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1 **SECTION 504.** 946.31 (1) (intro.) of the statutes is amended to read:

2 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false
3 material statement which the person does not believe to be true, in any matter, cause,
4 action or proceeding, before any of the following, whether **legally** constituted or
5 exercising powers as if legally constituted, is guilty of a Class **D H** felony:

6 **SECTION 505.** 946.32 (1) (intro.) of the statutes is amended to read:

7 946.32 (1) (intro.) Whoever does either of the following is guilty of a Class **D**
8 **H** felony:

9 **SECTION 506.** 946.41 (2m) (intro.) of the statutes is amended to read:

10 946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following
11 circumstances is guilty of a Class **D H** felony:

12 **SECTION 507.** 946.415 (2) (intro.) of the statutes is amended to read:

13 946.415 (2) (intro.) Whoever intentionally does all of the following is guilty of
14 a Class **E I** felony:

15 **SECTION 508.** 946.42 (3) (intro.) of the statutes is amended to read:

16 946.42 (3) (intro.) A person in custody who intentionally escapes from custody
17 under any of the following circumstances is guilty of a Class **D H** felony:

18 **SECTION 509.** 946.42 (4) of the statutes is repealed.

19 **SECTION 510.** 946.425 (1) of the statutes is amended to read:

20 946.425 **(1)** Any person who is subject to a series of periods of imprisonment
21 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as
22 required under the sentence is guilty of a Class **D H** felony.

23 **SECTION 511.** **946.425** (1m) (b) of the statutes is amended to read:

24 **946.425 (1m)** (b) Any person who receives a stay of execution of a sentence of
25 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who

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1 intentionally fails to report to the county jail as required under the sentence is guilty
2 of a Class **D H** felony.

3 **SECTION 512.** 946.425 (lr) (b) of the statutes is amended to read:

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

8 **SECTION 513.** 946.425 (2) of the statutes is repealed.

9 **SECTION 514.** 946.43 (intro.) of the statutes is amended to 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 **SECTION 515.** 946.44 (1) (intro.) of the statutes is amended to read:

14 946.44 (**1**) (intro.) Whoever does the following is guilty of a Class **D H** felony:

15 **SECTION 516.** 946.44 (lg) of the statutes is amended to read:

16 946.44 (**lg**) Any public officer or public employe who violates sub. (1) (a) or (b)
17 is guilty of a Class **C F** felony.

18 **SECTION 517.** 946.44 (lm) of the statutes is amended to read:

19 946.44 (**lm**) Whoever intentionally introduces into an institution where
20 prisoners are detained or transfers to a prisoner any firearm, whether loaded or
21 unloaded, or any article used or fashioned in a manner to lead another person to
22 believe it is a firearm, is guilty of a Class **C F** felony.

23 **SECTION 518.** 946.47 (1) (intro.) of the statutes is amended to read:

24 946.47 (**1**) (intro.) Whoever does either of the following is guilty of a Class **E I**
25 felony:

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1 **SECTION 519.** 946.48 (1) of the statutes is amended to read:

2 946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any
3 written or oral communication with intent to induce a false belief that the sender has
4 knowledge of the whereabouts, physical condition, or terms imposed upon the return
5 of a kidnapped or missing person is guilty of a Class ~~D~~ H felony.

6 **SECTION 520.** 946.49 (1) (b) of the statutes is amended to read:

7 946.49 (1) (b) If the offense with which the person is charged is a felony, guilty
8 of a Class ~~D~~ H felony.

9 **SECTION 521.** 946.49 (2) of the statutes is amended to read:

10 946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is
11 guilty of a Class ~~E~~ I felony for failure to appear as provided.

12 **SECTION 522.** 946.50 (5d) of the statutes is created to read:

13 946.50 (5d) A Class F felony, if the person was adjudicated delinquent for
14 committing an act that would be a Class F felony if committed by an adult.

15 **SECTION 523.** 946.50 (5h) of the statutes is created to read:

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

18 **SECTION 524.** 946.50 (5p) of the statutes is created to read:

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

21 **SECTION 525.** 946.50 (5t) of the statutes is created to read:

22 946.50 (5t) A Class I felony, if the person was adjudicated delinquent for
23 committing an act that would be a Class I felony if committed by an adult.

24 **SECTION 526.** 946.60 (1) of the statutes is amended to read:

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

5 **SECTION 527.** 946.60 (2) of the statutes is amended to read:

6 946.60 (2) Whoever uses force, threat, intimidation or deception, with intent
7 to cause or induce another person to destroy, alter, mutilate, conceal, remove,
8 withhold or transfer possession of a subpoenaed document, knowing that the
9 document has been subpoenaed by a court or by or at the request of a district attorney
10 or the attorney general, is guilty of a Class **E I** felony.

11 **SECTION 528.** 946.61 (1) (intro.) of the statutes is amended to read:

12 946.61 **(1)** (intro.) Whoever does any of the following is guilty of a Class **D H**
13 felony:

14 **SECTION 529.** 946.64 of the statutes is amended to read:

15 **946.64 Communicating with jurors.** Whoever, with intent to influence any
16 person, summoned or serving as a juror, in relation to any matter which is before that
17 person or which may be brought before that person, communicates with him or her
18 otherwise than in the regular course of proceedings in the trial or hearing of that
19 matter is guilty of a Class **E I** felony.

20 **SECTION 530.** 946.65 (1) of the statutes is amended to read:

21 946.65 **(1)** Whoever for a consideration knowingly gives false information to
22 any officer of any court with intent to influence the officer in the performance of
23 official functions is guilty of a Class **E I** felony

24 **SECTION 531.** 946.68 (1r) (a) of the statutes is amended to read:

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

3 **SECTION 532.** 946.68 (1r) (b) of the statutes is amended to read:

4 946.68 (1r) (b) If the document under par. (a) is sent or delivered with intent
5 to induce payment of a claim, the person is guilty of a Class ~~D~~ H felony.

6 **SECTION 533.** 946.68 (1r) (c) of the statutes is amended to read:

7 946.68 (1r) (c) If the document under par. (a) simulates any criminal process,
8 the person is guilty of a Class ~~D~~ H felony.

9 **SECTION 534.** 946.69 (2) (intro.) of the statutes is amended to read:

10 946.69 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I
11 felony:

12 **SECTION 535.** 946.70 (2) of the statutes is amended to read:

13 946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet
14 the commission of a crime other than the crime under this section is guilty of a Class
15 ~~D~~ H felony.

16 **SECTION 536.** 946.72 (1) of the statutes is amended to read:

17 946.72 (1) Whoever with intent to injure or defraud destroys, damages,
18 removes or conceals any public record is guilty of a Class ~~D~~ H felony.

19 **SECTION 537.** 946.74 (2) of the statutes is amended to read:

20 946.74 (2) Whoever violates sub. (1) with intent to commit a crime against
21 sexual morality with or upon the inmate of the institution is guilty of a Class ~~D~~ H
22 felony.

23 **SECTION 538.** 946.76 of the statutes is amended to read:

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1 **946.76 Search warrant; premature disclosure.** Whoever discloses prior
2 to its execution that a search warrant has been applied for or issued, except so far
3 as may be necessary to its execution, is guilty of a Class ~~E~~ I felony.

4 **SECTION 539.** 946.82 (4) of the statutes is amended to read:

5 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961
6 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission
7 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
8 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,
9 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,
10 940.19 ~~(3)~~ (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20
11 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) ~~or (2g)~~, 943.011,
12 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to ~~(d)~~
13 (e), 943.201, 943.23 (lg), ~~(1m)~~, ~~(1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27, 943.28,
14 943.30, 943.32, 943.34 (1) (b), (bm) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and
15 (c), 943.50 (4) (b), (bm) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32,
16 944.33 (2), 944.34, 945.03, 945.04, 945.05, 945.08, 946.10, 946.11, 946.12, 946.13,
17 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015,
18 948.05, 948.08, 948.12 and 948.30.

19 **SECTION 540.** 946.84 (1) of the statutes is amended to read:

20 946.84 **(1)** Any person convicted of engaging in racketeering activity in
21 violation of s. 946.83 is guilty of a Class ~~C~~ E felony.

22 **SECTION 541.** 946.85 (1) of the statutes, as affected by 1997 Wisconsin Act 283,
23 is amended to read:

24 946.85 **(1)** Any person who engages in a continuing criminal enterprise ~~shall~~
25 ~~be imprisoned for not less than *10* years nor more than 30 years, and fined not more~~

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1 ~~than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than~~
2 ~~the presumptive minimum sentence, it shall place its reasons for doing so on the~~
3 ~~record is guilty of a Class E felony.~~

4 SECTION 542. 947.013 (1t) of the statutes is amended to read:

5 947.013 (It) Whoever violates sub. (lr) is guilty of a Class ~~E~~ I felony if the
6 person has a prior conviction under this subsection or sub. (1r), (1v) or (lx) or s.
7 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation
8 occurs within 7 years of the prior conviction.

9 SECTION 543. 947.013 (1v) of the statutes is amended to read:

10 947.013 (1v) Whoever violates sub. (lr) is guilty of a Class ~~D~~ H felony if he or
11 she intentionally gains access to a record in electronic format that contains
12 personally identifiable information regarding the victim in order to facilitate the
13 violation under sub. (lr).

14 SECTION 544. 947.013 (lx) (intro.) of the statutes is amended to read:

15 947.013 (lx) (intro.) Whoever violates sub. (lr) under all of the following
16 circumstances is guilty of a Class ~~D~~ H felony:

17 SECTION 545. 947.015 of the statutes is amended to read:

18 947.015 Bomb scares. Whoever intentionally conveys or causes to be
19 conveyed any threat or false information, knowing such to be false, concerning an
20 attempt or alleged attempt being made or to be made to destroy any property by the
21 means of explosives is guilty of a Class ~~E~~ I felony.

22 SECTION 546. 948.02 (2) of the statutes is amended to read:

23 948.02 (2) ~~SECOND DEGREE SEXUAL ASSAULT.~~ Whoever has sexual contact or
24 sexual intercourse with a person who has not attained the age of 16 years is guilty
25 of a Class ~~BC~~ C felony.

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1 **SECTION 547.** 948.02 (3) of the statutes is amended to read:

2 948.02 (3) **FAILURE TO ACT.** A person responsible for the welfare of a child who
3 has not attained the age of 16 years is guilty of a Class **C** ~~F~~ felony if that person has
4 knowledge that another person intends to have, is having or has had sexual
5 intercourse or sexual contact with the child, is physically and emotionally capable
6 of taking action which will prevent the intercourse or contact from taking place or
7 being repeated, fails to take that action and the failure to act exposes the child to an
8 unreasonable risk that intercourse or contact may occur between the child and the
9 other person or facilitates the intercourse or contact that does occur between the
10 child and the other person.

11 **SECTION 548.** 948.02 (3m) of the statutes is repealed.

12 **SECTION 549.** 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and
13 amended to read:

14 948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1)
15 or (2) within a specified period of time involving the same child is guilty of ~~a~~:

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

17 **SECTION 550.** 948.025 (1) (b) of the statutes is created to read:

18 948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations
19 of s. 948.02 (1).

20 **SECTION 551.** 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and
21 amended to read:

22 948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find
23 the defendant guilty the members of the jury must unanimously agree that at least
24 3 violations of s. 948.02 (1) or (2) occurred within the ~~time specified~~ period ~~applicable~~
25 ~~under sub. (1) of time~~ but need not agree on which acts constitute the requisite

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1 number and need not agree on whether a particular violation was a violation of s.
2 948.02 (1) or (2).

3 **SECTION 552.** 948.025 (2) (a) of the statutes is created to read:

4 948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find
5 the defendant guilty the members of the jury must unanimously agree that at least
6 3 violations of s. 948.02 (1) occurred within the specified period of time but need not
7 agree on which acts constitute the requisite number.

8 **SECTION 553.** 948.025 (2m) of the statutes is repealed.

9 **SECTION 554.** 948.03 (2) (a) of the statutes is amended to read:

10 948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is
11 guilty of a Class ~~C~~ E felony.

12 **SECTION 555.** 948.03 (2) (b) of the statutes is amended to read:

13 948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of
14 a Class ~~D~~ H felony.

15 **SECTION 556.** 948.03 (2) (c) of the statutes is amended to read:

16 948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct
17 which creates a high probability of great bodily harm is guilty of a Class ~~C~~ F felony.

18 **SECTION 557.** 948.03 (3) (a) of the statutes is amended to read:

19 948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty
20 of a Class ~~D~~ G felony.

21 **SECTION 558.** 948.03 (3) (b) of the statutes is amended to read:

22 948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a
23 Class ~~E~~ I felony.

