

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 237**

November 4, 1999 – Offered by Senator GEORGE.

1     **AN ACT** *to repeal* 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc),  
2           939.615 (7) (c), 939.622, 939.623, 939.624, 939.625, 939.63 (2), 939.635, 939.64,  
3           939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.195  
4           (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.01 (2g), 943.23  
5           (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5),  
6           948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6.,  
7           961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41  
8           (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41 (3g) (a)  
9           2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48  
10          (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.; **to**  
11          **renumber** 351.07 (2) (a) and 961.49 (1); **to renumber and amend** 49.95 (1),  
12          125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)  
13          1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 971.17 (1),

1 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d); **to amend** 6.18, 11.61 (1) (a),  
2 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8),  
3 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),  
4 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d)  
5 (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (5) (bm) 2., 48.685  
6 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c),  
7 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.49  
8 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15  
9 (12), 55.06 (11) (am), 66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18)  
10 (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d),  
11 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.94 (8) (b), 102.835 (11),  
12 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18)  
13 (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3),  
14 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4),  
15 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44  
16 (2), 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am),  
17 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3),  
18 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12,  
19 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637  
20 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2)  
21 (c) 1. and 2., 299.53 (4) (c) 2., 301.03 (3), 302.113 (3) (a) (intro.), 301.035 (2),  
22 301.035 (4), 301.26 (4) (cm) 1., 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1g) (am),  
23 302.11 (1p), 302.11 (1z), 302.113 (2), 302.113 (7), 302.113 (9), 302.114 (3) (a)  
24 (intro.), 302.114 (5) (f), 302.114 (6) (b), 302.114 (6) (c), 302.114 (9), 302.33 (1),  
25 302.43, 303.065 (1) (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.),

1 303.08 (6), 303.08 (12), 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2),  
2 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31  
3 (1) (i), 343.31 (3) (d) (intro.), 343.44 (2) (b) (intro.), 344.48 (2), 346.17 (3) (a),  
4 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b),  
5 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5)  
6 (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11  
7 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1),  
8 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4),  
9 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.),  
10 768.07, 783.07, 801.50 (5), 911.01 (4) (c), 938.183 (3), 938.208 (1) (a), 938.34 (4h)  
11 (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21)  
12 (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2),  
13 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),  
14 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b.,  
15 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2)  
16 (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
17 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11  
18 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4),  
19 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1),  
20 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b),  
21 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.),  
22 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.),  
23 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1),  
24 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285  
25 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,

1 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1),  
2 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.),  
3 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45  
4 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.),  
5 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
6 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295  
7 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2)  
8 (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2.,  
9 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38  
10 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.),  
11 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2)  
12 (intro.), 943.017 (2) (d), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03,  
13 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.),  
14 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20  
15 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.21 (3)  
16 (a), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5),  
17 943.24 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28  
18 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30  
19 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a), 943.34 (1) (b), 943.34  
20 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a), 943.395 (2)  
21 (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d),  
22 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47  
23 (3) (d), 943.50 (4) (a), 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b),  
24 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3.,  
25 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2),

1 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c),  
2 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1)  
3 (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1),  
4 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14,  
5 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.),  
6 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r)  
7 (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1)  
8 (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1)  
9 (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69  
10 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
11 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2),  
12 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3)  
13 (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1)  
14 (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.),  
15 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12  
16 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.),  
17 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)  
18 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),  
19 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62  
20 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41  
21 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)  
22 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1.,  
23 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41  
24 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),  
25 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41

1 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h)  
2 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m)  
3 (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m)  
4 (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41  
5 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m)  
6 (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m)  
7 (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m)  
8 (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m)  
9 (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m)  
10 (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r),  
11 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (d), 961.41 (3g) (c),  
12 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2),  
13 961.43 (2), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3),  
14 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a),  
15 969.08 (10) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2) (intro.), 973.01  
16 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01 (2) (b) 5.,  
17 973.01 (4), 973.01 (5), 973.0135 (1) (b) 2., 973.0135 (2) (intro.), 973.014 (1)  
18 (intro.), 973.014 (1) (c), 973.014 (1g) (a) (intro.), 973.03 (3) (e) 1. and 2., 973.032  
19 (1), 973.032 (4) (c) 2., 973.075 (1) (b) 1m. e., 973.075 (2) (d), 973.09 (2) (b) 1.,  
20 973.15 (6), 977.06 (2) (b) and 978.13 (1) (c); **to repeal and recreate** 944.15  
21 (title); **to create** 13.525, 49.95 (1) (e) and (f), 125.075 (2) (b), 301.03 (3a), 302.113  
22 (7m), 302.113 (8m), 302.113 (9) (am), 302.113 (9) (d), 302.113 (9g), 302.114 (8m),  
23 302.114 (9) (d), 346.04 (2t), 346.04 (4), 346.17 (2t), 801.50 (5c), 939.32 (1) (bm),  
24 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50  
25 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h),

1 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50  
2 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b),  
3 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm)  
4 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4.,  
5 961.41 (1m) (h) 5., 961.41 (3g) (b) (title), 961.48 (1) (a) and (b), 971.17 (1) (b),  
6 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b)  
7 9., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.017, 973.031, 973.09 (6), 973.15  
8 (2) (am) and 977.05 (4) (jm) of the statutes; and *to affect* 1997 Wisconsin Act  
9 275, section 8m (1r) (a), 1997 Wisconsin Act 275, section 9g (1p), 1997 Wisconsin  
10 Act 283, section 454 (1) (f) and 1997 Wisconsin Act 283, section 456 (1); **relating**  
11 **to:** classification and elements of felony offenses and certain misdemeanor  
12 offenses; modification of a bifurcated sentence in certain cases; revocation of  
13 extended supervision; sentencing procedures in felony cases; and providing  
14 penalties.

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

15 **SECTION 1.** 6.18 of the statutes is amended to read:

16 **6.18 Former residents.** If ineligible to qualify as an elector in the state to  
17 which the elector has moved, any former qualified Wisconsin elector may vote an  
18 absentee ballot in the ward of the elector's prior residence in any presidential election  
19 occurring within 24 months after leaving Wisconsin by requesting an application  
20 form and returning it, properly executed, to the municipal clerk of the elector's prior  
21 Wisconsin residence. When requesting an application form for an absentee ballot,  
22 the applicant shall specify the applicant's eligibility for only the presidential ballot.

1 The application form shall require the following information and be in substantially  
2 the following form:

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

7 APPLICATION FOR PRESIDENTIAL  
8 ELECTOR’S ABSENT BALLOT.

9 (To be voted at the Presidential Election  
10 on November ....., .... (year)

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

20 Signed ....

21 Address ....(Present address)

22 ....(City) ....(State)

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

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

25 ....(County)



1 My Commission expires

2 MAIL BALLOT TO:

3 NAME ....

4 ADDRESS ....

5 CITY .... STATE .... ZIP CODE ....

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

11 .....(Municipal Clerk)

12 .....(Municipality)

13 **SECTION 2.** 11.61 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 283,  
14 is amended to read:

15 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
16 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~  
17 ~~or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a Class I  
18 felony.

19 **SECTION 3.** 11.61 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
22 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve  
23 a specific figure, or ~~where~~ if the intentional violation concerns a figure which exceeds  
24 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~  
25 ~~more than 4 years and 6 months or both.~~

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

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

6           **SECTION 5.** 13.05 of the statutes, as affected by 1997 Wisconsin Act 283, is  
7 amended to read:

8           **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
9 offers or promises to give his or her vote or influence in favor of or against any  
10 measure or proposition pending or proposed to be introduced, in the legislature in  
11 consideration or upon condition that any other person elected to the same legislature  
12 will give or will promise or agree to give his or her vote or influence in favor of or  
13 against any other measure or proposition pending or proposed to be introduced in  
14 such legislature, or who gives, offers or promises to give his or her vote or influence  
15 for or against any measure on condition that any other member will give his or her  
16 vote or influence in favor of any change in any other bill pending or proposed to be  
17 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
18 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
19 is guilty of a Class I felony.

20           **SECTION 6.** 13.06 of the statutes, as affected by 1997 Wisconsin Act 283, is  
21 amended to read:

22           **13.06 Executive favor.** Any member of the legislature who gives, offers or  
23 promises to give his or her vote or influence in favor of or against any measure or  
24 proposition pending or proposed to be introduced in the legislature, or that has  
25 already been passed by either house of the legislature, in consideration of or on

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

9 **SECTION 7.** 13.525 of the statutes is created to read:

10 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

11 There is created a joint review committee on criminal penalties composed of the  
12 following members:

13 (a) One majority party member and one minority party member from each  
14 house of the legislature, appointed as are the members of standing committees in  
15 their respective houses.

