 505. 946.60 (1) of the statutes is amended to read:

2           946.60 (1) Whoever intentionally destroys, alters, mutilates, conceals,  
3 removes, withholds or transfers possession of a document, knowing that the  
4 document has been subpoenaed by a court or by or at the request of a district attorney  
5 or the attorney general, is guilty of a Class ~~E~~ I felony.

6           \*~~0590/P5.325~~\* SECTION 506. 946.60 (2) of the statutes is amended to read:

7           946.60 (2) Whoever uses force, threat, intimidation or deception, with intent  
8 to cause or induce another person to destroy, alter, mutilate, conceal, remove,  
9 withhold or transfer possession of a subpoenaed document, knowing that the  
10 document has been subpoenaed by a court or by or at the request of a district attorney  
11 or the attorney general, is guilty of a Class ~~E~~ I felony.

12           \*~~0590/P5.326~~\* SECTION 507. 946.61 (1) (intro.) of the statutes is amended to  
13 read:

14           946.61 (1) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
15 felony:

16           \*~~0590/P5.327~~\* SECTION 508. 946.64 of the statutes is amended to read:

17           **946.64 Communicating with jurors.** Whoever, with intent to influence any  
18 person, summoned or serving as a juror, in relation to any matter which is before that  
19 person or which may be brought before that person, communicates with him or her  
20 otherwise than in the regular course of proceedings in the trial or hearing of that  
21 matter is guilty of a Class ~~E~~ I felony.

22           \*~~0590/P5.328~~\* SECTION 509. 946.65 (1) of the statutes is amended to read:

23           946.65 (1) Whoever for a consideration knowingly gives false information to  
24 any officer of any court with intent to influence the officer in the performance of  
25 official functions is guilty of a Class ~~E~~ I felony.

1           **\*-0590/P5.329\*** SECTION 510. 946.68 (lr) (a) of the statutes is amended to  
2 read:

3           946.68 (**1r**) (a) Except as provided in pars. (b) and (c), whoever sends or delivers  
4 to another any document which simulates legal process is guilty of a Class ~~E~~ I felony.

5           **\*-0590/P5.330\*** SECTION 511. 946.68 (1r) (b) of the statutes is amended to read:  
6           946.68 (**1r**) (b) If the document under par. (a) is sent or delivered with intent  
7 to induce payment of a claim, the person is guilty of a Class ~~D~~ H felony.

8           **\*-0590/P5.331\*** SECTION 512. 946.68 (lr) (c) of the statutes is amended to read:  
9           946.68 (**1r**) (c) If the document under par. (a) simulates any criminal process,  
10 the person is guilty of a Class ~~D~~ H felony.

11           **\*-0590/P5.332\*** SECTION 513. 946.69 (2) (intro.) of the statutes is amended to  
12 read:

13           946.69 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I  
14 felony:

15           **\*-0590/P5.333\*** SECTION 514. 946.70 (2) of the statutes is amended to read:  
16           946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet  
17 the commission of a crime other than the crime under this section is guilty of a Class  
18 ~~D~~ H felony.

19           **\*-0590/P5.334\*** SECTION 515. 946.72 (1) of the statutes is amended to read:  
20           946.72 (**1**) Whoever with intent to injure or defraud destroys, damages,  
21 removes or conceals any public record is guilty of a Class ~~D~~ H felony.

22           **\*-0590/P5.335\*** SECTION 516. 946.74 (2) of the statutes is amended to read:  
23           946.74 (2) Whoever violates sub. (1) with intent to commit a crime against  
24 sexual morality with or upon the inmate of the institution is guilty of a Class ~~D~~ H  
25 felony.

1           \***-0590/P5.336\*** SECTION 517. 946.76 of the statutes is amended to read:

2           **946.76 Search warrant; premature disclosure.** Whoever discloses prior  
3 to its execution that a search warrant has been applied for or issued, except so far  
4 as may be necessary to its execution, is guilty of a Class ~~E~~ I felony.