24 **SECTION 559.** 948.03 (3) (c) of the statutes is amended to read:

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1 948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct
2 which creates a high probability of great bodily harm is guilty of a Class ~~D~~ H felony.

3 **SECTION 560.** 948.03 (4) (a) of the statutes is amended to read:

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

11 **SECTION 561.** 948.03 (4) (b) of the statutes is amended to read:

12 948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class
13 ~~D~~ H felony if that person has knowledge that another person intends to cause, is
14 causing or has intentionally or recklessly caused bodily harm to the child and is
15 physically and emotionally capable of taking action which will prevent the bodily
16 harm from occurring or being repeated, fails to take that action and the failure to act
17 exposes the child to an unreasonable risk of bodily harm by the other person or
18 facilitates the bodily harm to the child that is caused by the other person.

19 **SECTION 562.** 948.03 (5) of the statutes is repealed.

20 **SECTION 563.** 948.04 (1) of the statutes is amended to read:

21 948.04 (1) Whoever is exercising temporary or permanent control of a child and
22 causes mental harm to that child by conduct which demonstrates substantial
23 disregard for the mental well-being of the child is guilty of a Class ~~C~~ F felony.

24 **SECTION 564.** 948.04 (2) of the statutes is amended to read:

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1 948.04 (2) A person responsible for the child's welfare is guilty of a Class **C** **F**
2 felony if that person has knowledge that another person has caused, is causing or will
3 cause mental harm to that child, is physically and emotionally capable of taking
4 action which will prevent the harm, fails to take that action and the failure to act
5 exposes the child to an unreasonable risk of mental harm by the other person or
6 facilitates the mental harm to the child that is caused by the other person.

7 **SECTION 565.** 948.05 (1) (intro.) of the statutes is amended to read:

8 948.05 (1) (intro.)> Whoever does any of the following with knowledge of the
9 character and content of the sexually explicit conduct involving the child is guilty of
10 a Class **C** **F** felony:

11 **SECTION 566.** 948.05 (1m) of the statutes, as affected by 1999 Wisconsin Act 3,
12 is amended to read:

13 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports
14 into the state, reproduces, advertises, sells, distributes or possesses with intent to
15 sell or distribute, any undeveloped film, photographic negative, photograph, motion
16 picture, videotape, sound recording or other reproduction of a child engaging in
17 sexually explicit conduct is guilty of a Class **C** **F** felony if the person knows the
18 character and content of the sexually explicit conduct involving the child and if the
19 person knows or reasonably should know that the child engaging in the sexually
20 explicit conduct has not attained the age of 18 years.

21 **SECTION 567.** 948.05 (2) of the statutes, as affected by 1999 Wisconsin Act 3,
22 is amended to read:

23 948.05 (2) A person responsible for a child's welfare who knowingly permits,
24 allows or encourages the child to engage in sexually explicit conduct for a purpose
25 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class **C** **F** felony.

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1 **SECTION 568.** 948.055 (2) (a) of the statutes is amended to read:

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

4 **SECTION 569.** 948.055 (2) (b) of the statutes is amended to read:

5 948.055 (2) (b) A Class ~~D~~ H felony if the child has attained the age of 13 years
6 but has not attained the age of 18 years.

7 **SECTION 570.** 948.06 (intro.) of the statutes is amended to read:

8 **948.06 Incest with a child.** (intro.) Whoever does any of the following is
9 guilty of a Class ~~BC~~ C felony:

10 **SECTION 571.** 948.07 (intro.) of the statutes is amended to read:

11 **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the
12 following acts, causes or attempts to cause any child who has not attained the age
13 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class
14 ~~BC~~ D felony:

15 **SECTION 572.** 948.08 of the statutes is amended to read:

16 **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits
17 or causes any child to practice prostitution or establishes any child in a place of
18 prostitution is guilty of a Class ~~BC~~ D felony.

19 **SECTION 573.** 948.095 (2) (intro.) of the statutes is amended to read:

20 948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a
21 child who has attained the age of 16 years and who is not the defendant's spouse is
22 guilty of a Class ~~D~~ H felony if all of the following apply:

23 **SECTION 574.** 948.11 (2) (a) of the statutes is amended to read:

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1 948.11 (2) (a) Whoever, with knowledge of the nature of the material, sells,
2 rents, exhibits, transfers or loans to a child any harmful material, with or without
3 monetary consideration, is guilty of a Class ~~E~~ I felony.

4 **SECTION 575.** 948.11 (2) (am) of the statutes is amended to read:

5 948.11 (2) (am) Any person who has attained the age of 17 and who, with
6 knowledge of the nature of the description or narrative account, verbally
7 communicates, by any means, a harmful description or narrative account to a child,
8 with or without monetary consideration, is guilty of a Class ~~E~~ I felony.

9 **SECTION 576.** 948.12 (intro.) of the statutes is amended to read:

10 **948.12 Possession of child pornography.** (intro.) Whoever possesses any
11 undeveloped film, photographic negative, photograph, motion picture, videotape or
12 other pictorial reproduction or audio recording of a child engaged in sexually explicit
13 conduct under all of the following circumstances is guilty of a Class ~~E~~ I felony:

14 **SECTION 577.** 948.13 (2) of the statutes is amended to read:

15 948.13 (2) Whoever has been convicted of a serious child sex offense and
16 subsequently engages in an occupation or participates in a volunteer position that
17 requires him or her to work or interact primarily and directly with children under
18 16 years of age is guilty of a Class ~~E~~ F felony. This subsection does not apply to a
19 person who is exempt under a court order issued under sub. (2m).

20 **SECTION 578.** 948.20 of the statutes is amended to read:

21 **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,
22 leaves any child in a place where the child may suffer because of neglect is guilty of
23 a Class ~~D~~ G felony.

24 **SECTION 579.** 948.21 (1) of the statutes is amended to read:

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

5 **SECTION 580.** 948.22 (2) of the statutes is amended to read:

6 948.22 (2) Any person who intentionally fails for 120 or more consecutive days
7 to provide spousal, grandchild or child support which the person knows or reasonably
8 should know the person is legally obligated to provide is guilty of a Class ~~E~~ I felony.
9 A prosecutor may charge a person with multiple counts for a violation under this
10 subsection if each count covers a period of at least 120 consecutive days and there is
11 no overlap between periods.

12 **SECTION 581.** 948.23 of the statutes is amended to read:

13 **948.23 Concealing death of child.** Any person who conceals the corpse of
14 any issue of a woman's body with intent to prevent a determination of whether it was
15 born dead or alive is guilty of a Class ~~E~~ I felony.

16 **SECTION 582.** 948.24 (1) (intro.) of the statutes is amended to read:

17 948.24 (1) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H
18 felony:

19 **SECTION 583.** 948.30 (1) (intro.) of the statutes is amended to read:

20 948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the
21 following is guilty of a Class ~~C~~ E felony:

22 **SECTION 584.** 948.30 (2) (intro.) of the statutes is amended to read:

23 948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the
24 following is guilty of a Class ~~B~~ C felony:

25 **SECTION 585.** 948.31 (1) (b) of the statutes is amended to read:

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1 948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally
2 causes a child to leave, takes a child away or withholds a child for more than 12 hours
3 beyond the court-approved period of physical placement or visitation period from a
4 legal custodian with intent to deprive the custodian of his or her custody rights
5 without the consent of the custodian is guilty of a Class ~~C~~ F felony. This paragraph
6 is not applicable if the court has entered an order authorizing the person to so take
7 or withhold the child. The fact that joint legal custody has been awarded to both
8 parents by a court does not preclude a court from finding that one parent has
9 committed a violation of this paragraph.

10 **SECTION 586.** 948.31 (2) of the statutes is amended to read:

11 948.31 (2) Whoever causes a child to leave, takes a child away or withholds a
12 child for more than 12 hours from the child's parents or, in the case of a nonmarital
13 child whose parents do not subsequently intermarry under s. 767.60, from the child's
14 mother or, if he has been granted legal custody, the child's father, without the consent
15 of the parents, the mother or the father with legal custody, is guilty of a Class ~~E~~ I
16 felony. This subsection is not applicable if legal custody has been granted by court
17 order to the person taking or withholding the child.

18 **SECTION 587.** 948.31 (3) (intro.) of the statutes is amended to read:

19 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from
20 the parent, who does any of the following is guilty of a Class ~~C~~ F felony:

21 **SECTION 588.** 948.35 of the statutes is repealed.

22 **SECTION 589.** 948.36 of the statutes is repealed.

23 **SECTION 590.** 948.40 (4) (a) of the statutes is amended to read:

24 948.40 (4) (a) If death is a consequence, the person is guilty of a Class ~~C~~ D
25 felony; or

BILL

1 **SECTION 591. 948.40** (4) (b) of the statutes is amended to read:

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

5 **SECTION 592. 948.51** (3) (b) of the statutes is amended to read:

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

8 **SECTION 593. 948.51** (3) (c) of the statutes is created to read:

9 948.51 (3) (c) A Class G felony if the act results in the death of another.

10 **SECTION 594. 948.60** (2) (b) of the statutes is amended to read:

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

14 **SECTION 595. 948.60** (2) (c) of the statutes is amended to read:

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

18 **SECTION 596. 948.605** (2) (a) of the statutes is amended to 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 **SECTION 597. 948.605** (3) (a) of the statutes is amended to read:

23 948.605 (3) (a) Any individual who knowingly, or with reckless disregard for
24 the safety of another, discharges or attempts to discharge a firearm at a place the
25 individual knows is a school zone is guilty of a Class ~~D~~ G felony

BILL

1 **SECTION 598.** 948.605 (4) of the statutes is repealed.

2 **SECTION 599.** 948.61 (2) (b) of the statutes is amended to read:

3 **948.61** (2) (b) A Class ~~E~~ **I** felony, if the violation is the person's 2nd or
4 subsequent violation of this section within a 5-year period, as measured from the
5 dates the violations occurred.

6 **SECTION 600.** 948.62 (1) (a) of the statutes is amended to read:

7 948.62 (1) (a) A Class ~~E~~ **A** misdemeanor, if the value of the property does
8 not exceed \$500.

9 **SECTION 601.** 948.62 (1) (b) of the statutes is amended to read:

10 948.62 (1) (b) A Class ~~D~~ **I** felony, if the value of the property exceeds \$500 but
11 does not exceed ~~\$2,500~~ \$2,000.

12 **SECTION 602.** 948.62 (1) (bm) of the statutes is created to read:

13 948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,000 but
14 does not exceed \$5,000.

15 **SECTION 603.** 948.62 (1) (c) of the statutes is amended to read:

16 948.62 (1) (c) A Class ~~C~~ **G** felony, if the value of the property exceeds ~~\$2,500~~
17 \$5,000.

18 **SECTION 604.** 949.03 (1) (b) of the statutes is amended to read:

19 949.03 (1) (b) The commission or the attempt to commit any crime specified in
20 **s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,**
21 **940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,**
22 **940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,**
23 **943.04, 943.10, 943.20, 943.23 (lg), (1m) or (1r), 943.32, 948.02, 948.025, 948.03,**
24 **948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.**

25 **SECTION 605.** 950.04 (1v) (g) of the statutes is amended to read:

BILL**SECTION 605**

1 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
2 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
3 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

4 **SECTION 606.** 950.04 (1v) (nt) of the statutes is created to read:

5 950.04 (1v) (nt) To attend a hearing on a petition for modification of a
6 bifurcated sentence and provide a statement concerning modification of the
7 bifurcated sentence, as provided under s. 302.113 (9g) (d).

8 **SECTION 607.** 951.18 (1) of the statutes, as affected by 1997 Wisconsin Act 192,
9 is amended to read:

10 951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,
11 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a
12 Class C forfeiture. Any person who violates any of these provisions within 3 years
13 after a humane officer issues an abatement order under **s. 173.11** prohibiting the
14 violation of that provision is subject to a Class A forfeiture. Any person who
15 intentionally or negligently violates any of those sections is guilty of a Class A
16 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the
17 mutilation, disfigurement or death of an animal, is guilty of a Class ~~E~~ **I** felony. Any
18 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that
19 is the victim is used by a law enforcement agency to perform agency functions or
20 duties and causing injury to the animal, is guilty of a Class ~~E~~ **I** felony.

21 **SECTION 608.** 951.18 (2) of the statutes is amended to read:

22 951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A
23 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class ~~E~~ **I**
24 felony for the first violation and is guilty of a Class ~~D~~ **H** felony for the 2nd or
25 subsequent violation.