16 (b) The attorney general or his or her designee.

17 (c) The secretary of corrections or his or her designee.

18 (d) The state public defender or his or her designee.

19 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th or 5th judicial  
20 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th or  
21 10th judicial administrative district, appointed by the supreme court.

22 (f) Two members of the public appointed by the governor, one of whom shall  
23 have law enforcement experience in this state and one of whom shall be an elected  
24 county official.

1           **(2) OFFICERS.** The majority party senator and the majority party representative  
2 to the assembly shall be cochairpersons of the committee. The committee shall elect  
3 a secretary from among its nonlegislator members.

4           **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)  
5 (e) or (f) shall serve at the pleasure of the authority appointing them.

6           **(4) ELIGIBILITY.** A member shall cease to be a member upon losing the status  
7 upon which the appointment is based. Membership on the committee shall not be  
8 incompatible with any other public office.

9           **(5) REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced  
10 in either house of the legislature proposes to create a new crime or revise a penalty  
11 for an existing crime and the bill is referred to a standing committee of the house in  
12 which it is introduced, the chairperson may request the joint review committee to  
13 prepare a report on the bill under par. (b). If the bill is not referred to a standing  
14 committee, the speaker of the assembly, if the bill is introduced in the assembly, or  
15 the presiding officer of the senate, if the bill is introduced in the senate, may request  
16 the joint review committee to prepare a report on the bill under par. (b).

17           (b) If the joint review committee receives a request under par. (a) for a report  
18 on a bill that proposes to create a new crime or revise a penalty for an existing crime,  
19 the committee shall prepare a report concerning all of the following:

20           1. The costs that are likely to be incurred or saved by the department of  
21 corrections, the department of justice, the state public defender, the courts, district  
22 attorneys and other state and local government agencies if the bill is enacted.

23           2. The consistency of penalties proposed in the bill with existing criminal  
24 penalties.

1           3. Alternative language needed, if any, to conform penalties proposed in the bill  
2 to penalties in existing criminal statutes.

3           4. Whether acts prohibited under the bill are prohibited under existing  
4 criminal statutes.

5           (c) The chief clerk shall print a report prepared by the committee under par.  
6 (b) as an appendix to the bill and attach it thereto as are amendments. The  
7 reproduction shall be in lieu of inclusion in the daily journal of the house in which  
8 the proposal is introduced.

9           (d) If a bill that is introduced in either house of the legislature proposes to create  
10 a new crime or revise a penalty for an existing crime, a standing committee to which  
11 the bill is referred may not vote on whether to recommend the bill for passage and  
12 the bill may not be passed by the house in which it is introduced before the joint  
13 review committee submits a report under par. (b) or before the 30th day after a report  
14 is requested under par. (a), whichever is earlier.

15           **(6) COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as  
16 needed to elicit information for making a report. The committee shall meet at the  
17 call of its cochairpersons. All actions of the committee require the approval of a  
18 majority of all of its members.

19           **SECTION 8.** 13.69 (6m) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21           13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a  
22 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
23 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~  
24 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
25 felony.

1           **SECTION 9.** 23.33 (13) (cg) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           23.33 **(13)** (cg) *Penalties related to causing death or injury; interference with*  
4 *signs and standards.* A person who violates sub. (8) (f) 1. ~~shall be fined not more than~~  
5 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
6 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
7 person.

8           **SECTION 10.** 26.14 (8) of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

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

13           **SECTION 11.** 29.971 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 283,  
14 is amended to read:

15           29.971 **(1)** (c) For A person having fish in his or her possession in violation of  
16 this chapter ~~and is guilty of a Class I felony if the value of the fish under par. (d)~~  
17 ~~exceeds \$1,000, by a fine of not more than \$10,000 or imprisonment for not more than~~  
18 ~~3 years or both.~~

19           **SECTION 12.** 29.971 (1m) (c) of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21           29.971 **(1m)** (c) For A person possessing clams in violation of s. 29.537, is guilty  
22 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
23 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

24           **SECTION 13.** 29.971 (11m) (a) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

1           29.971 **(11m)** (a) For shooting, shooting at, killing, taking, catching or  
2 possessing a bear without a valid Class A bear license, or for possessing a bear which  
3 does not have a carcass tag attached or possessing a bear during the closed season,  
4 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
5 more than 6 months or both for the first violation, or by a fine of not more than ~~\$5,000~~  
6 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
7 subsequent violation, and, in addition, the court shall revoke all hunting approvals  
8 issued to the person under this chapter and shall prohibit the issuance of any new  
9 hunting approval under this chapter to the person for 3 years.

10           **SECTION 14.** 29.971 (11p) (a) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12           29.971 **(11p)** (a) For entering the den of a hibernating black bear and harming  
13 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~2~~  
14 years 9 months or both.

15           **SECTION 15.** 30.80 (2g) (b) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17           30.80 **(2g)** (b) Shall be fined not ~~less than \$300 nor~~ more than \$5,000 \$10,000  
18 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
19 injury to a person but the person did not suffer great bodily harm.

20           **SECTION 16.** 30.80 (2g) (c) of the statutes, as affected by 1997 Wisconsin Act 283,  
21 is amended to read:

22           30.80 **(2g)** (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
23 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a  
24 person and the person suffered great bodily harm.

1           **SECTION 17.** 30.80 (2g) (d) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

3           30.80 **(2g)** (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
4 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
5 death to a person.

6           **SECTION 18.** 30.80 (3m) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

8           30.80 **(3m)** Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
9 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
10 a Class H felony.

11           **SECTION 19.** 36.25 (6) (d) of the statutes, as affected by 1997 Wisconsin Act 283,  
12 is amended to read:

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

21           **SECTION 20.** 47.03 (3) (d) of the statutes, as affected by 1997 Wisconsin Act 283,  
22 is amended to read:

23           47.03 **(3)** (d) Any person who violates this subsection shall be fined not more  
24 than \$1,000 \$10,000 or imprisoned for not more than 2 years 9 months or both.

25           **SECTION 21.** 48.355 (2d) (b) 3. of the statutes is amended to read:



1           48.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),  
2 1997 stats., a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or  
3 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
4 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225  
5 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,  
6 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
7 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
8 of the parent.

9           **SECTION 22.** 48.415 (9m) (b) 2. of the statutes is amended to read:

10           48.415 **(9m)** (b) 2. The commission of a violation of s. 940.19 (3), 1997 stats.,  
11 a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
12 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other  
13 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or  
14 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06  
15 or 948.08 if committed in this state.

16           **SECTION 23.** 48.417 (1) (d) of the statutes is amended to read:

17           48.417 **(1)** (d) A court of competent jurisdiction has found that the parent has  
18 committed a violation of s. 940.19 (3), 1997 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)  
19 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a  
20 violation of the law of any other state or federal law, if that violation would be a  
21 violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or  
22 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in  
23 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
24 defined in s. 939.22 (38), to the child or another child of the parent.

25           **SECTION 24.** 48.57 (3p) (g) 2. of the statutes is amended to read:

1           48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified  
2 in s. 939.64, 1997 stats., or s. 939.641, 1997 stats., or s. 939.62, 939.621, 939.63,  
3 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other  
4 state or federal law under circumstances under which the person would be subject  
5 to a penalty specified in any of those sections if convicted in this state.

6           **SECTION 25.** 48.685 (5) (bm) 2. of the statutes is amended to read:

7           48.685 **(5)** (bm) 2. A violation of s. 940.19 (3), 1997 stats., or of s. 940.19 (2), ~~(3),~~  
8 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

9           **SECTION 26.** 48.685 (5) (bm) 3. of the statutes is amended to read:

10           48.685 **(5)** (bm) 3. A violation of s. 943.23 (1m) or (1r), 1997 stats., or of s. 940.01,  
11 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,  
12 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

13           **SECTION 27.** 48.685 (5) (bm) 4. of the statutes is amended to read:

14           48.685 **(5)** (bm) 4. A violation of s. 940.19 (3), 1997 stats., or of s. 940.19 (2), ~~(3),~~  
15 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that  
16 is a felony, if committed not more than 5 years before the date of the investigation  
17 under sub. (2) (am).