5           \***-0590/P5.337\*** SECTION 518. 946.82 (4) of the statutes is amended to read:

6           946.82 (4) "Racketeering activity" means any activity specified in 18 USC1961  
7 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission  
8 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
9 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,  
10 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
11 940.19 (~~3~~) (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20  
12 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) ~~or (2g)~~, 943.011,  
13 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (~~d~~)  
14 (e), 943.201, 943.23 (lg), (~~1m~~), (~~1r~~), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28,  
15 943.30, 943.32, 943.34 (1) (b), (bm) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and  
16 (c), 943.50 (4) (b), (bm) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32,  
17 944.33 (~~2~~), 944.34, 945.03, 945.04, 945.05, 945.08, 946.10, 946.11, 946.12, 946.13,  
18 946.31, 946.3(1), 946.48 946.49, 946.61, 946.64, 946.65, 946.72 946.76, 947.015,  
19 948.05, 948.08, 948.12 and 948.30.

20           \***-0590/P5.338\*** SECTION 519. 946.84 (1) of the statutes is amended to read:

21           946.84 (1) Any person convicted of engaging in racketeering activity in  
22 violation of s. 946.83 is guilty of a Class ~~C~~ E felony.

23           \***-0590/P5.339\*** SECTION 520. 946.85 (1) of the statutes, as affected by 1997

24           Wisconsin Act 283, is amended to read:

1 946.85 (1) Any person who engages in a continuing criminal enterprise shall  
2 be imprisoned not less than 10 years nor more than 30 years, and fined not more than  
3 \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than the  
4 presumptive minimum sentence, it shall place its reasons for doing so on the record  
5 is guilty of a Class D felony, except that instead of imposing a fine as provided under  
6 s. 939.50 (3) (d) a court may fine the person as provided in s. 946.84 (2).

7 \***-3266/P1.147\*** SECTION 521. 946.85 (1) of the statutes, as affected by 1997  
8 Wisconsin Act 283, is amended to read:

9 946.85 (1) Any person who engages in a continuing criminal enterprise shall  
10 be imprisoned for not less than 10 years nor more than 30 years, and fined not more  
11 than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than  
12 the presumptive minimum sentence, it shall place its reasons for doing so on the  
13 record is guilty of a Class E felony.

14 \***-0590/P5.340\*** SECTION 522. 947.013 (1t) of the statutes is amended to read:

15 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class ~~E~~ I felony if the  
16 person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s.  
17 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation  
18 occurs within 7 years of the prior conviction.

19 \***-0590/P5.341\*** SECTION 523. 947.013 (1v) of the statutes is amended to read:

20 947.013 (1v) Whoever violates sub. (1r) is guilty of a Class ~~D~~ H felony if he or  
21 she intentionally gains access to a record in electronic format that contains  
22 personally identifiable information regarding the victim in order to facilitate the  
23 violation under sub. (1r).

24 \***-0590/P5.342\*** SECTION 524. 947.013 (1x) (intro.) of the statutes is amended  
25 to read:

1           947.013 (lx) (intro.) Whoever violates sub. (1r) under all of the following  
2 circumstances is guilty of a Class ~~D~~ H felony:

3           \***-0590/P5.343\*** SECTION 525. 947.015 of the statutes is amended to read:

4           **947.015 Bomb scares.** Whoever intentionally conveys or causes to be  
5 conveyed any threat or false information, knowing such to be false, concerning an  
6 attempt or alleged attempt being made or to be made to destroy any property by the  
7 means of explosives is guilty of a Class ~~E~~ I felony.

8           \***-0590/P5.344\*** SECTION 526. 948.02 (2) of the statutes is amended to read:

9           948.02 (2) **SECOND DEGREE SEXUAL ASSAULT.** Whoever has sexual contact or  
10 sexual intercourse with a person who has not attained the age of 16 years is guilty  
11 of a Class ~~B~~ C felony.