BILL

1 **SECTION 609.** 951.18 (2m) of the statutes is amended to read:

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

13 **SECTION 610.** 961.41 (1) (intro.) of the statutes is amended to read:

14 **961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY.** (intro.) Except as
15 authorized by this chapter, it is unlawful for any person to manufacture, distribute
16 or deliver a controlled substance or controlled substance analog. Any person who
17 violates this subsection ~~with respect to~~ is subject to the following penalties:

18 **SECTION 611.** 961.41 (1) (a) of the statutes, as affected by 1997 Wisconsin Act
19 283, is amended to read:

20 **961.41 (1) (a)** Schedule I and II narcotic drug generally. Except as provided
21 in par. (d), if a person violates this subsection with respect to a controlled substance
22 included in schedule I or II which is a narcotic drug, or a controlled substance analog
23 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~
24 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~
25 ~~months or both~~ the person is guilty of a Class E felony.

BILL**SECTION 612**

1 **SECTION 612.** 961.41 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
2 283, is amended to read:

3 961.41 (1) (b) ~~*Schedule I, II and III nonnarcotic drugs generally.*~~ Except as
4 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect
5 to any other controlled substance included in schedule I, II or III, or a controlled
6 substance analog of any other controlled substance included in schedule I or II, may
7 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months
8 or both the person is guilty of a Class H felony.

9 **SECTION 613.** 961.41 (1) (cm) (intro.) of the statutes is amended to read:

10 961.41 (1) (cm) **Cocaine and cocaine base.** (intro.) ~~Cocaine~~ If the person violates
11 this subsection with respect to cocaine or cocaine base, or a controlled substance
12 analog of cocaine or cocaine base, ~~is subject to the following penalties if~~ and the
13 amount manufactured, distributed or delivered is:

14 **SECTION 614.** 961.41 (1) (cm) 1. of the statutes, as affected by 1997 Wisconsin
15 Act 283, is renumbered 961.41 (1) (cm) lr. and amended to read:

16 961.41 (1) (cm) lr. ~~Five grams or less~~ More than one gram but not more than
17 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned
18 for not more than 15 years is guilty of a Class F felony.

19 **SECTION 615.** 961.41 (1) (cm) lg. of the statutes is created to read:

20 961.41 (1) (cm) lg. One gram or less, the person is guilty of a Class G felony.

21 **SECTION 616.** 961.41 (1) (cm) 2. of the statutes, as affected by 1997 Wisconsin
22 Act 283, is amended to read:

23 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person
24 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~
25 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

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1 **SECTION 617.** 961.41 (1) (cm) 3. of the statutes, as affected by 1997 Wisconsin
2 Act 283, is amended to read:

3 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person
4 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than 3~~
5 ~~years nor more than 30 years~~ is guilty of a Class D felony.

6 **SECTION 618.** 961.41 (1) (cm) 4. of the statutes, as affected by 1997 Wisconsin
7 Act 283, is amended to read:

8 961.41 (1) (cm) 4. More than 40 grams but not more than 100 grams, the person
9 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than 5~~
10 ~~years nor more than 45 years~~ is guilty of a Class C felony.

11 **SECTION 619.** 961.41 (1) (cm) 5. of the statutes, as affected by 1997 Wisconsin
12 Act 283, is repealed.

13 **SECTION 620.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

14 961.41 (1) (d) **Heroin.** (intro.) Heroin If the person violates this subsection with
15 respect to heroin or a controlled substance analog of heroin is ~~subject to the following~~
16 ~~penalties if~~ and the amount manufactured, distributed or delivered is:

17 **SECTION 621.** 961.41 (1) (d) 1. of the statutes, as affected by 1997 Wisconsin Act
18 283, is amended to read:

19 **961.41 (1) (d) 1.** Three grams or less, the person ~~shall be fined not less than~~
20 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~
21 ~~and 6 months~~ is guilty of a Class F felony

22 **SECTION 622.** 961.41 (1) (d) 2. of the statutes, as affected by 1997 Wisconsin Act
23 283, is amended to read:

24 961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person
25 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~

BILL

1 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class
2 E felony.

3 SECTION 623. 961.41 (1) (d) 3. of the statutes, as affected by 1997 Wisconsin Act
4 283, is amended to read:

5 961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person
6 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
7 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
8 D felony

9 SECTION 624. 961.41 (1) (d) 4. of the statutes, as affected by 1997 Wisconsin Act
10 283, is amended to read:

11 961.41 (1) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person
12 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
13 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
14 felony.

15 SECTION 625. 961.41 (1) (d) 5. of the statutes, as affected by 1997 Wisconsin Act
16 283, is repealed.

17 SECTION 626. 961.41 (1) (d) 6. of the statutes, as affected by 1997 Wisconsin Act
18 283, is repealed.

19 SECTION 627. 961.41 (1) (e) (intro.) of the statutes is amended to read:

20 961.41 (1) (e) **Phencyclidine, amphetamine, methamphetamine and**
21 **methcathinone.** (intro.) Phencyclidine If the person violates this subsection with
22 respect to phencyclidine, amphetamine, methamphetamine or methcathinone, or a
23 controlled substance analog of phencyclidine, amphetamine, methamphetamine or
24 methcathinone, is subject to the following penalties if and the amount
25 manufactured, distributed or delivered is:

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1 SECTION 628. 961.41 (1) (e) 1. of the statutes, as affected by 1997 Wisconsin Act
2 283, is amended to read:

3 961.41 (1) (e) 1. Three grams or less, the person shall ~~be fined not less than~~
4 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~
5 ~~6 months~~ is guilty of a Class F felony.

6 SECTION 629. 961.41 (1) (e) 2. of the statutes, as affected by 1997 Wisconsin Act
7 283, is amended to read:

8 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person
9 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
10 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
11 E felony.

12 SECTION 630. 961.41 (1) (e) 3. of the statutes, as affected by 1997 Wisconsin Act
13 283, is amended to read:

14 961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person
15 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
16 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
17 D felony.

18 SECTION 631. 961.41 (1) (e) 4. of the statutes, as affected by 1997 Wisconsin Act
19 283, is amended to read:

20 961.41 (1) (e) 4. More than 50 grams but ~~not more than 200 grams~~, the person
21 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
22 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
23 felony

24 SECTION 632. 961.41 (1) (e) 5. of the statutes, as affected by 1997 Wisconsin Act
25 283, is repealed.

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1 SECTION 633. 961.41 (1)(e) 6. of the statutes, as affected by 1997 Wisconsin Act
2 283, is repealed.

3 SECTION 634. 961.41 (1) (f) (intro.) of the statutes is amended to read:

4 961.41 (1)(f) Lysergic acid diethylamide. (intro.) Lysergie If the person violates
5 this subsection with respect to lysergic acid diethylamide or a controlled substance
6 analog of lysergic acid diethylamide is ~~subject to the following penalties if and the~~
7 amount manufactured, distributed or delivered is:

8 SECTION 635. 961.41 (1) (f) 1. of the statutes, as affected by 1997 Wisconsin Act
9 283, is amended to read:

10 961.41 (1)(f) 1. One gram or less, the person ~~shall be fined not less than \$1,000~~
11 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and 6~~
12 ~~months guilty of a Class G felony.~~

13 SECTION 636. 961.41 (1)(f) 2. of the statutes, as affected by 1997 Wisconsin Act
14 283, is amended to read:

15 961.41 (1)(f) 2. More than one gram but not more than 5 grams, the person ~~shall~~
16 ~~be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not~~
17 ~~less than 6 months nor more than 7 years and 6 months is euiltv of a Class F felony.~~

18 SECTION 637. 961.41 (1)(f) 3. of the statutes, as affected by 1997 Wisconsin Act
19 283, is amended to read:

20 961.41 (1)(f) 3. More than 5 grams, the person ~~shall be fined~~ ~~at less than~~
21 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
22 ~~nor more than 22 years and 6 months is guilty of a Class E felony.~~

23 SECTION 638. 961.41 (1) (g) (intro.) of the statutes is amended to read:

24 961.41 (1) (g) Psilocin and psilocybin. (intro.) Psiloecin If the nerson violates
25 this subsection with respect to nsilocin or psilocybin, or a controlled substance analog

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1 of psilocin or psilocybin, is ~~subject to the following penalties if~~ and the amount
2 manufactured, distributed or delivered is:

3 **SECTION 639.** 961.41 (1) (g) 1. of the statutes, as affected by 1997 Wisconsin Act
4 283, is amended to read:

5 961.41 (1)(g) 1. One hundred grams or less, the person ~~shall be fined not less~~
6 ~~than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~
7 ~~years and 6 months~~ is guilty of a Class G felony.

8 **SECTION 640.** 961.41 (1) (g) 2. of the statutes, as affected by 1997 Wisconsin Act
9 283, is amended to read:

10 961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person
11 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
12 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
13 F felony.

14 **SECTION 641.** 961.41 (1) (g) 3. of the statutes, as affected by 1997 Wisconsin Act
15 283, is amended to read:

16 961.41 (1) (g) 3. More than 500 grams, the person ~~shall be fined not less than~~
17 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
18 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

19 **SECTION 642.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

20 961.41 (1) (h) Tetrahydrocannabinols. (intro.) ~~Tetrahydrocannabinols~~ If the
21 person violates this subsection with respect to tetrahydrocannabinols, included
22 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, ~~is~~
23 ~~subject to the following penalties if~~ and the amount manufactured, distributed or
24 delivered is:

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1 **SECTION 643.** 961.41 (1) (h) 1. of the statutes, as affected by **1997** Wisconsin Act
2 283, is amended to read:

3 961.41 (1) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants
4 containing tetrahydrocannabinols, the person ~~shall be fined not less than \$500 nor~~
5 ~~more than \$25,000 and may be imprisoned for not more than 4 years and 6 months~~
6 is ailty of a Class I felony.

7 **SECTION 644.** 961.41 (1) (h) 2. of the statutes, as affected by 1997 Wisconsin Act
8 283, is amended to read:

9 961.41 (1) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000 grams,
10 or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than ~~50~~ 20
11 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~
12 ~~\$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor~~
13 ~~more than 7 years and 6 months~~ is guilty of a Class H felony.

14 **SECTION 645.** 961.41 (1) (h) 3. of the statutes, as affected by 1997 Wisconsin Act
15 283, is amended to read:

16 961.41 (1) (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,
17 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50
18 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~
19 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~
20 ~~nor more than 15 years~~ is guilty of a Class G felony

21 **SECTION 646.** 961.41 (1) (h) 4. of the statutes is created to read:

22 961.41 (1) (h) 4. More than 2,500 grams but not more than 10,000 grams, or
23 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
24 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

25 **SECTION 647.** 961.41 (1) (h) 5. of the statutes is created to read:

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1 961.41 (1) (h) 5. More than 10,000 grams, or more than 200 plants containing
2 tetrahydrocannabinols, the person is guilty of a Class E felony.

3 **SECTION 648.** 961.41 (1) (i) of the statutes, as affected by 1997 Wisconsin Act
4 283, is amended to read:

5 961.41 (1) (i) Schedule IV drug. -A If a person violates this subsection with
6 respect to a substance included in schedule IV, may be fined not more than \$10,000
7 or imprisoned for not more than 4 years and 6 months or both the person is guilty
8 of a Class H felony.

9 **SECTION 649.** '961.41 (1) (j) of the statutes, as affected by 1997 Wisconsin Act
10 283, is amended to read:

11 961.41 (1) (j) Schedule V drugs. -A- If a person violates this subsection with
12 respect to a substance included in schedule V, may be fined not more than \$5,000 or
13 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

14 **SECTION 650.** 961.41 (lm) (intro.) of the statutes is amended to read:

15 961.41 **(lm)** POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.
16 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,
17 with intent to manufacture, distribute or deliver, a controlled substance or a
18 controlled substance analog. Intent under this subsection may be demonstrated by,
19 without limitation because of enumeration, evidence of the quantity and monetary
20 value of the substances possessed, the possession of manufacturing implements or
21 paraphernalia, and the activities or statements of the person in possession of the
22 controlled substance or a controlled substance analog prior to and after the alleged
23 violation. Any person who violates this subsection ~~with respect to~~ is subject to the
24 following penalties:

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1 **SECTION 651.** 961.41 (1m) (a) of the statutes, as affected by 1997 Wisconsin Act
2 283, is amended to read:

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

9 **SECTION 652.** 961.41 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act
10 283, is amended to read:

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

17 **SECTION 653.** 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

18 961.41 **(1m)** (cm) ~~Cocaine~~ **Cocaine and cocaine base.** (intro.) ~~Cocaine~~ If a person violates
19 this subsection with respect to cocaine or cocaine base, or a controlled substance
20 analog of cocaine or cocaine base, is subject to the following penalties if and the
21 amount possessed, with intent to manufacture, distribute or deliver, is:

22 **SECTION 654.** 961.41 (1m) (cm) 1. of the statutes, as affected by 1997 Wisconsin
23 Act 283, is renumbered 961.41 (1m) (cm) lr. and amended to read:

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1 **961.41 (lm)** (cm) lr. ~~Five grams or less~~ More than one gram but not more than
2 5 grams, —t h e p e r s , o n ~~shall be f i i~~
3 ~~for not more than 15 years~~ is guilty of a Class F felony.