18           **SECTION 28.** 49.127 (8) (a) 2. of the statutes, as affected by 1997 Wisconsin Act  
19 283, is amended to read:

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

23           **SECTION 29.** 49.127 (8) (b) 2. of the statutes, as affected by 1997 Wisconsin Act  
24 283, is amended to read:

1           49.127 **(8)** (b) 2. If the value of the food coupons exceeds \$100, but is less than  
2           \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
3           ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
4           felony.

5           **SECTION 30.** 49.127 (8) (c) of the statutes, as affected by 1997 Wisconsin Act 283,  
6           is amended to read:

7           49.127 **(8)** (c) For any offense under this section, if the value of the food coupons  
8           is \$5,000 or more, a person who violates this section ~~may be fined not more than~~  
9           ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

10          **SECTION 31.** 49.141 (7) (a) of the statutes, as affected by 1997 Wisconsin Act  
11          283, is amended to read:

12          49.141 **(7)** (a) A person who is convicted of violating sub. (6) in connection with  
13          the furnishing by that person of items or services for which payment is or may be  
14          made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~  
15          ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

16          **SECTION 32.** 49.141 (7) (b) of the statutes, as affected by 1997 Wisconsin Act  
17          283, is amended to read:

18          49.141 **(7)** (b) A person, other than a person under par. (a), who is convicted of  
19          violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
20          ~~2 years~~ 9 months or both.

21          **SECTION 33.** 49.141 (9) (a) of the statutes, as affected by 1997 Wisconsin Act  
22          283, is amended to read:

23          49.141 **(9)** (a) Whoever solicits or receives any remuneration in cash or in-kind,  
24          in return for referring an individual to a person for the furnishing or arranging for  
25          the furnishing of any item or service for which payment may be made in whole or in

1 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
2 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
3 service, or item for which payment may be made in whole or in part under Wisconsin  
4 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
5 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
6 ~~imprisoned for not more than 7 years and 6 months or both.~~

7 **SECTION 34.** 49.141 (9) (b) of the statutes, as affected by 1997 Wisconsin Act  
8 283, is amended to read:

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

18 **SECTION 35.** 49.141 (10) (b) of the statutes, as affected by 1997 Wisconsin Act  
19 283, is amended to read:

20 49.141 (10) (b) A person who violates this subsection is guilty of a Class H  
21 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
22 the person may be fined not more than \$25,000 or ~~imprisoned for not more than 7~~  
23 ~~years and 6 months or both.~~

24 **SECTION 36.** 49.49 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

1           49.49 (1) (b) 1. In the case of such a statement, representation, concealment,  
2 failure, or conversion by any person in connection with the furnishing by that person  
3 of items or services for which medical assistance is or may be made, a person  
4 ~~convicted of violating this subsection~~ is guilty of a Class H felony, except that,  
5 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
6 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
7 ~~or both.~~

8           **SECTION 37.** 49.49 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

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

21           **SECTION 38.** 49.49 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 283,  
22 is amended to read:

23           49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
24 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
25 or covertly, in cash or in kind to any person to induce such person to refer an

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

9 **SECTION 39.** 49.49 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
10 is amended to read:

11 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly  
12 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
13 false statement or representation of a material fact with respect to the conditions or  
14 operation of any institution or facility in order that such institution or facility may  
15 qualify either upon initial certification or upon recertification as a hospital, skilled  
16 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~  
17 person who violates this subsection is guilty of a Class H felony, except that,  
18 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
19 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
20 ~~or both.~~

21 **SECTION 40.** 49.49 (3m) (b) of the statutes, as affected by 1997 Wisconsin Act  
22 283, is amended to read:

23 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H  
24 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),

1 ~~the person~~ may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~  
2 ~~years and 6 months or both.~~

3 **SECTION 41.** 49.49 (4) (b) of the statutes, as affected by 1997 Wisconsin Act 283,  
4 is amended to read:

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

9 **SECTION 42.** 49.95 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
10 is renumbered 49.95 (1) (intro.) and amended to read:

11 49.95 (1) (intro.) Any person who, with intent to secure public assistance under  
12 this chapter, whether for himself or herself or for some other person, wilfully makes  
13 any false representations ~~may, if~~ is subject to the following penalties:

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

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

19 (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,  
20 \$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not  
21 more than 7 years and 6 9 months or both; ~~and if,~~

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

25 **SECTION 43.** 49.95 (1) (e) and (f) of the statutes are created to read:



1           49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed  
2 \$10,000, the person is guilty of a Class H felony.

3           (f) If the value of the assistance exceeds \$10,000, the person is guilty of a Class  
4 G felony.

5           **SECTION 44.** 51.15 (12) of the statutes, as affected by 1997 Wisconsin Act 283,  
6 is amended to read:

7           51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)  
8 knowing the information contained therein to be false ~~may be fined not more than~~  
9 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
10 Class H felony.

11           **SECTION 45.** 55.06 (11) (am) of the statutes, as affected by 1997 Wisconsin Act  
12 283, is amended to read:

13           55.06 (11) (am) Whoever signs a statement under par. (a) knowing the  
14 information contained therein to be false ~~may be fined not more than \$5,000 or~~  
15 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
16 felony.

17           **SECTION 46.** 66.4025 (1) (b) of the statutes, as affected by 1997 Wisconsin Act  
18 283, is amended to read:

19           66.4025 (1) (b) Any person who secures or assists in securing dwelling  
20 accommodations under s. 66.402 by intentionally making false representations in  
21 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
22 which the person would not otherwise be entitled ~~shall be fined not more than~~  
23 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

24           **SECTION 47.** 66.4025 (1) (c) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:



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

6           **SECTION 48.** 69.24 (1) (intro.) of the statutes, as affected by 1997 Wisconsin Act  
7 283, is amended to read:

8           69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~  
9 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
10 I felony:

11           **SECTION 49.** 70.47 (18) (a) of the statutes, as affected by 1997 Wisconsin Act  
12 283, is amended to read:

13           70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,  
14 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~  
15 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a  
16 Class I felony.

17           **SECTION 50.** 71.83 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 283,  
18 is amended to read:

19           71.83 (2) (b) *Felony.* 1. ‘False income tax return; fraud.’ Any person, other than  
20 a corporation or limited liability company, who renders a false or fraudulent income  
21 tax return with intent to defeat or evade any assessment required by this chapter  
22 ~~shall be~~ is guilty of a Class H felony and may be fined not more than \$10,000 or  
23 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
24 the cost of prosecution. In this subdivision, “return” includes a separate return filed  
25 by a spouse with respect to a taxable year for which a joint return is filed under s.

1 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
2 the spouses with respect to a taxable year for which a separate return is filed under  
3 s. 71.03 (2) (m) after the filing of that joint return.

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

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

17 4. ‘Fraudulent claim for credit.’ The A claimant who ~~filed~~ files a claim for credit  
18 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was  
19 filed with fraudulent intent and any person who ~~assisted, with fraudulent intent,~~  
20 assists in the preparation or filing of the false or excessive claim or supplied  
21 information upon which the false or excessive claim was prepared, ~~with fraudulent~~  
22 intent, is guilty of a Class H felony and may be ~~fin~~ be fined not more than \$10,000 or  
23 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
24 the cost of prosecution.

1           **SECTION 51.** 86.192 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

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

6           **SECTION 52.** 97.43 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

8           97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~  
9 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
10 guilty of a Class H felony.

11           **SECTION 53.** 97.45 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
12 is amended to read:

13           97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~  
14 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
15 guilty of a Class H felony.

16           **SECTION 54.** 100.171 (7) (b) of the statutes is amended to read:

17           100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~  
18 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
19 I felony. A person intentionally violates this section if the violation occurs after the  
20 department or a district attorney has notified the person by certified mail that the  
21 person is in violation of this section.

22           **SECTION 55.** 100.2095 (6) (d) of the statutes is amended to read:

23           100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less  
24 ~~than \$100 nor~~ more than \$1,000 \$10,000 or imprisoned for not more than ~~one year~~  
25 9 months or both. Each day of violation constitutes a separate offense.

1           **SECTION 56.** 100.26 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~  
4 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~  
5 ~~6 months or both~~ is guilty of a Class I felony.