12           \***-0590/P5.345\*** SECTION 527. 948.02 (3) of the statutes is amended to read:

13           948.02 (3) **FAILURE TO ACT.** A person responsible for the welfare of a child who  
14 has not attained the age of 16 years is guilty of a Class ~~C~~ F felony if that person has  
15 knowledge that another person intends to have, is having or has had sexual  
16 intercourse or sexual contact with the child, is physically and emotionally capable  
17 of taking action which will prevent the intercourse or contact from taking place or  
18 being repeated, fails to take that action and the failure to act exposes the child to an  
19 unreasonable risk that intercourse or contact may occur between the child and the  
20 other person or facilitates the intercourse or contact that does occur between the  
21 child and the other person.

22           \***-0590/P5.346\*** SECTION 528. 948.02 (3m) of the statutes is repealed.

23           \***-0590/P5.347\*** SECTION 529. 948.025 (1) of the statutes is renumbered  
24 948.025 (1) (intro.) and amended to read:

1 948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1)  
2 or (2) within a specified period of time involving the same child is guilty of a:

3 (a) A Class B felony if at least 3 of the violations were violations of s. 948.02 (1).

4 **\*-0590/P5.348\*** SECTION 530. 948.025 (1) (b) of the statutes is created to read:

5 948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations  
6 of s. 948.02 (1).

7 **\*-0590/P5.349\*** SECTION 531. 948.025 (2) of the statutes is renumbered  
8 948.025 (2) (b) and amended to read:

9 948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find  
10 the defendant guilty the members of the jury must unanimously agree that at least  
11 3 violations of s. 948.02 (1) or (2) occurred within the time specified period applicable  
12 under su—(1) of time but need not agree on which acts constitute the requisite  
13 number and need not agree on whether a particular violation was a violation of s.  
14 948.02 (1) or (2).

15 **\*-0590/P5.350\*** SECTION 532. 948.025 (2) (a) of the statutes is created to read:

16 948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find  
17 the defendant guilty the members of the jury must unanimously agree that at least  
18 3 violations of s. 948.02 (1) occurred within the specified period of time but need not  
19 agree on which acts constitute the requisite number.

20 **\*-0590/P5.351\*** SECTION 533. 948.025 (2m) of the statutes is repealed.

21 **\*-0590/P5.352\*** SECTION 534. 948.03 (2) (a) of the statutes is amended to read:

22 948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is  
23 guilty of a Class C E felony.

24 **\*-0590/P5.353\*** SECTION 535. 948.03 (2) (b) of the statutes is amended to read:

1           948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of  
2 a Class ~~D~~ H felony.

3           \*~~0590/P5.354~~\* SECTION 536. 948.03 (2) (c) of the statutes is amended to read:

4           948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct  
5 which creates a high probability of great bodily harm is guilty of a Class ~~C~~ F felony.

6           \*~~0590/P5.355~~\* SECTION 537. 948.03 (3) (a) of the statutes is amended to read:

7           948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty  
8 of a Class ~~D~~ G felony.

9           \*~~0590/P5.356~~\* SECTION 538. 948.03 (3) (b) of the statutes is amended to read:

10          948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a  
11 Class ~~E~~ I felony.

12          \*~~0590/P5.357~~\* SECTION 539. 948.03 (3) (c) of the statutes is amended to read:

13          948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct  
14 which creates a high probability of great bodily harm is guilty of a Class ~~D~~ H felony.

15          \*~~0590/P5.358~~\* SECTION 540. 948.03 (4) (a) of the statutes is amended to read:

16          948.03 (4) (a) A person responsible for the child's welfare is guilty of a Class  
17 ~~C~~ F felony if that person has knowledge that another person intends to cause, is  
18 causing or has intentionally or recklessly caused great bodily harm to the child and  
19 is physically and emotionally capable of taking action which will prevent the bodily  
20 harm from occurring or being repeated, fails to take that action and the failure to act  
21 exposes the child to an unreasonable risk of great bodily harm by the other person  
22 or facilitates the great bodily harm to the child that is caused by the other person.