4 **SECTION 655.** 961.41 (1m) (cm) lg. of the statutes is created to read:

5 **961.41 (lm)** (cm) lg. One gram or less, the person is guilty of a Class G felony.

6 **SECTION 656.** 961.41 (1m) (cm) 2. of the statutes, as affected by 1997 Wisconsin
7 Act 283, is amended to read:

8 **961.41 (lm)** (cm) 2. More than 5 grams but not more than 15 grams, the person
9 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~
10 ~~year nor more than 22 years and 6 months~~ is a uilty of a Class E felony.

11 **SECTION 657.** 961.41 (1m) (cm) 3. of the statutes, as affected by 1997 Wisconsin
12 Act 283, is amended to read:

13 **961.41 (lm)** (cm) 3. More than 15 grams but not more than 40 grams, the
14 person ~~shall be fined not more than \$500,000 and shall be imprisoned for not less,~~
15 ~~than 2 ears nor more than 30 years~~ is guilty of a Class D felony.

16 **SECTION 658.** 961.41 (1m) (cm) 4. of the statutes, as affected by 1997 Wisconsin
17 Act 283, is amended to read:

18 **961.41 (lm)** (cm) 4. More than 40 grams ~~but not more than 100 grams~~, the
19 person ~~shall be fined more than \$500,000 and shall be imprisoned for not less,~~
20 ~~than 5 years nor more than AK~~ ars is guilty of a Class C felony.

21 **SECTION 659.** 961.41 (1m) (cm) 5. of the statutes, as affected by 1997 Wisconsin
22 Act 283, is repealed.

23 **SECTION 660.** 961.41 (lm) (d) (intro.) of the statutes is amended to read:

24 **961.41 (lm)** (d) **Heroin.** (intro.) Heroin If a person violates this subsection with
25 respect to heroin or a controlled substance analog of heroin is subject to the following

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1 ~~penalties if~~ and the amount possessed, with intent to manufacture, distribute or
2 deliver, is:

3 **SECTION 661.** 961.41 (lm) (d) 1. of the statutes, as affected by 1997 Wisconsin
4 Act 283, is amended to read:

5 961.41 (**lm**) (d) 1. Three grams or less, the person ~~shall be fined not less than~~
6 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years~~
7 ~~and 6 months~~ is guilty of a Class F felony.

8 **SECTION 662.** 961.41 (lm) (d) 2. of the statutes, as affected by 1997 Wisconsin
9 Act 283, is amended to read:

10 961.41 (**lm**) (d) 2. More than 3 grams but not more than 10 grams, the person
11 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~
12 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class
13 E felony.

14 **SECTION 663.** 961.41 (lm) (d) 3. of the statutes, as affected by 1997 Wisconsin
15 Act 283, is amended to read:

16 961.41 (**lm**) (d) 3. More than 10 grams but not more than 50 grams, the person
17 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
18 ~~for not less than one year nor more than 22 years and 6 months~~ is ailty of a Class
19 D felony.

20 **SECTION 664.** 961.41 (lm) (d) 4. of the statutes, as affected by 1997 Wisconsin
21 Act 283, is amended to read:

22 961.41 (**lm**) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person
23 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
24 ~~for not less than 3 years nor more than 22 years and 6 months~~ is ailty of a Class C
25 felony.

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1 SECTION 665. 961.41 (lm) (d) 5. of the statutes, as affected by 1997 Wisconsin
2 Act 283, is repealed.

3 SECTION 666. 961.41 (lm) (d) 6. of the statutes, as affected by 1997 Wisconsin
4 Act 283, is repealed.

5 SECTION 667. 961.41 (1m) (e) (intro.) of the statutes is amended to read:

6 961.41 (1m) (e) Phencyclidine, amphetamine, methamphetamine and
7 methcathinone. (intro.) ~~Phencyclidine~~ If a person violates this subsection with
8 respect to ~~phencyclidine,~~ amphetamine, methamphetamine or methcathinone, or a
9 controlled substance analog of phencyclidine, amphetamine, methamphetamine or
10 methcathinone, is subject to the following penalties if and the amount possessed,
11 with intent to manufacture, distribute or deliver, is:

12 SECTION 668. 961.41 (lm) (e) 1. of the statutes, as affected by 1997 Wisconsin
13 Act 283, is amended to read:

14 961.41 (1m) (e) 1. Three grams or less, the person ~~shall be fined not less than~~
15 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and~~
16 ~~6 months~~ is guilty of a Class F felony

17 SECTION 669. 961.41 (lm) (e) 2. of the statutes, as affected by 1997 Wisconsin
18 Act 283, is amended to read:

19 961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person
20 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~
21 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
22 E felony.

23 SECTION 670. 961.41 (lm) (e) 3. of the statutes, as affected by 1997 Wisconsin
24 Act 283, is amended to read:

BILL**SECTION 670**

1 961.41 **(1m)** (e) 3. More than 10 grams but not more than 50 grams, the person
2 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
3 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
4 D felony

5 **SECTION 671.** 961.41 (1m) (e) 4. of the statutes, as affected by 1997 Wisconsin
6 Act 283, is amended to read:

7 961.41 **(1m)** (e) 4. More than 50 grams but ~~not more than 200 grams~~, the person
8 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
9 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
10 felony.

11 **SECTION 672.** 961.41 (1m) (e) 5. of the statutes, as affected by 1997 Wisconsin
12 Act 283, is repealed.

13 **SECTION 673.** 961.41 (1m) (e) 6. of the statutes, as affected by 1997 Wisconsin
14 Act 283, is repealed.

15 **SECTION 674.** 961.41 (1m) (f) (intro.) of the statutes is amended to read:

16 961.41 **(1m)** (f) Lysergic acid diethylamide. (intro.) Lysergic If a person violates
17 this subsection with respect to lysergic acid diethylamide or a controlled substance
18 analog of lysergic acid diethylamide is subject to the following penalties and the
19 amount possessed, with intent to manufacture, distribute or deliver, is:

20 **SECTION 675.** 961.41 (1m) (f) 1. of the statutes, as affected by 1997 Wisconsin
21 Act 283, is amended to read:

22 961.41 **(1m)** (f) 1. One gram or less, the person ~~shall be fined not less than~~
23 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and~~
24 ~~6 months~~ is guilty of a Class G felony.

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1 SECTION 676. 961.41 (1m) (f) 2. of the statutes, as affected by 1997 Wisconsin
2 Act 283, is amended to read:

3 961.41 (1m) (f) 2. More than one gram but not more than 5 grams, the person
4 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~
5 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
6 F felony.

7 SECTION 677. 961.41 (1m) (f) 3. of the statutes, as affected by 1997 Wisconsin
8 Act 283, is amended to read:

9 961.41 (1m) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~
10 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
11 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

12 SECTION 678. 961.41 (1m) (g) (intro.) of the statutes is amended to read:

13 961.41 (1m) (g) **Psilocin and psilocybin.** (intro.) Psilocin ~~If a person violates~~
14 this subsection with respect to nsilocin or psilocybin, or a controlled substance analog
15 of psilocin or psilocybin, ~~is subject to the following penalties if~~ and the amount
16 possessed, with intent to manufacture, distribute or deliver, is:

17 SECTION 679. 961.41 (1m) (g) 1. of the statutes, as affected by 1997 Wisconsin
18 Act 283, is amended to read:

19 961.41 (1m) (g) 1. One hundred grams or less, the person ~~shall be fined not less~~
20 ~~than \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7~~
21 ~~years and 6 months~~ is guilty of a Class G felony.

22 SECTION 680. 961.41 (1m) (g) 2. of the statutes, as affected by 1997 Wisconsin
23 Act 283, is amended to read:

24 961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the
25 person ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be~~

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1 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months is aulvtv~~
2 of a Class F felony.

3 **SECTION 681.** 961.41 (1m) (g) 3. of the statutes, as affected by 1997 Wisconsin
4 Act 283, is amended to read:

5 961.41 **(1m)** (g) 3. More than 500 grams, the person ~~shall be fined not less than~~
6 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
7 ~~nor more than 2 years and 6 months is aulvtv~~ of a Class E felony.

8 **SECTION 682.** 961.41 (1m) (h) (intro.) of the statutes is amended to read:

9 961.41 **(1m)** (h) Tetrahydrocannabinols. (intro.) ~~Tetrahydrocannabinols~~ If
10 person violates this subsection with respect to tetrahydrocannabinols, included
11 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is
12 ~~subject to the following penalties if~~ and the amount possessed, with intent to
13 manufacture, distribute or deliver, is:

14 **SECTION 683.** 961.41 (1m) (h) 1. of the statutes, as affected by 1997 Wisconsin
15 Act 283, is amended to read:

16 961.41 **(1m)** (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants
17 containing tetrahydrocannabinols, the person ~~shall be fined not less than \$500 nor~~
18 ~~more than \$25,000 and may be imprisoned for not more than 4 years and 6 months~~
19 is aulvtv of a Class I felony.

20 **SECTION 684.** 961.41 (1m) (h) 2. of the statutes, as affected by 1997 Wisconsin
21 Act 283, is amended to read:

22 961.41 **(1m)** (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000
23 grams, or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than
24 ~~50~~ 20 plants containing tetrahydrocannabinols, the person ~~shall be fined not less~~

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1 ~~than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3~~
2 ~~months nor more than 5 years and 6 months~~ is guilty of a Class H felony.

3 SECTION 685. 961.41 (1m) (h) 3. of the statutes, as affected by 1997 Wisconsin
4 Act 283, is amended to read:

5 961.41 (1m) (h) 3. More than ~~2,500~~ 1,000 grams ~~but not more than 2,500 grams,~~
6 or more than ~~50~~ 20 plants containing tetrahydrocannabinols ~~but not more than 50~~
7 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~
8 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~
9 ~~nor more than 15 years~~ is guilty of a Class G felony.

10 SECTION 686. 961.41 (1m) (h) 4. of the statutes is created to read:

11 961.41 (1m) (h) 4. More than 2,500 grams but not more than 10,000 grams, or
12 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
13 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

14 SECTION 687. 961.41 (1m) (h) 5. of the statutes is created to read:

15 961.41 (1m) (h) 5. More than 10,000 grams, or more than 200 plants containing
16 tetrahydrocannabinols, the person is guilty of a Class E felony.

17 SECTION 688. 961.41 (1m) (i) of the statutes, as affected by 1997 Wisconsin Act
18 283, is amended to read:

19 961.41 (1m) (i) Schedule IV drugs. ~~4 If a person violates this subsection with~~
20 ~~respect to a substance included in schedule IV, may be fined not more than \$10,000~~
21 ~~or imprisoned for not more than 4 years and 6 months or both~~ the person is guilty
22 of a Class H felony.

23 SECTION 689. 961.41 (1m) (j) of the statutes, as affected by 1997 Wisconsin Act
24 283, is amended to read:

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1 961.41 (1m) (j) Schedule V drugs. ~~A~~ If a person violates this subsection with
2 respect to a substance included in schedule V, may be fined ~~more than \$25,000 or~~
3 ~~imprisoned for not more than 2 years or both~~ the person is ailtyv of a Class I felony

4 **SECTION 690.** 961.41 (1n) (c) of the statutes, as affected by 1997 Wisconsin Act
5 283, is amended to read:

6 961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~
7 ~~\$250,000 or imprisoned for not more than 15 years or both~~ is ailtyv of a Class F felony.

8 **SECTION 691.** 961.41 (1q) of the statutes is amended to read:

9 961.41 (1q) **PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.**

10 Under ~~s. 961.49 (2), 1997 stats.~~ and subs. (1) (h) and (1m) (h) ~~and s. 961.49 (2),~~ if
11 different penalty provisions apply to a person depending on whether the weight of
12 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is
13 considered, the greater penalty provision applies.

14 **SECTION 692.** 961.41 (1r) of the statutes is amended to read:

15 961.41 (1r) **DETERMINING WEIGHT OF SUBSTANCE.** In determining amounts under
16 ~~s. 961.49 (2) (b), 1997 stats.~~ and subs. (1) and (1m) ~~and e. 961.49 (2) (b),~~ an amount
17 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid
18 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
19 methcathinone or tetrahydrocannabinols or any controlled substance analog of any
20 of these substances together with any compound, mixture, diluent, plant material
21 or other substance mixed or combined with the controlled substance or controlled
22 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)
23 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14
24 (4) (t) and includes the weight of any marijuana.