6           **SECTION 57.** 100.26 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

8           100.26 (5) Any person violating s. 100.06 or any order or regulation of the  
9 department thereunder, or s. 100.18 (9), ~~shall~~ may be fined not less than \$100 ~~nor~~  
10 ~~more than \$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.  
11 Each day of violation constitutes a separate offense.

12           **SECTION 58.** 100.26 (7) of the statutes, as affected by 1997 Wisconsin Act 283,  
13 is amended to read:

14           100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than \$500  
15 ~~nor~~ more than \$5,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
16 both for each offense. Each unlawful advertisement published, printed or mailed on  
17 separate days or in separate publications, hand bills or direct mailings is a separate  
18 violation of this section.

19           **SECTION 59.** 101.143 (10) (b) of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21           101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
22 or service provider who intentionally destroys a document that is relevant to a claim  
23 for reimbursement under this section ~~may be fined not more than \$10,000 or~~  
24 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

1           **SECTION 60.** 101.94 (8) (b) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

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

7           **SECTION 61.** 102.835 (11) of the statutes, as affected by 1997 Wisconsin Act 283,  
8 is amended to read:

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

15           **SECTION 62.** 102.835 (18) of the statutes, as affected by 1997 Wisconsin Act 283,  
16 is amended to read:

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

23           **SECTION 63.** 102.85 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
24 is amended to read:

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

4           **SECTION 64.** 108.225 (11) of the statutes, as affected by 1997 Wisconsin Act 283,  
5           is amended to read:

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

12          **SECTION 65.** 108.225 (18) of the statutes, as affected by 1997 Wisconsin Act 283,  
13          is amended to read:

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

20          **SECTION 66.** 110.07 (5) (a) of the statutes is amended to read:

21          110.07 (5) (a) In this subsection, “bulletproof garment” ~~has the meaning given~~  
22          ~~in s. 939.64 (1)~~ means a vest or other garment designed, redesigned or adapted to  
23          prevent bullets from penetrating through the garment.

24          **SECTION 67.** 114.20 (18) (c) of the statutes, as affected by 1997 Wisconsin Act  
25          283, is amended to read:

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

6           **SECTION 68.** 115.31 (2g) of the statutes is amended to read:

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

12           **SECTION 69.** 118.19 (4) (a) of the statutes is amended to read:

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

20           **SECTION 70.** 125.075 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
21 is renumbered 125.075 (2) (a) and amended to read:

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

25           **SECTION 71.** 125.075 (2) (b) of the statutes is created to read:

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

3           **SECTION 72.** 125.085 (3) (a) 2. of the statutes, as affected by 1997 Wisconsin Act  
4 283, is amended to read:

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

8           **SECTION 73.** 125.105 (2) (b) of the statutes, as affected by 1997 Wisconsin Act  
9 283, is amended to read:

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

13           **SECTION 74.** 125.66 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
14 is amended to read:

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

20           **SECTION 75.** 125.68 (12) (b) of the statutes, as affected by 1997 Wisconsin Act  
21 283, is amended to read:

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



1           **SECTION 76.** 125.68 (12) (c) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

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

7           **SECTION 77.** 132.20 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
8 is amended to read:

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

16           **SECTION 78.** 133.03 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
17 is amended to read:

18           133.03 **(1)** Every contract, combination in the form of trust or otherwise, or  
19 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
20 contract or engages in any combination or conspiracy in restraint of trade or  
21 commerce is guilty of a Class H felony, except that, notwithstanding the maximum  
22 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if  
23 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~  
24 ~~imprisoned for not more than 7 years and 6 months or both.~~

1           **SECTION 79.** 133.03 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

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

9           **SECTION 80.** 134.05 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
10 is amended to read:

11           134.05 **(4)** Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~  
12 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~  
13 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than  
14 9 months or both.

15           **SECTION 81.** 134.16 of the statutes, as affected by 1997 Wisconsin Act 283, is  
16 amended to read:

17           **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,  
18 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,  
19 brokerage or deposit company, corporation or institution, or of any person, company  
20 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit  
21 business in any way, or any person engaged in such business in whole or in part, who  
22 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any  
23 money, or any bills, notes or other paper circulating as money, or any notes, drafts,  
24 bills of exchange, bank checks or other commercial paper for safekeeping or for  
25 collection, when he or she knows or has good reason to know that such bank, company

1 or corporation or that such person is unsafe or insolvent shall be imprisoned in the  
2 Wisconsin state prisons for not less than one year nor more than 15 years or fined  
3 not more than \$10,000 is guilty of a Class F felony.

4 **SECTION 82.** 134.20 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
5 Act 283, is amended to read:

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

9 **SECTION 83.** 134.205 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
10 is amended to read:

11 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt  
12 without entering the same in a register as required by this section shall be fined not  
13 more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is  
14 guilty of a Class H felony.

15 **SECTION 84.** 134.58 of the statutes, as affected by 1997 Wisconsin Act 283, is  
16 amended to read:

17 **134.58 Use of unauthorized persons as officers.** Any person who,  
18 individually, in concert with another or as agent or officer of any firm, joint-stock  
19 company or corporation, uses, employs, aids or assists in employing any body of  
20 armed persons to act as militia, police or peace officers for the protection of persons  
21 or property or for the suppression of strikes, not being authorized by the laws of this  
22 state to so act, shall be fined not more than \$1,000 or imprisoned for not less than  
23 one year nor more than 4 years and 6 months or both is guilty of a Class I felony.

24 **SECTION 85.** 139.44 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
25 is amended to read:

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

8           **SECTION 86.** 139.44 (1m) of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

10           139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
11 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~  
12 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

13           **SECTION 87.** 139.44 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
14 is amended to read:

15           139.44 (2) Any person who makes or signs any false or fraudulent report or who  
16 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
17 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor  
18 more than \$5,000 \$10,000 or imprisoned for not less than ~~90 days~~ nor more than 2  
19 ~~years~~ 9 months or both.

20           **SECTION 88.** 139.44 (8) (c) of the statutes, as affected by 1997 Wisconsin Act 283,  
21 is amended to read:

22           139.44 (8) (c) If the number of cigarettes exceeds 36,000, a fine of not more than  
23 \$10,000 or imprisonment for not more than 3 years or both the person is guilty of a  
24 Class I felony.

1           **SECTION 89.** 139.95 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           139.95 (2) A dealer who possesses a schedule I controlled substance or schedule  
4 II controlled substance that does not bear evidence that the tax under s. 139.88 has  
5 been paid ~~may be fined not more than \$10,000 or imprisoned for not more than 7~~  
6 ~~years and 6 months or both~~ is guilty of a Class H felony.

7           **SECTION 90.** 139.95 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
8 is amended to read:

9           139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
10 any stamp or procures or causes the same to be done or who knowingly utters,  
11 publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
12 affixes a counterfeit stamp to a schedule I controlled substance or schedule II  
13 controlled substance or who possesses a schedule I controlled substance or schedule  
14 II controlled substance to which a false, altered or counterfeit stamp is affixed ~~may~~  
15 ~~be fined not more than \$10,000 or imprisoned for not less than one year nor more~~  
16 ~~than 15 years or both~~ is guilty of a Class F felony.

17           **SECTION 91.** 146.345 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
18 is amended to read:

19           146.345 (3) Any person who violates this section is guilty of a Class H felony,  
20 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the  
21 person ~~may be fined not more than \$50,000 or imprisoned for not more than 7 years~~  
22 ~~and 6 months or both.~~

23           **SECTION 92.** 146.35 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
24 is amended to read:

1           146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~  
2 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
3 felony.

4           **SECTION 93.** 146.60 (9) (am) of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

6           146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~  
7 ~~may~~ be fined not less than \$1,000 ~~nor~~ more than \$50,000 or imprisoned for not more  
8 than ~~2 years~~ 9 months or both.

9           **SECTION 94.** 146.70 (10) (a) of the statutes, as affected by 1997 Wisconsin Act  
10 283, is amended to read:

11           146.70 (10) (a) Any person who intentionally dials the telephone number “911”  
12 to report an emergency, knowing that the fact situation which he or she reports does  
13 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
14 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~  
15 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
16 felony for any other offense committed within 4 years after the first offense.

17           **SECTION 95.** 154.15 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
18 is amended to read:

19           154.15 (2) Any person who, with the intent to cause a withholding or  
20 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
21 the declarant, illegally falsifies or forges the declaration of another or conceals a  
22 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally  
23 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~  
24 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
25 felony.