23          \*~~0590/P5.359~~\* SECTION 541. 948.03 (4) (b) of the statutes is amended to read:

24          948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class  
25 ~~D~~ H felony if that person has knowledge that another person intends to cause, is

1 causing or has intentionally or recklessly caused bodily harm to the child and is  
2 physically and emotionally capable of taking action which will prevent the bodily  
3 harm from occurring or being repeated, fails to take that action and the failure to act  
4 exposes the child to an unreasonable risk of bodily harm by the other person or  
5 facilitates the bodily harm to the child that is caused by the other person.

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6 **\*-0590/P5.360\*** SECTION 542. 948.04 (1) of the statutes is amended to read:

7 948.04 (1) Whoever is exercising temporary or permanent control of a child and  
8 causes mental harm to that child by conduct which demonstrates substantial  
9 disregard for the mental well-being of the child is guilty of a Class C F felony.

10 **\*-0590/P5.361\*** SECTION 543. 948.04 (2) of the statutes is amended to read:

11 948.04 (2) A person responsible for the child's welfare is guilty of a Class C F  
12 felony if that person has knowledge that another person has caused, is causing or will  
13 cause mental harm to that child, is physically and emotionally capable of taking  
14 action which will prevent the harm, fails to take that action and the failure to act  
15 exposes the child to an unreasonable risk of mental harm by the other person or  
16 facilitates the mental harm to the child that is caused by the other person.

17 **\*-0590/P5.362\*** SECTION 544. 948.05 (1) (intro.) of the statutes is amended to  
18 read:

19 948.05 (1) (intro.) Whoever does any of the following with knowledge of the  
20 character and content of the sexually explicit conduct involving the child is guilty of  
21 a Class C F felony:

22 **\*-0590/P5.363\*** SECTION 545. 948.05 (1m) of the statutes, as affected by 1999  
23 Wisconsin Act 3, is amended to read:

24 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports  
25 into the state, reproduces, advertises, sells, distributes or possesses with intent to



1 sell or distribute, any undeveloped film, photographic negative, photograph, motion  
2 picture, videotape, sound recording or other reproduction of a child engaging in  
3 sexually explicit conduct is guilty of a Class C F felony if the person knows the  
4 character and content of the sexually explicit conduct involving the child and if the  
5 person knows or reasonably should know that the child engaging in the sexually  
6 explicit conduct has not attained the age of 18 years.

7 **\*-0590/P5.364\* SECTION 546.** 948.05 (2) of the statutes, as affected by 1999  
8 Wisconsin Act 3, is amended to read:

9 948.05 (2) A person responsible for a child's welfare who knowingly permits,  
10 allows or encourages the child to engage in sexually explicit conduct for a purpose  
11 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class C F felony.

12 **\*-0590/P5.365\* SECTION 547.** 948.055 (2) (a) of the statutes is amended to  
13 read:

14 948.055 (2) (a) A Class C F felony if the child has not attained the age of 13  
15 years.

16 **\*-0590/P5.366\* SECTION 548.** 948.055 (2) (b) of the statutes is amended to  
17 read:

18 948.055 (2) (b) A Class D H felony if the child has attained the age of 13 years  
19 but has not attained the age of 18 years.

20 **\*-0590/P5.367\* SECTION 549.** 948.06 (intro.) of the statutes is amended to  
21 read:

22 **948.06 Incest with a child.** (intro.) Whoever does any of the following is  
23 guilty of a Class BC C felony:

24 **\*-0590/P5.368\* SECTION 550.** 948.07 (intro.) of the statutes is amended to  
25 read:

1           **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the  
2 following acts, causes or attempts to cause any child who has not attained the age  
3 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class  
4 ~~BC~~ D felony:

5           \*~~0590/P5.369~~\* SECTION 551. 948.08 of the statutes is amended to read:

6           **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits  
7 or causes any child to practice prostitution or establishes any child in a place of  
8 prostitution is guilty of a Class ~~BC~~ D felony.