25 **SECTION 693.** 961.41 (2) (intro.) of the statutes is amended to read:

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1 **961.41 (2) COUNTERFEIT SUBSTANCES.** (intro.) Except as authorized by this
2 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or
3 possess with intent to distribute or deliver, a counterfeit substance. Any person who
4 violates this subsection ~~with respect to~~ is subject to the following penalties:

5 **SECTION 694.** 961.41 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
6 283, is amended to read:

7 **961.41 (2) (a) Counterfeit schedule I and II narcotic drugs.** ~~A- If a person~~
8 ~~violates this subsection with respect to a~~ counterfeit substance included in schedule
9 I or II which is a narcotic drug, ~~may be fined ~~more than \$25,000~~ or imprisoned~~
10 ~~for not more than 2² years and 6 months or both~~ the person is guilty of a Class E
11 felony.

12 **SECTION 695.** 961.41 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
13 283, is amended to read:

14 **961.41 (2) (b) Counterfeit schedule I, II, III and IV drugs.** ~~Any~~ If a person
15 ~~violates this subsection with respect to any~~ other counterfeit substance included in
16 schedule I, II ~~or, III or IV,~~ ~~may be fined ~~not more than \$15,000~~ or imprisoned~~ ~~for not~~
17 ~~more than 7 years and 6 months or both~~ the person is guilty of a Class H felony.

18 **SECTION 696.** 961.41 (2) (c) of the statutes, as affected by 1997 Wisconsin Act
19 283, is repealed.

20 **SECTION 697.** 961.41 (2) (d) of the statutes, as affected by 1997 Wisconsin Act
21 283, is amended to read:

22 **961.41 (2) (d) Counterfeit schedule V drug.** ~~A- If a person violates this~~
23 ~~subsection with respect to a~~ counterfeit substance included in schedule V, ~~n-my-be~~
24 ~~fined not more than \$5,000 or imprisoned for not more than 2 years or both~~ the person
25 is guilty of a Class I felony.

BILL

SECTION 698

1 SECTION 698. 961.41 (3g) (a) 1. of the statutes, as affected by 1999 Wisconsin
2 Act 283, is renumbered 961.41 (3g) (am) and amended to read:

3 961.41 (3g) (am) Schedule I and II narcotic drugs. ~~Except as provided in s&xl-~~
4 ~~a., if the~~ If a person possesses a controlled substance included in schedule I or II
5 which is a narcotic drug, or possesses a controlled substance analog of a controlled
6 substance included in schedule I or II which is a narcotic drug, the person may, upon
7 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2
8 or both, and for a 2nd or subsequent offense, the person may be fined not more than
9 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I felony.

10 SECTION 699. 961.41 (3g) (a) 2. of the statutes, as affected by 1997 Wisconsin
11 Act 283, is repealed.

12 SECTION 700. 961.41 (3g) (a) 3. of the statutes is repealed.

13 SECTION 701. 961.41 (3g) (b) (title) of the statutes is created to read:

14 961.41 (3g) (b) (title) ***Other drugs generally.***

15 SECTION 702. 961.41 (3g) (c) of the statutes is amended to read:

16 961.41 (3g) (c) ***Cocaine and cocaine base.*** If a person possess or attempts to
17 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
18 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
19 more than one year in the county jail upon a first conviction and is guilty of a Class
20 I felony for a 2nd or subseautent offense. For nur noses of this paragraph, an offense
21 is considered a 2nd or subseautent offense if, prior to the offender's conviction of the
22 offense, the offender has at any time been convicted of any felony or misdemeanor
23 under this chanter or under anv statute of the United States or of any state relating
24 to controlled substances, controlled substance analogs, narcotic drugs, mariiuana or
25 denressant, stimulant or hallucinogenic drugs.

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1 **SECTION 703.** 961.41 (3g) (d) of the statutes is amended to read:

2 961.41 (3g) (d) ***Certain hallucinogenic and stimulant drugs.*** If a person
3 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
4 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a
5 controlled substance analog of lysergic acid diethylamide, phencyclidine,
6 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person
7 may be fined not more than \$5,000 or imprisoned for not more than one year in the
8 county jail or both unon a first conviction and is guilty of a Class I felony for a 2nd
9 or subseautent offense. For nurnoses of this paragraph, an offense is considered a 2nd
10 or subseautent offense if. prior to the offender's conviction of the offense. the offender
11 has at any time been convicted of any felony or misdemeanor under this chapter or
12 under any statute of the United States or of any state relating to controlled
13 substances, controlled substance analogs, narcotic drugs, mariiuana or denressant,
14 stimulant or hallucinogenic drugs.

15 **SECTION 704.** 961.41 (3g) (e) of the statutes is amended to read:

16 961.41 (3g) (e) ***Tetrahydrocannabinols.*** If a person possesses or attempts to
17 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled
18 substance analog of tetrahydrocannabinols, the person may be fined not more than
19 \$1,000 or imprisoned for not more than 6 months or both unon a first conviction and
20 is guilty of a Class I felony for a 2nd or subseautent offense. For nurnoses of this
21 paragraph, an offense is considered a 2nd or subseautent offense if. prior to the
22 offender's conviction of the offense. the offender has at any time been convicted of any
23 felony or misdemeanor under this chanter or under any statute of the United States
24 or of any state relating to controlled substances, controlled substance analogs,
25 narcotic drugs, mariiuana or denressant, stimulant or hallucinogenic drugs.

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1 SECTION 705. 961.41 (3g) (f) of the statutes is amended to read:

2 961.41 (3g) (f) *Gamma-hydroxybutyric acid, gamma-hydroxybutyrolactone,*
3 *ketamine and flunitrazepam.* If a person possesses or attempts to possess
4 gamma-hydroxybutyric acid, gamma-hydroxybutyrolactone, ketamine or
5 flunitrazepam, the person ~~may be fined more than \$5,000 or imprisoned for not~~
6 ~~more than 2 years or both~~ is guilty of a Class H felony.

7 SECTION 706. 961.41 (4) (am) 3. of the statutes, as affected by 1997 Wisconsin
8 Act 283, is amended to read:

9 961.41 (4) (am) 3. A person ~~convicted of violating who violates~~ this paragraph
10 ~~may be fined not more than \$5,000 or imprisoned for not more than 2 years or both~~
11 is ailty of a Class I felony.

12 SECTION 707. 961.42 (2) of the statutes, as affected by 1997 Wisconsin Act 283,
13 is amended to read:

14 961.42 (2) Any person who violates this section ~~may be fined not more than~~
15 ~~\$25,000 or imprisoned not more than 2 years or both~~ is ailty of a Class I felony.

16 SECTION 708. 961.43 (2) of the statutes, as affected by 1997 Wisconsin Act 283,
17 is amended to read:

18 961.43 (2) Any person who violates this section ~~may be fined not more than~~
19 ~~\$30,000 or imprisoned not more than 6 years or both~~ is ailty of a Class H felony.

20 SECTION 709. 961.438 of the statutes is repealed.

21 SECTION 710. 961.455 (1) of the statutes, as affected by 1997 Wisconsin Act 283,
22 is amended to read:

23 961.455 (1) Any person who has attained the age of 17 years who knowingly
24 solicits, hires, directs, employs or uses a person who is under the age of 17 years ~~of~~

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1 ~~age or under~~ for the purpose of violating s. 961.41 (1) ~~may be fined not more than~~
2 ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

3 SECTION 711. 961.455 (3) of the statutes is amended to read:

4 961.455 (3) Solicitation under sub. (1) occurs in the manner described under
5 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.
6 939.30 ~~or 948.35.~~

7 SECTION 712. 961.46 (1) of the statutes is renumbered 961.46 and amended to
8 read:

9 **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~
10 ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing
11 or delivering a controlled substance included in schedule I or II which is a narcotic
12 drug or a controlled substance analog of a controlled substance included in schedule
13 I or II which is a narcotic drug to a person 17 years of age or under who is at least
14 3 years his or her junior is punishable by the fine authorized by s. 961.41 (1)(a) or
15 a term of imprisonment of up to twice that authorized by s. 961.41 (1)(a), or both, the
16 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the
17 offense may be increased by not more than 5 years.

18 SECTION 713. 961.46 (2) of the statutes is repealed.

19 SECTION 714. 961.46 (3) of the statutes is repealed.

20 SECTION 715. 961.465 of the statutes is repealed.

21 SECTION 716. 961.472 (2) of the statutes is amended to read:

22 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found
23 guilty of possession or attempted possession of a controlled substance or controlled
24 substance analog under s. 961.41 (3g) ~~(a) 2-~~ (am), (c) or (d), the court shall order the
25 person to comply with an assessment of the person's use of controlled substances.

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1 The court's order shall designate a facility that is operated by or pursuant to a
2 contract with the county department established under s. 51.42 and that is certified
3 by the department of health and family services to provide assessment services to
4 perform the assessment and, if appropriate, to develop a proposed treatment plan.

5 The court shall notify the person that noncompliance with the order limits the court's
6 ability to determine whether the treatment option under s. 961.475 is appropriate.

7 The court shall also notify the person of the fee provisions under s. 46.03 (18) (fm).

8 **SECTION 717.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and
9 amended to read:

10 961.48 (1) (intro.) ~~Except as provided in subs (2) and (4) any~~ If a person who
11 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or
12 subsequent offense as provided under this chapter sub. (3) and the person is
13 convicted of that 2nd or subsequent offense ~~may be fined an amount up to twice that~~
14 ~~otherwise authorized or imprisoned for a term up to twice the term otherwise~~
15 ~~authorized or both.~~ the maximum term of imprisonment for the offense may be
16 increased as follows:

17 **SECTION 718.** 961.48 (1) (a) and (b) of the statutes are created to read:

18 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

19 (b) By not more than 4 years, if the offense is a Class E, F, G, H or I felony.

20 **SECTION 719.** 961.48 (2) of the statutes is repealed.

21 **SECTION 720.** 961.48 (2m) (a) of the statutes is amended to read:

22 961.48 (2m) (a) Whenever a person charged with ~~an~~ a felony offense under this
23 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is
24 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior
25 convictions are alleged in the complaint, indictment or information or in an amended

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1 complaint, indictment or information that is filed under par. (b) 1. A person is not
2 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of
3 applicable prior convictions is withdrawn by an amended complaint filed under par.
4 (b) 2.

5 SECTION 721. 961.48 (3) of the statutes is amended to read:

6 961.48 (3) For purposes of this section, ~~an a felony~~ offense under this chapter
7 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
8 offense, the offender has at any time been convicted of any felony or misdemeanor
9 offense under this chapter or under any statute of the United States or of any state
10 relating to controlled substances or controlled substance analogs, narcotic drugs,
11 marijuana or depressant, stimulant or hallucinogenic drugs.

12 SECTION 722. 961.48 (4) of the statutes is repealed.

13 SECTION 723. 961.49 (1) of the statutes is renumbered 961.49.

14 SECTION 724. 961.49 (2) of the statutes is repealed.

15 SECTION 725. 961.49 (3) of the statutes is repealed.

16 SECTION 726. 961.492 of the statutes is repealed.

17 SECTION 727. 968.255 (1) (a) 2. of the statutes is amended to read:

18 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20
19 (l), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

20 SECTION 728. 968.31 (1) (intro.) of the statutes, as affected by 1997 Wisconsin
21 Act 283, is amended to read:

22 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
23 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~
24 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
25 ~~or both~~ is guilty of a Class H felony:

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SECTION 729

1 SECTION 729. 968.34 (3) of the statutes, as affected by 1997 Wisconsin Act 283,
2 is amended to read:

3 968.34 (3) Whoever knowingly violates sub. (1) ~~shall~~ may be fined not more
4 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

5 SECTION 730. 968.43 (3) of the statutes, as affected by 1997 Wisconsin Act 283,
6 is amended to read:

7 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
8 ~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H
9 felony.

10 SECTION 731. 969.08 (10) (a) of the statutes is amended to read:

11 969.08 (10) (a) "Commission of a serious crime" includes a solicitation,
12 conspiracy or attempt, under s. 939.30, 939.31, or 939.32 ~~or 948.35~~, to commit a
13 serious crime.

14 SECTION 732. 969.08 (10) (b) of the statutes is amended to read:

15 969.08 (10) (b) "Serious crime" means any crime specified in s. 346.62 (4),
16 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195
17 (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25,
18 940.29, 940.295 (3) (b) lg., lm., lr., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30,
19 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10,
20 943.23 (lg), ~~(1m) or (1r)~~, 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1)
21 or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07 or 948.30.