1           **SECTION 96.** 154.29 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           154.29 (2) Any person who, with the intent to cause the withholding or  
4 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
5 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
6 under s. 154.21 of a do-not-resuscitate order or any responsible person who  
7 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~  
8 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
9 felony.

10           **SECTION 97.** 166.20 (11) (b) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12           166.20 (11) (b) Any person who knowingly and wilfully fails to report the  
13 release of a hazardous substance covered under 42 USC 11004 as required under sub.  
14 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following  
15 penalties:

16           1. For the first offense, the person is guilty of a Class I felony, except that,  
17 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
18 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3  
19 years or both.

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

24           **SECTION 98.** 167.10 (9) (g) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

1           167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
2 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~  
3 ~~than 15 years or both~~ is guilty of a Class G felony.

4           **SECTION 99.** 175.20 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
5 is amended to read:

6           175.20 (3) Any person who violates any of the provisions of this section ~~shall~~  
7 ~~may~~ be fined not less than ~~\$25 nor~~ more than ~~\$1,000 and \$10,000~~ or may be  
8 imprisoned for not less than ~~30 days nor~~ more than ~~2 years~~ 9 months or both. In  
9 addition, the court may revoke the license or licenses of the person or persons  
10 convicted.

11           **SECTION 100.** 180.0129 (2) of the statutes, as affected by 1997 Wisconsin Act  
12 283, is amended to read:

13           180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~  
14 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

15           **SECTION 101.** 181.0129 (2) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17           181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~  
18 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
19 felony.

20           **SECTION 102.** 185.825 of the statutes, as affected by 1997 Wisconsin Act 283,  
21 is amended to read:

22           **185.825 Penalty for false document.** Whoever causes a document to be  
23 filed, knowing it to be false in any material respect, ~~may be fined not more than~~  
24 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a  
25 Class I felony.



1           **SECTION 103.** 200.09 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           200.09 **(2)** Every director, president, secretary or other official or agent of any  
4 public service corporation, who shall practice fraud or knowingly make any false  
5 statement to secure a certificate of authority to issue any security, or issue under a  
6 certificate so obtained and with knowledge of such fraud, or false statement, or  
7 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~  
8 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~  
9 ~~15 years or both~~ is guilty of a Class I felony.

10           **SECTION 104.** 214.93 of the statutes, as affected by 1997 Wisconsin Act 283, is  
11 amended to read:

12           **214.93 False statements.** A person may not knowingly make, cause, or allow  
13 another person to make or cause to be made, a false statement, under oath if required  
14 by this chapter or on any report or statement required by the division or by this  
15 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
16 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

17           **SECTION 105.** 215.02 (6) (b) of the statutes, as affected by 1997 Wisconsin Act  
18 283, is amended to read:

19           215.02 **(6)** (b) If any person mentioned in par. (a) discloses the name of any  
20 debtor of any association or any information about the private account or  
21 transactions of such association, discloses any fact obtained in the course of any  
22 examination of any association, or discloses examination or other confidential  
23 information obtained from any state or federal regulatory authority, including an  
24 authority of this state or another state, for financial institutions, mortgage bankers,  
25 insurance or securities, except as provided in par. (a), he or she is guilty of a Class

1 ~~I felony and shall forfeit his or her office or position and may be fined not less than~~  
2 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~  
3 ~~3 years or both.~~

4 **SECTION 106.** 215.12 of the statutes, as affected by 1997 Wisconsin Act 283, is  
5 amended to read:

6 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
7 director, employe or agent of any association who steals, abstracts, or wilfully  
8 misapplies any property of the association, whether owned by it or held in trust, or  
9 who, without authority, issues or puts forth any certificate of savings accounts,  
10 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
11 in any book, record, report or statement of the association with intent to injure or  
12 defraud the association or any person or corporation, or to deceive any officer or  
13 director of the association, or any other person, or any agent appointed to examine  
14 the affairs of such association, or any person who, with like intent, aids or abets any  
15 officer, director, employe or agent in the violation of this section, ~~shall be imprisoned~~  
16 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

17 **SECTION 107.** 215.21 (21) of the statutes, as affected by 1997 Wisconsin Act 283,  
18 is amended to read:

19 **215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS.** Every officer,  
20 director, employe or agent of any association, or any appraiser making appraisals for  
21 any association, who accepts or receives, or offers or agrees to accept or receive  
22 anything of value in consideration of its loaning any money to any person; or any  
23 person who offers, gives, presents or agrees to give or present anything of value to  
24 any officer, director, employe or agent of any association or to any appraiser making  
25 appraisals for any association in consideration of its loaning money to the person,

1 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~  
2 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this  
3 subsection prohibits an association from employing an officer, employe or agent to  
4 solicit mortgage loans and to pay the officer, employe or agent on a fee basis.

5 **SECTION 108.** 218.21 (7) of the statutes, as affected by 1997 Wisconsin Act 283,  
6 is amended to read:

7 218.21 (7) Any person who knowingly makes a false statement in an  
8 application for a motor vehicle salvage dealer license ~~may be fined not more than~~  
9 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
10 Class H felony.

11 **SECTION 109.** 220.06 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
12 is amended to read:

13 220.06 (2) If any employe in the division or any member of the banking review  
14 board or any employe thereof discloses the name of any debtor of any bank or  
15 licensee, or anything relative to the private account or transactions of such bank or  
16 licensee, or any fact obtained in the course of any examination of any bank or  
17 licensee, except as herein provided, that person is guilty of a Class I felony and shall  
18 be subject, upon conviction, to forfeiture of office or position and may be fined not less  
19 than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more  
20 than 3 years or both.

21 **SECTION 110.** 221.0625 (2) (intro.) of the statutes, as affected by 1997 Wisconsin  
22 Act 283, is amended to read:

23 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
24 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~  
25 ~~not more than 15 years~~ is guilty of a Class F felony:

1           **SECTION 111.** 221.0636 (2) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

3           221.0636 **(2)** PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~  
4 ~~not more than 30 years~~ is guilty of a Class H felony.

5           **SECTION 112.** 221.0637 (2) of the statutes, as affected by 1997 Wisconsin Act  
6 283, is amended to read:

7           221.0637 **(2)** PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~  
8 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
9 felony.

10           **SECTION 113.** 221.1004 (2) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12           221.1004 **(2)** PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~  
13 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~  
14 ~~than 15 years or both~~ is guilty of a Class F felony.

15           **SECTION 114.** 253.06 (4) (b) of the statutes is amended to read:

16           253.06 **(4)** (b) A person who violates any provision of this subsection ~~may be~~  
17 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both,~~ is guilty  
18 of a Class I felony for the first offense and ~~may be fined not more than \$10,000 or~~  
19 ~~imprisoned for not more than 7 years and 6 months, or both,~~ is guilty of a Class H  
20 felony for the 2nd or subsequent offense.

21           **SECTION 115.** 285.87 (2) (b) of the statutes, as affected by 1997 Wisconsin Act  
22 283, is amended to read:

23           285.87 **(2)** (b) If the conviction under par. (a) is for a violation committed after  
24 another conviction under par. (a), the person shall is guilty of a Class I felony, except  
25 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may

1 be fined not more than \$50,000 per day of violation ~~or imprisoned for not more than~~  
2 ~~3 years or both.~~

3 **SECTION 116.** 291.97 (2) (b) (intro.) of the statutes, as affected by 1997  
4 Wisconsin Act 283, is amended to read:

5 291.97 (2) (b) (intro.) Any person who wilfully does any of the following shall  
6 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
7 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than  
8 \$100,000 or imprisoned for not more than 7 years and 6 months or both:

9 **SECTION 117.** 291.97 (2) (c) 1. and 2. of the statutes, as affected by 1997  
10 Wisconsin Act 283, are amended to read:

11 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall  
12 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified  
13 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000  
14 or imprisoned for not more than 2 years or both.

15 2. For a 2nd or subsequent violation under par. (b), a person shall is guilty of  
16 a Class F felony, except that, notwithstanding the maximum fine specified in s.  
17 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000  
18 or imprisoned for not more than 15 years or both.