9           \*~~0590/P5.370~~\* SECTION 552. 948.095 (2) (intro.) of the statutes is amended  
10 to read:

11           948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a  
12 child who has attained the age of 16 years and who is not the defendant's spouse is  
13 guilty of a Class ~~D~~ H felony if all of the following apply:

14           \*~~0590/P5.371~~\* SECTION 553. 948.11 (2) (a) of the statutes is amended to read:

15           948.11 (2) (a) Whoever, with knowledge of the nature of the material, sells,  
16 rents, exhibits, transfers or loans to a child any harmful material, with or without  
17 monetary consideration, is guilty of a Class ~~E~~ I felony.

18           \*~~0590/P5.372~~\* SECTION 554. 948.11 (2) (am) of the statutes is amended to  
19 read:

20           948.11 (2) (am) Any person who has attained the age of 17 and who, with  
21 knowledge of the nature of the description or narrative account, verbally  
22 communicates, by any means, a harmful description or narrative account to a child,  
23 with or without monetary consideration, is guilty of a Class ~~E~~ I felony.

24           \*~~0590/P5.373~~\* SECTION 555. 948.12 (intro.) of the statutes is amended to  
25 read:

1           **948.12 Possession of child pornography.** (intro.) Whoever possesses any  
2 undeveloped film, photographic negative, photograph, motion picture, videotape or  
3 other pictorial reproduction or audio recording of a child engaged in sexually explicit  
4 conduct under all of the following circumstances is guilty of a Class ~~E~~ I felony:

5           \***-0590/P5.374\*** SECTION 556. 948.13 (2) of the statutes is amended to read:

6           **948.13** (2) Whoever has been convicted of a serious child sex offense and  
7 subsequently engages in an occupation or participates in a volunteer position that  
8 requires him or her to work or interact primarily and directly with children under  
9 16 years of age is guilty of a Class ~~C~~ F felony. This subsection does not apply to a  
10 person who is exempt under a court order issued under sub. (2m).

11           \***-0590/P5.375\*** SECTION 557. 948.20 of the statutes is amended to read:

12           **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,  
13 leaves any child in a place where the child may suffer because of neglect is guilty of  
14 a Class ~~D~~ G felony.

15           \***-0590/P5.376\*** SECTION 558. 948.21 (1) of the statutes is amended to read:

16           **948.21 (1)** Any person who is responsible for a child's welfare who, through his  
17 or her actions or failure to take action, intentionally contributes to the neglect of the  
18 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class ~~C~~ D  
19 felony.

20           \***-0590/P5.377\*** SECTION 559. 948.22 (2) of the statutes is amended to read:

21           **948.22 (2)** Any person who intentionally fails for 120 or more consecutive days  
22 to provide spousal, grandchild or child support which the person knows or reasonably  
23 should know the person is legally obligated to provide is guilty of a Class ~~E~~ I felony.  
24 A prosecutor may charge a person with multiple counts for a violation under this

1 subsection if each count covers a period of at least 120 consecutive days and there is  
2 no overlap between periods.

3 **\*-0590/P5.378\*** SECTION 560. 948.23 of the statutes is amended to read:

4 **948.23 Concealing death of child.** Any person who conceals the corpse of  
5 any issue of a woman's body with intent to prevent a determination of whether it was  
6 born dead or alive is guilty of a Class ~~E~~ I felony.

7 **\*-0590/P5.379\*** SECTION 561. 948.24 (1) (intro.) of the statutes is amended to  
8 read:

9 948.24 **(1)** (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
10 felony:

11 **\*-0590/P5.380\*** SECTION 562. 948.30 (1) (intro.) of the statutes is amended to  
12 read:

13 948.30 **(1)** (intro.) Any person who, for any unlawful purpose, does any of the  
14 following is guilty of a Class ~~C~~ E felony:

15 **\*-0590/P5.381\*** SECTION 563. 948.30 (2) (intro.) of the statutes is amended to  
16 read:

17 948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the  
18 following is guilty of a Class ~~B~~ C felony:

19 **\*-0590/P5.382\*** SECTION 564. 948.31 (1) (b) of the statutes is amended to read:

20 948.31 **(1)** (b) Except as provided under chs. 48 and 938, whoever intentionally  
21 causes a child to leave, takes a child away or withholds a child for more than 12 hours  
22 beyond the court-approved period of physical placement or visitation period from a  
23 legal custodian with intent to deprive the custodian of his or her custody rights  
24 without the consent of the custodian is guilty of a Class ~~C~~ F felony. This paragraph  
25 is not applicable if the court has entered an order authorizing the person to so take

1 or withhold the child. The fact that joint legal custody has been awarded to both  
2 parents by a court does not preclude a court from finding that one parent has  
3 committed a violation of this paragraph.