22 SECTION 733. 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and
23 amended to read:

24 971.17 (1) (a) **Felonies committed before December 31, 1999.** ~~When~~ Except as
25 provided in par. (c), when a defendant is found not guilty by reason of mental disease

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1 or mental defect of a felony committed before December 31, 1999, the court shall
2 commit the person to the department of health and family services for a specified
3 period not exceeding two-thirds of the maximum term of imprisonment that could
4 be imposed under s. **973.15 (2)** (a) against an offender convicted of the same ~~crime~~
5 ~~or crimes~~ felony or felonies, including imprisonment authorized by ~~ss. 346.65 (2) (f),~~
6 ~~(2j) (d) or (3m), 939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09~~
7 ~~(1b), 940.25 (1b) and 961.48 and other~~ any applicable penalty enhancement statutes,
8 ~~as applicable~~, subject to the credit provisions of s. **973.155**.

9 (c) **Felonies punishable by life imprisonment.** If ~~the maximum term of~~
10 ~~imprisonment is a~~ defendant is found not guilty by reason of mental disease or
11 mental defect of a felony that is punishable by life imprisonment, the commitment
12 period specified by the court may be life, subject to termination under sub. (5).

13 SECTION 734. 971.17 (1) (b) of the statutes is created to read:

14 971.17 (1) (b) **Felonies committed on or after December 31, 1999.** Except as
15 provided in par. (c), when a defendant is found not guilty by reason of mental disease
16 or mental defect of a felony committed on or after December 31, 1999, the court shall
17 commit the person to the department of health and family services for a specified
18 period not exceeding the maximum term of confinement in prison that could be
19 imposed on an offender convicted of the same felony or felonies under ss. **973.01 (2)**
20 **(b)** and **973.15 (2) (a)**, plus imprisonment authorized by any applicable penalty
21 enhancement statutes, subject to the credit provisions of s. **973.155**.

22 SECTION 735. 971.17 (1) (d) of the statutes is created to read:

23 971.17 (1) (d) **Misdemeanors.** When a defendant is found not guilty by reason
24 of mental disease or mental defect of a misdemeanor, the court shall commit the
25 person to the department of health and family services for a specified period not

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1 exceeding two-thirds of the maximum term of imprisonment that could be imposed
2 under s. 973.15 (2) (a) against an offender convicted of the same misdemeanor or
3 misdemeanors, including imprisonment authorized by any applicable penalty
4 enhancement statutes, subject to the credit provisions of s. 973.155.

5 **SECTION 736.** 971.365 (1) (c) of the statutes is amended to read:

6 971.365 (1) (c) In any case under s. 961.41 (3g) ~~(a) 2.~~ (am), (c), (d) or (e) involving
7 more than one violation, all violations may be prosecuted as a single crime if the
8 violations were pursuant to a single intent and design.

9 **SECTION 737.** 971.365 (2) of the statutes is amended to read:

10 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
11 prosecution for any acts in violation of s. 961.41 (1) (cm), (d), (e), (f), (g) or (h), (lm)
12 (cm), (d), (e), (f), (g) or (h) or (3g) ~~(a) 2.~~ (am), (c), (d) or (e) on which no evidence was
13 received at the trial on the original charge.

14 **SECTION 738.** 973.01 (1) of the statutes is amended to read:

15 973.01 (1) **BIFURCATED SENTENCE REQUIRED.** Except as provided in sub. (3),
16 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
17 for a ~~felony crime~~ committed on or after December 31, 1999, the court shall impose
18 a bifurcated sentence ~~that consists of a term of confinement in prison followed by a~~
19 ~~term of extended supervision~~ under s. 302.113 this section.

20 **SECTION 739.** 973.01 (2) (intro.) of the statutes is amended to read:

21 973.01 (2) **STRUCTURE OF BIFURCATED SENTENCES.** (intro.) ~~The court shall ensure~~
22 ~~that a~~ A bifurcated sentence is a sentence that consists of a term of confinement in
23 prison followed by a term of extended supervision under s. 302.113. The total length
24 of a bifurcated sentence equals the length of the term of confinement in prison plus

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1 ~~the length of the term of extended supervision. A bifurcated sentence imposed under~~
2 ~~sub. (1) complies this section shall comply~~ with all of the following:

3 **SECTION 740.** 973.01 (2) (a) of the statutes is amended to read:

4 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
5 the total length of the bifurcated sentence may not exceed the maximum period of
6 imprisonment ~~for the~~ specified in s. 939.50 (3). if the crime is a classified felony, or
7 the maximum term of imprisonment provided by statute for the crime, if the crime
8 is not a classified felony, plus additional imprisonment authorized by any applicable
9 penalty enhancement statutes.

10 **SECTION 741.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

11 973.01 (2) (b) *Imprisonment portion of bifurcated sentence.* (intro.) The portion
12 of the bifurcated sentence that imposes a term of confinement in prison may not be
13 less than one year, ~~subject to any minimum sentence prescribed for the felony, and,~~
14 except as provided in par. (c), may not exceed whichever of the following is applicable:

15 **SECTION 742.** 973.01 (2) (b) 2. of the statutes is repealed.

16 **SECTION 743.** 973.01 (2) (b) 3. of the statutes is amended to read:

17 973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may
18 not exceed ~~10~~ 25 years.

19 **SECTION 744.** 973.01 (2) (b) 4. of the statutes is amended to read:

20 973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may
21 not exceed ~~5~~ 15 years.

22 **SECTION 745.** 973.01 (2) (b) 5. of the statutes is amended to read:

23 973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may
24 not exceed ~~2~~ 10 years.

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1 **SECTION 746.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.
2 and amended to read:

3 973.01 (2) (b) 10. For any ~~felony crime~~ other than a felony specified in subds.
4 1. to ~~5.~~ 9., the term of confinement in prison may not exceed 75% of the total length
5 of the bifurcated sentence.

6 **SECTION 747.** 973.01 (2) (b) 6m. of the statutes is created to read:

7 973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may
8 not exceed 7 years and 6 months.

9 **SECTION 748.** 973.01 (2) (b) 7. of the statutes is created to read:

10 973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may
11 not exceed 5 years.

12 **SECTION 749.** 973.01 (2) (b) 8. of the statutes is created to read:

13 973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may
14 not exceed 3 years.

15 **SECTION 750.** 973.01 (2) (b) 9. of the statutes is created to read:

16 973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not
17 exceed one year and 6 months.

18 **SECTION 751.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and
19 amended to read:

20 973.01 (2) (c) 1. ~~The~~ Subject to the minimum period of extended supervision
21 required under nar. (d), the maximum term of confinement in prison specified in par.
22 (b) may be increased by any applicable penalty enhancement statute. If the
23 maximum term of confinement in prison specified in par. (b) is increased under this
24 paragraph, the total length of the bifurcated sentence that may be imposed is
25 increased by the same amount.

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1 **SECTION 752. 973.01 (2) (c) 2.** of the statutes is created to read:

2 **973.01 (2) (c) 2.** If more than one of the following penalty enhancement statutes
3 apply to a crime, the court shall apply them in the order listed in calculating the
4 maximum term of imprisonment for that crime:

5 a. Sections **939.621, 939.632, 939.645, 961.46** and 961.49.

6 b. Section 939.63.

7 c. Section 939.62 or 961.48.

8 **SECTION 753. 973.01 (2) (d)** of the statutes is renumbered **973.01 (2) (d)** (intro.)
9 and amended to read:

10 **973.01 (2) (d) *Minimum and maximum term of extended supervision.*** (intro.)

11 The term of extended supervision that follows the term of confinement in prison may
12 not be less than 25% of the length of the term of confinement in prison imposed under
13 par. (b); and, for a classified felony, may not exceed whichever of the following is
14 annlicable:

15 **SECTION 754. 973.01 (2) (d) 1. to 6.** of the statutes are created to read:

16 **973.01 (2) (d) 1.** For a Class B felony, the term of extended supervision may not
17 exceed 20 years.

18 2. For a Class C felony, the term of extended supervision may not exceed 15
19 years.

20 3. For a Class D felony, the term of extended supervision may not exceed 10
21 years.

22 4. For a Class E, F or G felony, the term of extended supervision may not exceed
23 5 years.

24 5. For a Class H felony, the term of extended supervision may not exceed 3
25 years.

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1 6. For a Class I felony, the term of extended supervision may not exceed 2 years.

2 **SECTION 755.** 973.01 (4) of the statutes is amended to read:

3 **973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT.** A
4 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
5 confinement in prison portion of the sentence without reduction for good behavior.
6 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
7 and, if applicable, to reduction under s. 302.045 (3m) gr 302.113 (9g).

8 **SECTION 756.** 973.0135 (1) (b) 2. of the statutes is amended to read:

9 973.0135 **(1)** (b) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m)
10 gr (lr), 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., s.
11 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
12 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (lg),
13 (1m) or (1r), 943.32 (2), 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,
14 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

15 **SECTION 757.** 973.017 of the statutes is created to read:

16 **973.017 Bifurcated sentences; use of guidelines; consideration of**
17 **aggravating and mitigating factors. (1) DEFINITION.** In this section, "sentencing
18 decision" means a decision as to whether to impose a bifurcated sentence under s.
19 973.01 or place a person on probation and a decision as to the length of a bifurcated
20 sentence, including the length of each component of the bifurcated sentence, the
21 amount of a fine and the length of a term of probation.

22 **(2) GENERAL REQUIREMENT.** When a court makes a sentencing decision
23 concerning a person convicted of a criminal offense committed on or after December
24 31, 1999, the court shall consider all of the following:

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1 (a) If the offense is a felony, the sentencing guidelines adopted by the
2 sentencing commission under s. 973.30 or, if the sentencing commission has not
3 adopted a guideline for the offense, any applicable temporary sentencing guideline
4 adopted by the criminal penalties study committee created under 1997 Wisconsin
5 Act 283.

6 (b) Any applicable mitigating factors and any applicable aggravating factors,
7 including the aggravating factors specified in subs. (3) to (8).

8 **(3) AGGRAVATING FACTORS; GENERALLY.** When making a sentencing decision for
9 any crime, the court shall consider all of the following as aggravating factors:

10 (a) The fact that the person committed the crime while his or her usual
11 appearance was concealed, disguised or altered, with the intent to make it less likely
12 that he or she would be identified with the crime.

13 (b) The fact that the person committed the crime using information that was
14 disclosed to him or her under s. 301.46.

15 (c) The fact that the person committed the crime for the benefit of, at the
16 direction of or in association with any criminal gang, as defined in s. 939.22 (9), with
17 the specific intent to promote, further or assist in any criminal conduct by criminal
18 gang members, as defined in s. 939.22 (9g).

19 (d) The fact that the person committed the felony while wearing a vest or other
20 garment designed, redesigned or adapted to prevent bullets from penetrating the
21 garment.

22 (e) 1. Subject to subd. 2., the fact that the person committed the felony with the
23 intent to influence the policy of a governmental unit or to punish a governmental unit
24 for a prior policy decision, if any of the following circumstances also applies to the
25 felony committed by the person:

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1 a. The person caused bodily harm, great bodily harm or death to another.

2 b. The person caused damage to the property of another and the total property
3 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.
4 b., property is reduced in value by the amount that it would cost either to repair or
5 to replace it, whichever is less.

6 c. The person used force or violence or the threat of force or violence.

7 2. a. In this subdivision, "labor dispute" includes any controversy concerning
8 terms, tenure or conditions of employment, or concerning the association or
9 representation of persons in negotiating, fixing, maintaining, changing or seeking
10 to arrange terms or conditions of employment, regardless of whether the disputants
11 stand in the proximate relation of employer and employe.

12 b. Subdivision 1. does not apply to conduct arising out of or in connection with
13 a labor dispute.

14 **(4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH**
15 **CERTAIN DISEASES.** (a) In this subsection:

16 1. "HIV" means any strain of human immunodeficiency virus, which causes
17 acquired immunodeficiency syndrome.

18 2. "Serious sex crime" means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2)
19 or 948.025.

20 3. "Sexually transmitted disease" means syphilis, gonorrhea, hepatitis B,
21 hepatitis C or chlamydia.

22 4. "Significantly exposed" means sustaining a contact which carries a potential
23 for transmission of a sexually transmitted disease or HIV by one or more of the
24 following:

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1 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;
2 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or
3 amniotic fluid; or other body fluid that is visibly contaminated with blood.

4 b. Exchange, during the accidental or intentional infliction of a penetrating
5 wound, including a needle puncture, of blood; semen; vaginal secretions;
6 cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other
7 body fluid that is visibly contaminated with blood.

8 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where
9 a significant breakdown in the epidermal barrier has occurred, of blood; semen;
10 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or
11 amniotic fluid; or other body fluid that is visibly contaminated with blood.

12 (b) When making a sentencing decision concerning a person convicted of a
13 serious sex crime, the court shall consider as an aggravating factor the fact that the
14 serious sex crime was committed under all of the following circumstances:

15 1. At the time that he or she committed the serious sex crime, the person
16 convicted of committing the serious sex crime had a sexually transmitted disease or
17 acquired immunodeficiency syndrome or had had a positive test for the presence of
18 HIV, antigen or nonantigenic products of HIV or an antibody to HIV.