19 **SECTION 118.** 299.53 (4) (c) 2. of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21 299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
22 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
23 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
24 subsequent violation, the person shall is guilty of a Class I felony, except that,

1 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
2 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

3 **SECTION 119.** 301.03 (3) of the statutes is amended to read:

4 301.03 (3) ~~Administer~~ Subject to sub. (3a), administer parole, extended  
5 supervision and probation matters, except that the decision to grant or deny parole  
6 to inmates shall be made by the parole commission and the decision to revoke  
7 probation, extended supervision or parole in cases in which there is no waiver of the  
8 right to a hearing shall be made by the division of hearings and appeals in the  
9 department of administration. The secretary may grant special action parole  
10 releases under s. 304.02. The department shall promulgate rules establishing a drug  
11 testing program for probationers, parolees and persons placed on extended  
12 supervision. The rules shall provide for assessment of fees upon probationers,  
13 parolees and persons placed on extended supervision to partially offset the costs of  
14 the program.

15 **SECTION 120.** 301.03 (3a) of the statutes is created to read:

16 301.03 (3a) The department shall take steps to promote the increased  
17 effectiveness of probation, extended supervision and parole in Brown, Dane,  
18 Kenosha, Milwaukee, Racine and Rock counties. In each of these counties, the  
19 department shall, beginning on January 1, 2001, develop a partnership with the  
20 community, have strategies for local crime prevention, supervise offenders actively,  
21 commit additional resources to enhance supervision and purchase services for  
22 offenders, establish day reporting centers and ensure that probation, extended  
23 supervision and parole agents, on average, supervise no more than 20 persons on  
24 probation, extended supervision or parole.

25 **SECTION 121.** 301.035 (2) of the statutes is amended to read:

1           301.035 (2) Assign hearing examiners from the division to preside over  
2 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10  
3 (2) and ch. 304.

4           **SECTION 122.** 301.035 (4) of the statutes is amended to read:

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

9           **SECTION 123.** 301.26 (4) (cm) 1. of the statutes, as affected by 1999 Wisconsin  
10 Act 9, is amended to read:

11           301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall  
12 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations  
13 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured  
14 correctional facilities, secured child caring institutions, alternate care providers,  
15 aftercare supervision providers and corrective sanctions supervision providers for  
16 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age  
17 or over who has been placed in a secured correctional facility based on a delinquent  
18 act that is a violation of s. 943.23 (1m) or (1r), 1997 stats., s. 948.35, 1997 stats., or  
19 s. 948.36, 1997 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,  
20 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2),  
21 948.02 (1), 948.025, (1) or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ and for the care of any  
22 juvenile 10 years of age or over who has been placed in a secured correctional facility  
23 or secured child caring institution for attempting or committing a violation of s.  
24 940.01 or for committing a violation of s. 940.02 or 940.05.

1           **SECTION 124.** 302.095 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

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

14           **SECTION 125.** 302.11 (1g) (a) 2. of the statutes is amended to read:

15           302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m),  
16 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., or s. 940.02,  
17 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),  
18 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),  
19 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08,  
20 or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

21           **SECTION 126.** 302.11 (1g) (am) of the statutes is amended to read:

22           302.11 (1g) (am) The mandatory release date established in sub. (1) is a  
23 presumptive mandatory release date for an inmate who is serving a sentence for a  
24 serious felony committed on or after April 21, 1994, but before ~~December 31, 1999~~  
25 July 1, 2000.



1           **SECTION 127.** 302.11 (1p) of the statutes is amended to read:

2           302.11 **(1p)** An inmate serving a term subject to s. 961.49 (2), 1997 stats., for  
3 a crime committed before ~~December 31, 1999~~ July 1, 2000, is entitled to mandatory  
4 release, except the inmate may not be released before he or she has complied with  
5 s. 961.49 (2), 1997 stats.

6           **SECTION 128.** 302.11 (1z) of the statutes is amended to read:

7           302.11 **(1z)** An inmate who is sentenced to a term of confinement in prison  
8 under s. 973.01 for a felony that is committed on or after ~~December 31, 1999~~ July 1,  
9 2000, is not entitled to mandatory release on parole under this section.

10          **SECTION 129.** 302.113 (2) of the statutes is amended to read:

11          302.113 **(2)** Except as provided in subs. (3) and (9), an inmate subject to this  
12 section is entitled to release to extended supervision after he or she has served the  
13 term of confinement in prison portion of the sentence imposed under s. 973.01, as  
14 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if  
15 applicable.

16          **SECTION 130.** 302.113 (3) (a) (intro.) of the statutes is amended to read:

17          302.113 **(3)** (a) (intro.) The warden or superintendent shall keep a record of the  
18 conduct of each inmate subject to this section, specifying each infraction of the rules.  
19 If an inmate subject to this section violates an order under s. 973.031 requiring him  
20 or her to participate in a drug treatment program, violates any regulation of the  
21 prison or refuses or neglects to perform required or assigned duties, the department  
22 may extend the term of confinement in prison portion of the inmate's bifurcated  
23 sentence as follows:

24          **SECTION 131.** 302.113 (7) of the statutes is amended to read:

1           302.113 (7) Any person released to extended supervision under this section is  
2 subject to all conditions and rules of extended supervision until the expiration of the  
3 term of extended supervision portion of the bifurcated sentence. The department  
4 may set conditions of extended supervision in addition to any conditions of extended  
5 supervision set by the court under sub. (7m) or s. 973.01 (5) if the conditions set by  
6 the department do not conflict with the court's conditions.

7           **SECTION 132.** 302.113 (7m) of the statutes is created to read:

8           302.113 (7m) (a) Except as provided in par. (e), a person subject to this section  
9 or the department may petition the sentencing court to modify any conditions of  
10 extended supervision set by the court.

11           (b) If the department files a petition under this subsection, it shall serve a copy  
12 of the petition on the person who is the subject of the petition and, if the person is  
13 represented by an attorney, on the person's attorney. If a person who is subject to this  
14 section or his or her attorney files a petition under this subsection, the person or his  
15 or her attorney shall serve a copy of the petition on the department. The court shall  
16 serve a copy of a petition filed under this section on the district attorney. The court  
17 may direct the clerk of the court to provide notice of the petition to a victim of a crime  
18 committed by the person who is the subject of the petition.

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

23           (d) A person subject to this section or the department may appeal an order  
24 entered by the court under this subsection. The appellate court may reverse the

1 order only if it determines that the sentencing court erroneously exercised its  
2 discretion in granting or denying the petition.

3 (e) 1. An inmate may not petition the court to modify the conditions of extended  
4 supervision earlier than one year before the date of the inmate's scheduled date of  
5 release to extended supervision or more than once before the inmate's release to  
6 extended supervision.

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

12 **SECTION 133.** 302.113 (8m) of the statutes is created to read:

13 302.113 (**8m**) (a) Every person released to extended supervision under this  
14 section remains in the legal custody of the department. If the department alleges  
15 that any condition or rule of extended supervision has been violated by the person,  
16 the department may take physical custody of the person for the investigation of the  
17 alleged violation.

18 (b) If a person released to extended supervision under this section signs a  
19 statement admitting a violation of a condition or rule of extended supervision, the  
20 department may, as a sanction for the violation, confine the person for up to 90 days  
21 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
22 If the department confines the person in a county jail under this paragraph, the  
23 department shall reimburse the county for its actual costs in confining the person  
24 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,

1 the person is not eligible to earn good time credit on any period of confinement  
2 imposed under this subsection.

3 **SECTION 134.** 302.113 (9) of the statutes is amended to read:

4 302.113 (9) (a) If a person released to extended supervision under this section  
5 violates a condition of extended supervision, the division of hearings and appeals in  
6 the department of administration, upon proper notice and hearing, or the  
7 department of corrections, if the person on extended supervision waives a hearing,  
8 may revoke the extended supervision of the person and return the person to prison.  
9 If the extended supervision of the person is revoked, the person shall be returned to  
10 the circuit court for the county in which the person was convicted of the offense for  
11 which he or she was on extended supervision, and the court shall order the person  
12 to be returned to prison, he or she shall be returned to prison for any specified period  
13 of time that does not exceed the time remaining on the bifurcated sentence. The time  
14 remaining on the bifurcated sentence is the total length of the bifurcated sentence,  
15 less time served by the person in custody under the sentence before release to  
16 extended supervision under sub. (2) and less all time served in custody for previous  
17 revocations of extended supervision under the sentence. The revocation court order  
18 returning a person to prison under this paragraph shall provide the person on whose  
19 extended supervision was revoked with credit in accordance with ss. 304.072 and  
20 973.155.