4 **\*-0590/P5.383\* SECTION 565.** 948.31 (2) of the statutes is amended to read:  
5 948.31 (2) Whoever causes a child to leave, takes a child away or withholds a  
6 child for more than 12 hours from the child's parents or, in the case of a nonmarital  
7 child whose parents do not subsequently intermarry under s. 767.60, from the child's  
8 mother or, if he has been granted legal custody, the child's father, without the consent  
9 of the parents, the mother or the father with legal custody, is guilty of a Class ~~E~~ I  
10 felony. This subsection is not applicable if legal custody has been granted by court  
11 order to the person taking or withholding the child.

12 **\*-0590/P5.384\* SECTION 566.** 948.31 (3) (intro.) of the statutes is amended to  
13 read:

14 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from  
15 the parent, who does any of the following is guilty of a Class ~~C~~ F felony:

16 **\*-0590/P5.385\* SECTION 567.** 948.35 of the statutes is repealed.

→ ~~\*\*\*\*NOTE: The offense of soliciting a child to commit a felony is repealed because it is duplicative of the statute imposing criminal liability for being party to a crime (s. 939.05, stats.)~~

17 **\*-0590/P5.386\* SECTION 568.** 948.36 of the statutes is repealed.

→ ~~\*\*\*\*NOTE: The offense of using a child to commit Class A a felony is repealed because it is duplicative of the statute imposing criminal liability for being party to a crime (s. 939.05, stats.) and because it has never been prosecuted.~~

18 **\*-0590/P5.387\* SECTION 569.** 948.40 (4) (a) of the statutes is amended to read:  
19 948.40 (4) (a) If death is a consequence, the person is guilty of a Class ~~C~~ D  
20 felony; or

21 **\*-0590/P5.388\* SECTION 570.** 948.40 (4) (b) of the statutes is amended to read:

1           948.40 (4) (b) If the child's act which is encouraged or contributed to is a  
2 violation of a state or federal criminal law which is punishable as a felony, the person  
3 is guilty of a Class ~~D~~ H felony.

4           \*~~0590/P5.389~~\* SECTION 571. 948.51 (3) (b) of the statutes is amended to read:

5           948.51 (3) (b) A Class ~~E~~ H felony if the act results in great bodily harm ~~or death~~  
6 to another.

7           \*~~0590/P5.390~~\* SECTION 572. 948.51 (3) (c) of the statutes is created to read:

8           948.51 (3) (c) A Class G felony if the act results in the death of another.

9           \*~~0590/P5.391~~\* SECTION 573. 948.60 (2) (b) of the statutes is amended to read:

10           948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,  
11 loans or gives a dangerous weapon to a person under 18 years of age is guilty of a  
12 Class ~~E~~ I felony.

13           \*~~0590/P5.392~~\* SECTION 574. 948.60 (2) (c) of the statutes is amended to read:

14           948.60 (2) (c) Whoever violates par. (b) is guilty of a Class ~~D~~ H felony if the  
15 person under 18 years of age under par. (b) discharges the firearm and the discharge  
16 causes death to himself, herself or another.

17           \*~~0590/P5.393~~\* SECTION 575. 948.605 (2) (a) of the statutes is amended to  
18 read:

19           948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
20 that the individual knows, or has reasonable cause to believe, is a school zone is  
21 guilty of a Class ~~A misdemeanor~~ I felony.