19 2. At the time that he or she committed the serious sex crime, the person
20 convicted of committing the serious sex crime knew that he or she had a sexually
21 transmitted disease or acquired immunodeficiency syndrome or that he or she had
22 had a positive test for the presence of HIV, antigen or nonantigenic products of HIV
23 or an antibody to HIV.

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1 3. The victim of the serious sex crime was significantly exposed to HIV or to the
2 sexually transmitted disease, whichever is applicable, by the acts constituting the
3 serious sex crime.

4 (5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON. (a)

5 In this subsection:

6 1. "Elder person" means any individual who is 62 years of age or older.

7 2. "Violent felony" means any felony under s. 940.19 (2), (4), (5) or (6), 940.225
8 (1), (2) or (3), 940.23 or 943.32.

9 (b) When making a sentencing decision concerning a person convicted of a
10 violent felony, the court shall consider as an aggravating factor the fact that the
11 victim of the violent felony was an elder person. This paragraph applies even if the
12 person mistakenly believed that the victim had not attained the age of 62 years.

13 (6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN

14 PERSONS. (a) In this subsection, "person responsible for the welfare the child"
15 includes the child's parent, stepparent, guardian, foster parent or treatment foster
16 parent; an employe of a public or private residential home, institution or agency; any
17 other person legally responsible for the child's welfare in a residential setting; or a
18 person employed by one who is legally responsible for the child's welfare to exercise
19 temporary control or care for the child.

20 (b) When making a sentencing decision concerning a person convicted of a
21 violation of s. 948.02 (1) or (2), 948.025 (1) or 948.03 (2) or (3), the court shall consider
22 as an aggravating factor the fact that the person was a person responsible for the
23 welfare of the child who was the victim of the violation.

24 (7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.

25 When making a sentencing decision concerning a person convicted of a violation of

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1 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact
2 that, at the time of the violation, there was a minor passenger under 16 years of age
3 or an unborn child in the person's motor vehicle.

4 **(8) AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES.** (a) *Distribution*
5 *or delivery to prisoners.* 1. In this paragraph, "precinct" means a place where any
6 activity is conducted by a prison, jail or house of correction.

7 2. When making a sentencing decision concerning a person convicted of
8 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the
9 fact that the violation involved delivering, distributing or possessing with intent to
10 deliver or distribute a controlled substance or controlled substance analog to a
11 prisoner within the precincts of any prison, jail or house of correction.

12 (b) *Distribution or delivery on public transit vehicles.* When making a
13 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m),
14 the court shall consider as an aggravating factor the fact that the violation involved
15 delivering, distributing or possessing with intent to deliver or distribute a controlled
16 substance included in schedule I or II or a controlled substance analog of any
17 controlled substance included in schedule I or II and that the person knowingly used
18 a public transit vehicle during the violation.

19 **(9) AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME.** The aggravating factors
20 listed in this section are not elements of any crime. A prosecutor is not required to
21 charge any aggravating factor or otherwise allege the existence of an aggravating
22 factor in any pleading for a court to consider the aggravating factor when making a
23 sentencing decision.

24 **(10) USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL.** The requirement
25 under sub. (2) (a) that a court consider sentencing guidelines adopted by the

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1 sentencing commission or the criminal penalties study committee does not require
2 a court to make a sentencing decision that is within any range or consistent with a
3 recommendation specified in the guidelines, and there is no right to appeal a court's
4 sentencing decision based on the court's decision to depart in any way from any
5 guideline. In any appeal from a court's sentencing decision, the appellate court may
6 reverse the sentencing decision only if it determines that the sentencing court
7 erroneously exercised its discretion in making the sentencing. decision.

8 SECTION 758. 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

9 973.03 (3) (e) 1. A crime which is a Class A ~~or~~, B or C felony.

10 2. A crime which is a Class C, D, E, F or G felony listed in s. 969.08 (10) (b), but
11 not including any crime specified in s. 943.10.

12 SECTION 759. 973.03 (3) (e) 3. of the statutes is repealed.

13 SECTION 760. 973.032 (4) (c) 2. of the statutes is amended to read:

14 973.032 (4) (c) 2. The person is sentenced for the escape ~~under s. 946.42 (4) (b)~~
15 to a sentence of imprisonment concurrent with the sentence to the intensive
16 sanctions program.

17 SECTION 761. 973.075 (1) (b) lm. e. of the statutes is amended to read:

18 973.075 (1) (b) lm. e. To cause more than ~~\$1,000~~ \$2,000 worth of criminal
19 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

20 SECTION 762. 973.075 (2) (d) of the statutes is amended to read:

21 973.075 (2) (d) The officer has probable cause to believe that the property was
22 derived from or realized through a crime or that the property is a vehicle which was
23 used to transport any property or weapon used or to be used or received in the
24 commission of any felony, which was used in the commission of a crime relating to
25 a submerged cultural resource in violation of s. 44.47 or which was used to cause

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1 more than ~~\$1,000~~ \$2,000 worth of criminal damage to cemetery property in violation
2 of s. 943.01 (2) (d) or 943.012.

3 **SECTION 763.** 973.09 (2) (b) 1. of the statutes is amended to read:

4 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one
5 year nor more than either the ~~statutory~~ maximum term of ~~imprisonment~~
6 confinement in orison for the crime, as specified in s. 973.01 (2) (b), or 3 years,
7 whichever is greater.

8 **SECTION 764.** 973.15 (2) (am) of the statutes is created to read:

9 973.15 (2) (am) 1. If a court provides that a bifurcated sentence imposed under
10 s. 973.01 is to run concurrent with or consecutive to a sentence to the Wisconsin state
11 prisons other than another bifurcated sentence imposed under s. 973.01, the court
12 shall do all of the following:

13 a. Order the term of confinement in prison under the bifurcated sentence to be
14 concurrent with or consecutive to the term of confinement in prison required under
15 the nonbifurcated sentence.

16 b. Order the period of parole under the nonbifurcated sentence to be concurrent
17 with or consecutive to the term of extended supervision required under the
18 bifurcated sentence.

19 2. If a court imposes a sentence to the Wisconsin state prisons that is not a
20 bifurcated sentence imposed under s. 973.01 and provides that the nonbifurcated
21 sentence is to run concurrent with or consecutive to a bifurcated sentence under s.
22 973.01, the court shall do all of the following:

23 a. Order the term of confinement in prison under the nonbifurcated sentence
24 to be concurrent with or consecutive to the term of confinement in prison required
25 under the bifurcated sentence.

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1 b. Order the period of parole under the nonbifurcated sentence to be concurrent
2 with or consecutive to the term of extended supervision required under the
3 bifurcated sentence.

4 **SECTION 765. 973.30** of the statutes is created to read:

5 **973.30 Sentencing commission. (1) DUTIES.** The sentencing commission
6 shall do all of the following:

7 (a) Select an executive director having appropriate training and experience to
8 study sentencing practices and prepare proposed sentencing guidelines.

9 (b) Monitor and compile data regarding sentencing practices in the state.

10 (c) Adopt advisory sentencing guidelines for felonies committed on or after
11 December **31**, 1999, to promote public safety, to reflect changes in sentencing
12 practices and to preserve the integrity of the criminal justice and correctional
13 systems.

14 (d) Provide information to the legislature, state agencies and the public
15 regarding the costs to and other needs of the department which result from
16 sentencing practices.

17 (e) Provide information to judges and lawyers about the sentencing guidelines.

18 (f) Publish and distribute to all circuit judges hearing criminal cases an annual
19 report regarding its work, which shall include all sentencing guidelines and all
20 changes in existing sentencing guidelines adopted during the 12 months preceding
21 the report.

22 (g) Study whether race is a basis for imposing sentences in criminal cases and
23 submit a report and recommendations on this issue to the governor, to each house
24 of the legislature under s. 13.172 (2) and to the supreme court.

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1 (h) Assist the legislature in assessing the cost of enacting new or revising
2 existing statutes affecting criminal sentencing.

3 (i) At least semiannually, submit reports to all circuit judges, and to the chief
4 clerk of each house of the legislature for distribution to the appropriate standing
5 committees under s. 13.172 (3), containing statistics regarding criminal sentences
6 imposed in this state. Each report shall have a different focus and need not contain
7 statistics regarding every crime. Each report shall contain information regarding
8 sentences imposed statewide and in each of the following geographic areas:

9 1. Milwaukee County.

10 2. Dane and Rock counties.

11 3. Brown, Outagamie, Calumet and Winnebago counties.

12 4. Racine and Kenosha counties.

13 5. All other counties.

14 (j) Study how sentencing options affect various types of offenders and offenses.

15 (2) **STAFF.** Subject to authorization under s. 16.505, the sentencing commission
16 may hire staff to assist it in the performance of its duties.

17 (3) **SUNSET.** This section does not apply after December 31, 2004.

18 **SECTION 766.** 977.05 (4) (jm) of the statutes is created to read:

19 977.05 (4) (jm) At the request of an inmate determined by the state public
20 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent
21 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113
22 (9g) before a program review committee and the sentencing court, if the state public
23 defender determines the case should be pursued.

24 **SECTION 767.** 977.06 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
25 283, is amended to read:

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1 977.06 (2) (b) A person who makes a false representation that he or she does
2 not believe is true for purposes of qualifying for assignment of counsel ~~shall be fined~~
3 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
4 is guilty of a Class I felony.

5 **SECTION 768.** 978.13 (1) (c) of the statutes is amended to read:

6 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
7 fringe benefit costs of clerk positions in the district attorney's office necessary for the
8 prosecution of violent crime cases primarily involving felony violations under s.
9 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
10 940.06, 940.225, 943.23 (lg), ~~(1m)~~ and ~~(1r)~~ and 943.32 (2). The state treasurer shall
11 pay the amount authorized under this paragraph to the county treasurer pursuant
12 to a voucher submitted by the district attorney to the secretary of administration
13 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph
14 may not exceed \$88,500 in the 1997-98 fiscal year and \$91,600 in the 1998-99 fiscal
15 year.

16 **SECTION 769.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

17 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~
18 The committee shall submit a report of its findings and recommendations to the
19 legislature in the manner provided under section 13.172 (2) of the statutes and to the
20 governor. The report shall include any proposed legislation that is necessary to
21 implement the recommendations made by the committee in its report.

22 **SECTION 770.** 1997 Wisconsin Act 283, section 454 (2) is amended to read:

23 [1997 Wisconsin Act 283] Section 454 (2) **ATTORNEY PROJECT POSITION.** The
24 authorized FTE positions for the department of administration are increased by 1.0
25 GPR attorney project position, to be funded from the appropriation under section

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1 20.505 (3) (c) of the statutes, for the purpose of providing legal services to the criminal
2 penalties study committee established under subsection (1), for the period ending on
3 ~~April 30, 1999~~ June 30, 2000.

SECTION 771. Nonstatutory provisions.

5 **(1) SENTENCING COMMISSION; INITIAL TERMS.** Notwithstanding section 15.105 (26)

6 (c) 1. of the statutes, as created by this act, the initial members of the sentencing
7 commission shall be appointed for the following terms:

8 (a) Two members appointed under section 15.105 (26) (a) 3. of the statutes, as
9 created by this act, one of whom is not employed by any unit of federal, state or local
10 government, one circuit judge and one district attorney, for terms expiring on
11 January 1, 2001.

12 . (b) Three members appointed under section 15.105 (26) (a) 3. of the statutes,
13 as created by this act, one of whom is not employed by any unit of federal, state or
14 local government, and one circuit judge, for terms expiring on January 1, 2002.

15 (c) Two members appointed under section 15.105 (26) (a) 3. of the statutes, as
16 created by this act, the member appointed under section 15.105 (26) (a) 5. of the
17 statutes, as created by this act, one representative of crime victims and one attorney
18 in private practice, for terms expiring on January 1, 2003.

19 **(2) POSITION AUTHORIZATION.** There is authorized for the sentencing commission
20 1.0 FTE GPR executive director position, 1.0 FTE GPR deputy director position and
21 4.0 FTE GPR other positions to be funded from the appropriation under section
22 20.505 (4) (dr) of the statutes, as created by this act.

23 **(3) CRIMINAL PENALTIES STUDY COMMITTEE.** Until the members of the sentencing
24 commission created under section 973.30 of the statutes, as created by this act, are

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1 appointed, the criminal penalties study committee shall provide information to
2 lawyers, judges, the legislature and the public regarding this act.

3 **SECTION 772. Appropriation changes.**

4 (1) **CRIMINAL PENALTIES STUDY COMMITTEE.** In the schedule under section 20.005
5 (3) of the statutes for the appropriation to the department of administration under
6 section 20.505 (3) (c) of the statutes, as affected by the acts of 1999, the dollar amount
7 is increased by \$112,500 for fiscal year 1999-00 to fund the activities of the criminal
8 penalties study committee created under 1997 Wisconsin Act 283, section 454 (1).