21 (b) A person who is returned to prison after revocation of extended supervision  
22 shall be incarcerated for the entire period of time specified by the department of  
23 corrections in the case of a waiver or by the division of hearings and appeals in the  
24 department of administration in the case of a hearing court under par. (a). The period  
25 of time specified under par. (a) may be extended in accordance with sub. (3). If a

1 person is returned to prison under par. (a) for a period of time that is less than the  
2 time remaining on the bifurcated sentence, the person shall be released to extended  
3 supervision after he or she has served the period of time specified by the court under  
4 par. (a) and any periods of extension imposed in accordance with sub. (3).

5 (c) A person who is subsequently released to extended supervision after service  
6 of the period of time specified by the ~~department of corrections in the case of a waiver~~  
7 ~~or by the division of hearings and appeals in the department of administration in the~~  
8 ~~case of a hearing~~ court under par. (a) is subject to all conditions and rules under sub-  
9 subs. (7) and, if applicable, (7m) until the expiration of the term of remaining  
10 extended supervision portion of the bifurcated sentence. The remaining extended  
11 supervision portion of the bifurcated sentence is the total length of the bifurcated  
12 sentence, less the time served by the person in confinement under the bifurcated  
13 sentence before release to extended supervision under sub. (2) and less all time  
14 served in confinement for previous revocations of extended supervision under the  
15 bifurcated sentence.

16 **SECTION 135.** 302.113 (9) (am) of the statutes is created to read:

17 302.113 (9) (am) When a person is returned to court under par. (a) after  
18 revocation of extended supervision, the division of hearings and appeals in the  
19 department of administration, in the case of a hearing, or the department of  
20 corrections, in the case of a waiver, shall make a recommendation to the court  
21 concerning the period of time for which the person should be returned to prison. The  
22 recommended time period may not exceed the time remaining on the bifurcated  
23 sentence, as calculated under par. (a).

24 **SECTION 136.** 302.113 (9) (d) of the statutes is created to read:

1           302.113 **(9)** (d) In any case in which there is a hearing before the division of  
2 hearings and appeals in the department of administration concerning whether to  
3 revoke of a person’s extended supervision, the person on extended supervision may  
4 seek review of a decision to revoke extended supervision and the department of  
5 corrections may seek review of a decision to not revoke extended supervision. Review  
6 of a decision under this paragraph may be sought only by an action for certiorari.

7           **SECTION 137.** 302.113 (9g) of the statutes is created to read:

8           302.113 **(9g)** (a) In this subsection, “program review committee” means the  
9 committee at a correctional institution that reviews the security classifications,  
10 institution assignments and correctional programming assignments of inmates  
11 confined in the institution.

12           (b) An inmate who is serving a bifurcated sentence for a crime other than a  
13 Class B felony may seek modification of the bifurcated sentence in the manner  
14 specified in par. (f) if he or she meets one of the following criteria:

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

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

19           (c) An inmate who meets the criteria under par. (b) may submit a petition to  
20 the program review committee at the correctional institution in which the inmate is  
21 confined requesting a modification of the inmate’s bifurcated sentence in the manner  
22 specified in par. (f). If the program review committee determines that the public  
23 interest would be served by a modification of the inmate’s bifurcated sentence in the  
24 manner provided under par. (f), the committee shall approve the petition for referral  
25 to the sentencing court and notify the department of its approval. The department

1 shall then refer the inmate's petition to the sentencing court and request the court  
2 to conduct a hearing on the petition. If the program review committee determines  
3 that the public interest would not be served by a modification of the inmate's  
4 bifurcated sentence in the manner specified in par. (f), the committee shall deny the  
5 inmate's petition.

6 (d) When a court is notified by the department that it is referring to the court  
7 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
8 shall set a hearing to determine whether the public interest would be served by a  
9 modification of the inmate's bifurcated sentence in the manner specified in par. (f).  
10 The inmate and the district attorney have the right to be present at the hearing, and  
11 any victim of the inmate's crime has the right to be present at the hearing and to  
12 provide a statement concerning the modification of the inmate's bifurcated sentence.  
13 The court shall order such notice of the hearing date as it considers adequate to be  
14 given to the department, the inmate, the attorney representing the inmate, if  
15 applicable, and the district attorney. Victim notification shall be provided as  
16 specified under par. (g).

17 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving  
18 by the greater weight of the credible evidence that a modification of the bifurcated  
19 sentence in the manner specified in par. (f) would serve the public interest. If the  
20 inmate proves that a modification of the bifurcated sentence in the manner specified  
21 in par. (f) would serve the public interest, the court shall modify the inmate's  
22 bifurcated sentence in that manner. If the inmate does not prove that a modification  
23 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
24 interest, the court shall deny the inmate's petition for modification of the bifurcated  
25 sentence.

1 (f) A court may modify an inmate’s bifurcated sentence under this section only  
2 as follows:

3 1. The court shall reduce the term of confinement in prison portion of the  
4 inmate’s bifurcated sentence in a manner that provides for the release of the inmate  
5 to extended supervision within 30 days after the date on which the court issues its  
6 order modifying the bifurcated sentence.

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

9 (g) 1. In this paragraph, “victim” has the meaning given in s. 950.02 (4).

10 2. When a court sets a hearing date under par. (d), the clerk of the circuit court  
11 shall send a notice of hearing to the victim of the crime committed by the inmate, if  
12 the victim has submitted a card under subd. 3. requesting notification. The notice  
13 shall inform the victim that he or she may appear at the hearing scheduled under  
14 par. (d) and shall inform the victim of the manner in which he or she may provide a  
15 statement concerning the modification of the inmate’s bifurcated sentence in the  
16 manner provided in par. (f). The clerk of the circuit court shall make a reasonable  
17 attempt to send the notice of hearing to the last-known address of the inmate’s  
18 victim, postmarked at least 10 days before the date of the hearing.

19 3. The director of state courts shall design and prepare cards for a victim to send  
20 to the clerk of the circuit court for the county in which the inmate was convicted and  
21 sentenced. The cards shall have space for a victim to provide his or her name and  
22 address, the name of the applicable inmate and any other information that the  
23 director of state courts determines is necessary. The director of state courts shall  
24 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
25 shall provide the cards, without charge, to victims. Victims may send completed



1 cards to the clerk of the circuit court for the county in which the inmate was convicted  
2 and sentenced. All court records or portions of records that relate to mailing  
3 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

4 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
5 modification of his or her bifurcated sentence. The state may appeal a court's  
6 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
7 sentence. In an appeal under this paragraph, the appellate court may reverse a  
8 decision granting or denying a petition for modification of a bifurcated sentence only  
9 if it determines that the sentencing court erroneously exercised its discretion in  
10 granting or denying the petition.

11 (i) If the program review committee denies an inmate's petition under par. (c),  
12 the inmate may not file another petition within one year after the date of the program  
13 review committee's denial. If the program review committee approves an inmate's  
14 petition for referral to the sentencing court under par. (c) but the sentencing court  
15 denies the petition, the inmate may not file another petition under par. (c) within one  
16 year after the date of the court's decision.

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

1           **SECTION 138.** 302.114 (3) (a) (intro.) of the statutes is amended to read:

2           302.114 **(3)** (a) (intro.) The warden or superintendent shall keep a record of the  
3           conduct of each inmate subject to this section, specifying each infraction of the rules.  
4           If any inmate subject to this section violates an order under s. 973.031 requiring him  
5           or her to participate in a drug treatment program, violates any regulation of the  
6           prison or refuses or neglects to perform required or assigned duties, the department  
7           may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.  
8           or 2., whichever is applicable, as follows:

9           **SECTION 139.** 302.114 (5) (f) of the statutes is amended to read:

10          302.114 **(5)** (f) An inmate may appeal an order denying his or her petition for  
11          release to extended supervision. In an appeal under this paragraph, the appellate  
12          court may reverse an order denying a petition for release to extended supervision  
13          only if it determines that the sentencing court ~~improperly~~ erroneously exercised its  
14          discretion in denying the petition for release to extended supervision.

15          **SECTION 140.** 302.114 (6) (b) of the statutes is amended to read:

16          302.114 **(6)** (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for  
17          release to extended supervision under this section, the clerk of the circuit court in  
18          which the petition is filed shall send a copy of the petition and, if a hearing is  
19          scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
20          the victim has submitted a card under par. (e) requesting notification.