22           \*~~0590/P5.394~~\* SECTION 576. 948.605 (3) (a) of the statutes is amended to  
23 read:

1           948.605 (3) (a) Any individual who knowingly, or with reckless disregard for  
2 the safety of another, discharges or attempts to discharge a firearm at a place the  
3 individual knows is a school zone is guilty of a Class ~~D~~ G felony.

4           \***-0590/P5.395**\* SECTION 577. 948.605 (4) of the statutes is repealed.

5           \***-0590/P5.396**\* SECTION 578. 948.61 (2) (b) of the statutes is amended to read:

6           948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or  
7 subsequent violation of this section within a 5-year period, as measured from the  
8 dates the violations occurred.

9           \***-0590/P5.397**\* SECTION 579. 948.62 (1) (a) of the statutes is amended to read:

10          948.62 (1) (a) A Class ~~E~~ felony A misdemeanor, if the value of the property does  
11 not exceed \$500.

12          \***-0590/P5.398**\* SECTION 580. 948.62 (1) (b) of the statutes is amended to read:

13          948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but  
14 does not exceed ~~\$2,500~~ \$2,000.

15          \***-0590/P5.399**\* SECTION 581. 948.62 (1) (bm) of the statutes is created to read:

16          948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,000 but  
17 does not exceed \$5,000.

18          \***-0590/P5.400**\* SECTION 582. 948.62 (1) (c) of the statutes is amended to read:

19          948.62 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds ~~\$2,500~~  
20 \$5,000.

21          \***-0590/P5.401**\* SECTION 583. 949.03 (1) (b) of the statutes is amended to read:

22          949.03 (1) (b) The commission or the attempt to commit any crime specified in  
23 s. 346.62(4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
24 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
25 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,

1 943.04, 943.10, 943.20, 943.23 ~~(1g), (1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,  
2 948.04, 948.07, 948.095, 948.20, 948.30 or 48.51.

3 **\*-3370/P2.6\*** SECTION 584. 950.04 (1v)(g) of the statutes is amended to read:  
4 950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
5 hearings or court proceedings, as provided under ss. ~~302.113(9g)(g)2., 302.114(6),~~  
6 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

7 **\*-3370/P2.7\*** SECTION 585. 950.04 (1v)(nt) of the statutes is created to read:  
8 950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
9 bifurcated sentence and provide a statement concerning modification of the  
10 bifurcated sentence, as provided under s. 302.113 (9g) (d).

11 **\*-0590/P5.402\*** SECTION 586. 951.18 (1) of the statutes, as affected by 1997  
12 Wisconsin Act 192, is amended to read:

13 951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,  
14 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a  
15 Class C forfeiture. Any person who violates any of these provisions within 3 years  
16 after a humane officer issues an abatement order under s. 173.11 prohibiting the  
17 violation of that provision is subject to a Class A forfeiture. Any person who  
18 intentionally or negligently violates any of those sections is guilty of a Class A  
19 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the  
20 mutilation, disfigurement or death of an animal, is guilty of a Class ~~E~~ I felony. Any  
21 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that  
22 is the victim is used by a law enforcement agency to perform agency functions or  
23 duties and causing injury to the animal, is guilty of a Class ~~E~~ I felony.

24 **\*-0590/P5.403\*** SECTION 587. 951.18 (2) of the statutes is amended to read:



1           951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A  
2 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class ~~E~~ I  
3 felony for the first violation and is guilty of a Class ~~D~~ H felony for the 2nd or  
4 subsequent violation.

5           \*~~-0590/P5.404~~\* SECTION 588. 951.18 (2m) of the statutes is amended to read:

6           951.18 (2m) Any person who violates s. 951.095 is subject to a Class B  
7 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing  
8 that the animal that is the victim is used by a law enforcement agency or fire  
9 department to perform agency or department functions or duties, is guilty of a Class  
10 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the  
11 animal that is the victim is used by a law enforcement agency or fire department to  
12 perform agency or department functions or duties and causing injury to the animal,  
13 is guilty of a Class ~~E~~ I felony. Any person who intentionally violates s. 951.095,  
14 knowing that the animal that is the victim is used by a law enforcement agency or  
15 fire department to perform agency or department functions or duties and causing  
16 death to the animal, is guilty of a Class ~~D~~ H felony.