9 **SECTION 773. Initial applicability.**

10 (1) **PENALTY PROVISIONS GENERALLY.** The repeal of sections 351.07 (2) (b), 939.32
11 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.623, 939.624,
12 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b),
13 940.19 (3), 940.195 (3), 940.195 (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m),
14 941.296 (3), 943.01 (2g), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m),
15 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d)
16 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (1m)
17 (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41
18 (3g) (a) 2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2),
19 961.48 (4), 961.49 (2), 961.49 (3), 961.492 and 973.03 (3) (e) 3. of the statutes; the
20 renumbering of sections 351.07 (2) (a) and 961.49 (1) of the statutes; the renumbering
21 and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025
22 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1)
23 and 961.48 (1) of the statutes; the amendment of sections 11.61 (1) (a), 11.61 (1) (b),
24 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971
25 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d),

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1 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c),
2 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.49 (1) (b)
3 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 55.06
4 (11) (am), 66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),
5 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),
6 100.26 (7), 101.143 (10) (b), 101.94 (8) (b), 102.835 (ll), 102.835 (18), 102.85 (3),
7 108.225 (ll), 108.225 (18), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a)
8 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1),
9 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1),
10 139.44 (lm), 139.44 (2), 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5),
11 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g),
12 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b),
13 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2),
14 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97
15 (2) (c) 1. and 2., 299.53 (4) (c) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b),
16 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a),
17 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175
18 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2)
19 (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,
20 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (l), 552.19 (l), 553.52 (l), 553.52 (2),
21 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),
22 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07, 938.208 (1) (a),
23 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22
24 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50
25 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b),

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1 939.62 (1) (c), 939.632 (1) (e) l., 939.632 (2), 939.645 (2), 939.72 (l), 939.75 (l), 940.02
2 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (l), 940.06 (2),
3 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),
4 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),
5 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (l), 940.20 (lm),
6 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.),
7 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2)
8 (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1)
9 (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2)
10 (b) lg., 940.285 (2) (b) lm., 940.285 (2) (b) lr., 940.285 (2) (b) 2., 940.29, 940.295 (3)
11 (b) lg., 940.295 (3) (b) lm., 940.295 (3) (b) lr., 940.295 (3) (b) 2., 940.295 (3) (b) 3.,
12 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b),
13 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43
14 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)
15 (intro.), 941.21, 941.235 (l), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),
16 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),
17 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),
18 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) l., 941.327 (2) (b) 2., 941.327 (2)
19 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38
20 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)
21 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017
22 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2),
23 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3)
24 (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) l., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201
25 (2), 943.205 (3), 943.21 (3) (a), 943.21 (3) (b), 943.23 (lg), 943.23 (2), 943.23 (3), 943.23

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1 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2),
2 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4),
3 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a), 943.34 (1) (b),
4 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a), 943.395
5 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d),
6 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3)
7 (d), 943.50 (4) (a), 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5)
8 (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4.,
9 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 944.05 (1) (intro.),
10 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,
11 944.33 (2), 944.34 (intro.), 945.03 (intro.), 945.05 (1) (intro.), 945.08 (l), 946.02 (1)
12 (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.),
13 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (l), 946.15 (3), 946.31 (1) (intro.),
14 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425
15 (1), 946.425 (lm) (b), 946.425 (lr) (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (lg),
16 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60
17 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (lr) (a), 946.68 (lr) (b), 946.68 (lr)
18 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),
19 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02
20 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03
21 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05
22 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.),
23 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2),
24 948.20, 948.21 (l), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2)
25 (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b),

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1 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2)
2 (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2),
3 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),
4 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41
5 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.),
6 961.41(1)(e) 1., 961.41(1)(e) 2., 961.41(1)(e) 3., 961.41(1)(e) 4., 961.41(1)(f) (intro.),
7 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g)
8 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41
9 (1)(h) 2., 961.41(1)(h) 3., 961.41(1)(i), 961.41(1)(j), 961.41(1m) (intro.), 961.41(1m)
10 (a), 961.41(1m) (b), 961.41(1m) (cm) (intro.), 961.41(1m) (cm) 2., 961.41(1m) (cm)
11 3., 961.41(1m) (cm) 4., 961.41(1m) (d) (intro.), 961.41(1m) (d) 1., 961.41(1m) (d) 2.,
12 961.41(1m) (d) 3., 961.41(1m) (d) 4., 961.41(1m) (e) (intro.), 961.41(1m) (e) 1., 961.41
13 (1m) (e) 2., 961.41(1m) (e) 3., 961.41(1m) (e) 4., 961.41(1m) (f) (intro.), 961.41(1m)
14 (f) 1., 961.41(1m) (f) 2., 961.41(1m) (f) 3., 961.41(1m) (g) (intro.), 961.41(1m) (g) 1.,
15 961.41(1m) (g) 2., 961.41(1m) (g) 3., 961.41(1m) (h) (intro.), 961.41(1m) (h) 1.,
16 961.41(1m) (h) 2., 961.41(1m) (h) 3., 961.41(1m) (i), 961.41(1m) (j), 961.41(1n) (c),
17 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (d),
18 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42
19 (2), 961.43 (2), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3),
20 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)
21 (b), 971.365 (1) (c), 971.365 (2), 973.03 (3) (e) 1. and 2., 973.075 (1) (b) 1m. e., 973.075
22 (2) (d), 973.09 (2) (b) 1. and 977.06 (2) (b) of the statutes; and the creation of sections
23 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm),
24 939.32 (lg), 939.32 (lm), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i),
25 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (lc), 943.20 (3) (bm),

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1 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p),
2 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1)
3 (cm) lg., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) lg., 961.41 (lm) (h) 4.,
4 961.41 (lm) (h) 5., 961.41 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes first
5 apply to offenses committed on the effective date of this subsection.

6 (2) **OPERATING AFTER REVOCATION.** The treatment of section 343.44 (2) (b) (intro.)
7 of the statutes first applies to offenses committed on the effective date of this
8 subsection.

9 **SECTION 774. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) **PENALTY PROVISIONS GENERALLY.** The repeal of sections 351.07 (2) (b), 939.32
12 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.623, 939.624,
13 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (lb),
14 940.19 (3), 940.195 (3), 940.195 (6), 940.25 (lb), 940.285 (2) (b) 3., 941.29 (2m),
15 941.296 (3), 943.01 (2g), 943.23 (1m), 943.23 (lr), 946.42 (4), 946.425 (2), 948.02 (3m),
16 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d)
17 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (lm)
18 (d) 5., 961.41 (lm) (d) 6., 961.41 (lm) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41
19 (3g) (a) 2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2),
20 961.48 (4), 961.49 (2), 961.49 (3), 961.492 and 973.03 (3) (e) 3. of the statutes; the
21 renumbering of sections 351.07 (2) (a) and 961.49 (1) of the statutes; the renumbering
22 and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025
23 (l), 948.025 (2), 961.41 (1) (cm) l., 961.41 (1m) (cm) l., 961.41 (3g) (a) l., 961.46 (1)
24 and 961.48 (1) of the statutes; the amendment of sections 6.18, 11.61 (1) (a), 11.61 (1)
25 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c),

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1 29.971 (lm) (c), 29.971 (llm) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80
2 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2.,
3 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm)
4 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141(7)(a), 49.141(7) (b), 49.141
5 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.49 (1) (b) l., 49.49 (2) (a), 49.49 (2) (b), 49.49
6 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b), 66.4025
7 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2),
8 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b),
9 101.94 (8) (b), 102.835 (ll), 102.835 (18), 102.85 (3), 108.225 (ll), 108.225 (18), 110.07
10 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b),
11 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (l), 133.03 (2), 134.05
12 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (l), 139.44 (lm), 139.44 (2),
13 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70
14 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2),
15 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21
16 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06
17 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2.,
18 301.26 (4) (cm) l., 302.095 (2), 302.11 (lg) (a) 2., 302.11 (lp), 304.06 (1) (b), 304.071
19 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3)
20 (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d),
21 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175
22 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c),
23 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58
24 (l), 552.19 (l), 553.52 (l), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3),
25 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2)

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1 (intro.), 768.07, 783.07, 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) l., 938.355
2 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1)
3 (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e),
4 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a.
5 and b., 939.632 (1) (e) l., 939.632 (2), 939.645 (2), 939.72 (l), 939.75 (l), 940.02 (2)
6 (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (l), 940.06 (2),
7 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (l), 940.10 (2), 940.11 (l),
8 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),
9 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1), 940.20 (lm),
10 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.),
11 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2)
12 (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1)
13 (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2)
14 (b) lg., 940.285 (2) (b) lm., 940.285 (2) (b) lr., 940.285 (2) (b) 2., 940.29, 940.295 (3)
15 (b) lg., 940.295 (3) (b) lm., 940.295 (3) (b) lr., 940.295 (3) (b) 2., 940.295 (3) (b) 3.,
16 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b),
17 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43
18 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (l), 941.20 (2) (intro.), 941.20 (3) (a)
19 (intro.), 941.21, 941.235 (l), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),
20 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (l),
21 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),
22 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) l., 941.327 (2) (b) 2., 941.327 (2)
23 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38
24 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)
25 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017

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1 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (l), 943.07 (2),
2 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3)
3 (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201
4 (2), 943.205 (3), 943.21 (3) (a), 943.21 (3) (b), 943.23 (lg), 943.23 (2), 943.23 (3), 943.23
5 (4m), 943.23 (5), 943.24 (l), 943.24 (2), 943.25 (l), 943.25 (2) (intro.), 943.26 (2),
6 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4),
7 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a), 943.34 (1) (b),
8 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a), 943.395
9 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d),
10 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3)
11 (d), 943.50 (4) (a), 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5)
12 (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4.,
13 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 944.05 (1) (intro.),
14 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,
15 944.33 (2), 944.34 (intro.), 945.03 (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1)
16 (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (l), 946.10 (intro.), 946.11 (1) (intro.),
17 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (l), 946.15 (3), 946.31 (1) (intro.),
18 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425
19 (l), 946.425 (lm) (b), 946.425 (lr) (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (lg),
20 946.44 (lm), 946.47 (1) (intro.), 946.48 (l), 946.49 (1) (b), 946.49 (2), 946.60 (l), 946.60
21 (2), 946.61 (1) (intro.), 946.64, 946.65 (l), 946.68 (lr) (a), 946.68 (lr) (b), 946.68 (lr)
22 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (l), 946.74 (2), 946.76, 946.82 (4), 946.84 (l),
23 946.85 (l), 947.013 (1t), 947.013 (Iv), 947.013 (Ix) (intro.), 947.015, 948.02 (2), 948.02
24 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03
25 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (l), 948.04 (2), 948.05 (1) (intro.), 948.05

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1 tlm), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.),
2 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2),
3 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2)
4 (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b),
5 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2)
6 (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2),
7 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),
8 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41
9 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.),
10 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),
11 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g)
12 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41
13 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m)
14 (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm)
15 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2.,
16 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41
17 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m)
18 (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1.,
19 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1.,
20 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c),
21 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (d),
22 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42
23 (2), 961.43 (2), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3),
24 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)
25 (b), 971.365 (1) (c), 971.365 (2), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032

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1 (4) (c) 2., 973.075 (1) (b) lm. e., 973.075 (2) (d), 973.09 (2) (b) l., 977.06 (2) (b) and
2 978.13 (1) (c) of the statutes; the creation of sections 49.95 (1) (e) and (f), 125.075 (2)
3 (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (lg), 939.32 (lm),
4 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g),
5 939.50 (3) (h), 939.50 (3) (i), 940.09 (lc), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm),
6 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b),
7 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) lg., 961.41 (1) (h) 4.,
8 961.41 (1) (h) 5., 961.41 (1m) (cm) lg., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.41
9 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes; and SECTION 773 (1) of this
10 act take effect on December 31, 1999, or the day after publication, whichever is later.

11 (2) **OPERATING AFTER REVOCATION.** The treatment of section 343.44 (2) (b) (intro.)
12 of the statutes and SECTION 773 (2) of this act take effect on whichever of the following
13 dates is later:

14 (a) The day after publication.

15 (b) May 1, 2000, or the date stated in the notice published by the secretary of
16 transportation in the Wisconsin Administrative Register under section 85.515 of the
17 statutes, whichever is earlier.

18 (3) **CRIMINAL PENALTIES STUDY COMMITTEE APPROPRIATION.** SECTION 772 (1) of this
19 act takes effect on the day after publication of this act or on the 2nd day after
20 publication of the 1999-2001 biennial budget act, whichever is later.

21 (END)