

1999 ASSEMBLY BILL 755

February 17, 2000 – Introduced by Representatives LEIBHAM, KESTELL, SYKORA, ALBERS, PLALE, GUNDERSON, PETTIS, HANDRICK, JESKEWITZ and URBAN, cosponsored by Senator SCHULTZ. Referred to Committee on Transportation.

1 **AN ACT to create** 343.31 (1) (k), 938.34 (14q) and 973.137 of the statutes;
2 **relating to:** mandatory operating privilege suspension for certain firearms
3 offenses and bomb scares involving school premises.

Analysis by the Legislative Reference Bureau

Current law prohibits any person from making a bomb scare (intentionally conveying or causing to be conveyed any threat or false information, knowing such to be false, concerning an attempt or alleged attempt being made or to be made to destroy any property by the means of explosives). Making a bomb scare is a Class E felony, punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 5 years, or both.

Current law prohibits, with exceptions, any person from knowingly possessing a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone. Such a violation is a Class A misdemeanor, punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 9 months, or both.

Current law prohibits, with exceptions, any person from knowingly, or with reckless disregard for the safety of another, discharging or attempting to discharge a firearm at a place the individual knows is a school zone. Such a violation is a Class D felony, punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 10 years, or both.

This bill requires a court that convicts a person of one of the firearms offenses described above or of a bomb scare involving the threatened destruction of school premises, or that adjudicates a juvenile delinquent for one of those offenses, to notify

ASSEMBLY BILL 755

the department of transportation (DOT) of the person's conviction. Upon receiving the notice, DOT must suspend the violator's operating privilege for two years. If the violator's operating privilege is suspended or revoked at the time of conviction, or if the violator is not eligible for an operator's license at the time of conviction, the period of suspension does not begin to run until the violator is eligible and applies for an operator's license.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 343.31 (1) (k) of the statutes is created to read:

2 343.31 **(1)** (k) Upon receiving a notice of conviction under s. 973.137, the
3 department shall suspend the person's operating privilege for 2 years. If the
4 department receives a notice of conviction under s. 973.137 or a notice of suspension
5 under s. 938.34 (14q) for a person whose license or operating privilege is currently
6 suspended or revoked or for a person who does not currently possess a valid
7 operator's license, the suspension is first effective on the date on which the person
8 is first eligible and applies for issuance, renewal or reinstatement of an operator's
9 license.

10 **SECTION 2.** 938.34 (14q) of the statutes is created to read:

11 **938.34 (14q)** VIOLATIONS INVOLVING BOMB SCARES OR FIREARMS AT SCHOOL. In
12 addition to any other disposition imposed under this section, if the juvenile is found
13 to have violated s. 947.015 involving school premises, as defined in s. 948.61 (1) (c),
14 as the threatened property or is found to have violated s. 948.605, the court shall
15 immediately suspend the juvenile's operating privilege, as defined in s. 340.01 (40),
16 for 2 years. The court shall immediately forward to the department of transportation
17 the notice of suspension, clearly stating that the suspension is for a violation of s.
18 947.015 involving school premises, or for a violation of s. 948.605.