17           \*~~-3265/P1.7~~\* SECTION 589. 961.41 (1) (intro.) of the statutes is amended to  
18 read:

19           961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY (intro.) Except as  
20 authorized by this chapter, it is unlawful for any person to manufacture, distribute  
21 or deliver a controlled substance or controlled substance analog. Any person who  
22 violates this subsection ~~with respect to~~ is subject to the following penalties:

23           \*~~-3265/P1.8~~\* SECTION 590. 961.41 (1) (a) of the statutes, as affected by 1997  
24 Wisconsin Act 283, is amended to read:

1           961.41 (1) ~~(a) **Schedule I and II narcotic drug generally.**~~ Except as provided  
2 in par. (d), if a person violates this subsection with respect to a controlled substance  
3 included in schedule I or II which is a narcotic drug, or a controlled substance analog  
4 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~  
5 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~  
6 ~~months or both~~ the person is guilty of a Class E felony.

7           \***-3265/P1.9\*** SECTION 591. 961.41 (1) (b) of the statutes, as affected by 1997  
8 Wisconsin Act 283, is amended to read:

9           961.41 (1) (b) ~~**Schedule I, II and III nonnarcotic drug generally.**~~ Except as  
10 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect  
11 to any other controlled substance included in schedule I, II or III, or a controlled  
12 substance analog of any other controlled substance included in schedule I or II, may  
13 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
14 or both the person is guilty of a Class H felony.

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

15           \***-3265/P1.10\*** SECTION 592. 961.41 (1) (cm) (intro.) of the statutes is amended  
16 to read:

17           961.41 (1) (cm) ~~**Cocaine and cocaine base.**~~ (intro.) ~~Cocaine~~ If the person violates  
18 this subsection with respect to cocaine or cocaine base, or a controlled substance  
19 analog of cocaine or cocaine base, ~~is subject to the following penalties if and~~ the  
20 amount manufactured, distributed or delivered is:

21           \***-3265/P1.11\*** SECTION 593. 961.41 (1) (cm) 1. of the statutes, as affected by  
22 1997 Wisconsin Act 283, is renumbered 961.41 (1) (cm) 1r. and amended to read:

1            961.41 (1) (cm) lr. ~~Five grams or less~~ More than one gram but not more than  
2 5 grams, the person shall be ~~fined not more than \$500,000 and may be imprisoned~~  
3 ~~for not more than 15 years~~ is euiltv of a Class F felony.

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

4            **\*-3265/P1.12\*** SECTION 594. 961.41 (1) (cm) lg. of the statutes is created to  
5 read:

6            961.41 (1) (cm) lg. One gram or less, the person is guilty of a Class G felony.

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

7            **\*-3265/P1.13\*** SECTION 595. 961.41 (1) (cm) 2. of the statutes, as affected by  
8 1997 Wisconsin Act 283, is amended to read:

9            961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person  
10 shall be ~~fined not more than \$500,000 and shall be imprisoned for not less than one~~  
11 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

12            **\*-3265/P1.14\*** SECTION 596. 961.41 (1) (cm) 3. of the statutes, as affected by  
13 1997 Wisconsin Act 283, is amended to read:

14            961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person  
15 shall be ~~fined not more than \$500,000 and shall be imprisoned for not less than 3~~  
16 ~~years nor more than 40 years~~ is guilty of a Class D felony.

17            **\*-3265/P1.15\*** SECTION 597. 961.41 (1) (cm) 4. of the statutes, as affected by  
18 1997 Wisconsin Act 283, is amended to read:

19            961.41 (1) (cm) 4. More than 40 grams but ~~not more than 100 grams~~, the person  
20 shall be ~~fined not more than \$500,000 and shall be imprisoned for not less than 5~~  
21 ~~years nor more than 45 years~~ is euiltv of a Class C felony.