21          **SECTION 141.** 302.114 (6) (c) of the statutes is amended to read:

22          302.114 **(6)** (c) The notice under par. (b) shall inform the victim that he or she  
23          may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,  
24          and shall inform the victim of the manner in which he or she may provide written  
25          statements concerning the inmate's petition for release to extended supervision.

1           **SECTION 142.** 302.114 (8m) of the statutes is created to read:

2           302.114 **(8m)** (a) Every person released to extended supervision under this  
3 section remains in the legal custody of the department. If the department alleges  
4 that any condition or rule of extended supervision has been violated by the person,  
5 the department may take physical custody of the person for the investigation of the  
6 alleged violation.

7           (b) If a person released to extended supervision under this section signs a  
8 statement admitting a violation of a condition or rule of extended supervision, the  
9 department may, as a sanction for the violation, confine the person for up to 90 days  
10 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
11 If the department confines the person in a county jail under this paragraph, the  
12 department shall reimburse the county for its actual costs in confining the person  
13 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
14 the person is not eligible to earn good time credit on any period of confinement  
15 imposed under this subsection.

16           **SECTION 143.** 302.114 (9) of the statutes is amended to read:

17           302.114 **(9)** (a) If a person released to extended supervision under this section  
18 violates a condition of extended supervision, the division of hearings and appeals in  
19 the department of administration, upon proper notice and hearing, or the  
20 department of corrections, if the person on extended supervision waives a hearing,  
21 may revoke the extended supervision of the person and return the person to prison.  
22 If the extended supervision of the person is revoked, the person shall be returned to  
23 the circuit court for the county in which the person was convicted of the offense for  
24 which he or she was on extended supervision, and the court shall order the person  
25 to be returned to prison, he or she shall be returned to prison for a specified period

1 of time, ~~as provided under par. (b)~~ before he or she is eligible for being released again  
2 to extended supervision. The period of time specified under this paragraph may not  
3 be less than 5 years and may be extended in accordance with sub. (3).

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

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

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

1           **SECTION 144.** 302.114 (9) (d) of the statutes is created to read:

2           302.114 **(9)** (d) In any case in which there is a hearing before the division of  
3           hearings and appeals in the department of administration concerning whether to  
4           revoke a person's extended supervision, the person on extended supervision may  
5           seek review of a decision to revoke extended supervision and the department of  
6           corrections may seek review of a decision to not revoke extended supervision. Review  
7           of a decision under this paragraph may be sought only by an action for certiorari.

8           **SECTION 145.** 302.33 (1) of the statutes is amended to read:

9           302.33 **(1)** The maintenance of persons who have been sentenced to the state  
10          penal institutions; persons in the custody of the department, except as provided in  
11          sub. (2) and ~~s. ss.~~ 301.048 (7), 302.113 (8m) and 302.114 (8m); persons accused of  
12          crime and committed for trial; persons committed for the nonpayment of fines and  
13          expenses; and persons sentenced to imprisonment therein, while in the county jail,  
14          shall be paid out of the county treasury. No claim may be allowed to any sheriff for  
15          keeping or boarding any person in the county jail unless the person was lawfully  
16          detained therein.

17          **SECTION 146.** 302.43 of the statutes is amended to read:

18          **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
19          in the amount of one-fourth of his or her term for good behavior if sentenced to at  
20          least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit  
21          for time served prior to sentencing under s. 973.155, including good time under s.  
22          973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her  
23          to participate in a drug treatment program, violates any law or any regulation of the  
24          jail, or neglects or refuses to perform any duty lawfully required of him or her, may  
25          be deprived by the sheriff of good time under this section, except that the sheriff shall

1 not deprive the inmate of more than 2 days good time for any one offense without the  
2 approval of the court. An inmate who files an action or special proceeding, including  
3 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be  
4 deprived of the number of days of good time specified in the court order prepared  
5 under s. 807.15 (3).

6 **SECTION 147.** 303.065 (1) (b) 1. of the statutes is amended to read:

7 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
8 specified in subd. 2., may be considered for work release only after he or she has  
9 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever  
10 is applicable, or he or she has reached his or her extended supervision eligibility date  
11 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

12 **SECTION 148.** 303.08 (1) (intro.) of the statutes is amended to read:

13 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
14 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
15 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
16 necessary and reasonable hours for any of the following purposes:

17 **SECTION 149.** 303.08 (2) of the statutes is amended to read:

18 303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
19 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
20 the department, the prisoner person is sentenced to ordinary confinement. The A  
21 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
22 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
23 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
24 court may withdraw the privilege at any time by order entered with or without notice.

25 **SECTION 150.** 303.08 (5) (intro.) of the statutes is amended to read:

1           303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
2 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the  
3 wages, salary and unemployment insurance and employment training benefits  
4 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
5 the order stated:

6           **SECTION 151.** 303.08 (6) of the statutes is amended to read:

7           303.08 (6) The department, for a person subject to a confinement sanction  
8 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may  
9 authorize the sheriff to whom the prisoner is committed to arrange with another  
10 sheriff for the employment or employment training of the prisoner in the other's  
11 county, and while so employed or trained to be in the other's custody but in other  
12 respects to be and continue subject to the commitment.

13           **SECTION 152.** 303.08 (12) of the statutes is amended to read:

14           303.08 (12) In counties having a house of correction, any person violating the  
15 privilege granted under sub. (1) may be transferred by the county jailer to the house  
16 of correction for the remainder of the term of the person's sentence or, if applicable,  
17 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
18 (8m).

19           **SECTION 153.** 304.06 (1) (b) of the statutes is amended to read:

20           304.06 (1) (b) Except as provided in s. 961.49 (2), 1997 stats., sub. (1m) or s.  
21 302.045 (3), 961.49 (2), 973.01 (6) or 973.0135, the parole commission may parole an  
22 inmate of the Wisconsin state prisons or any felon or any person serving at least one  
23 year or more in a county house of correction or a county reforestation camp organized  
24 under s. 303.07, when he or she has served 25% of the sentence imposed for the  
25 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)



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

10 **SECTION 154.** 304.071 (2) of the statutes is amended to read:

11 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1997 stats.,  
12 or s. 939.62 (2m) (c), 961.49 (2), 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
13 or she is not eligible for parole under this section.

14 **SECTION 155.** 341.605 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
15 is amended to read:

16 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
17 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
18 guilty of a Class H felony.

19 **SECTION 156.** 342.06 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21 342.06 (2) Any person who knowingly makes a false statement in an  
22 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
23 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

24 **SECTION 157.** 342.065 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:



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

4           **SECTION 158.** 342.155 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
5           283, is amended to read:

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

9           **SECTION 159.** 342.156 (6) (b) of the statutes, as affected by 1997 Wisconsin Act  
10          283, is amended to read:

11          342.156 **(6)** (b) Any person who violates this section with intent to defraud ~~may~~  
12          ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
13          ~~or both~~ is guilty of a Class H felony.

14          **SECTION 160.** 342.30 (3) (a) of the statutes is amended to read:

15          342.30 **(3)** (a) Any person who violates sub. (1g) ~~may be fined not more than~~  
16          ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
17          Class H felony.

18          **SECTION 161.** 342.32 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
19          is amended to read:

20          342.32 **(3)** Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
21          ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation~~ is  
22          guilty of a Class H felony.

23          **SECTION 162.** 343.31 (1) (i) of the statutes is amended to read:

24          343.31 **(1)** (i) Knowingly fleeing or attempting to elude a traffic officer under  
25          s. 346.04 (3).

1           **SECTION 163.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

2           343.31 **(3)** (d) (intro.) Any person convicted of knowingly fleeing or attempting  
3 to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege  
4 revoked as follows:

5           **SECTION 164.** 343.44 (2) (b) (intro.) of the statutes, as affected by 1997  
6 Wisconsin Act 84, is amended to read:

7           343.44 **(2)** (b) (intro.) Except as provided in par. (am), any person who violates  
8 sub. (1) (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more  
9 than one year in the county jail or both. In imposing a sentence under this  
10 paragraph, or a local ordinance in conformity with this paragraph, the court shall  
11 review the record and consider the following:

12           **SECTION 165.** 344.48 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
13 is amended to read:

14           344.48 **(2)** Any person violating this section may be fined not more than \$1,000  
15 \$10,000 or imprisoned for not more than ~~2~~ years 9 months or both.

16           **SECTION 166.** 346.04 (2t) of the statutes is created to read:

17           346.04 **(2t)** No operator of a vehicle, after having received a visible or audible  
18 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall  
19 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as  
20 safety reasonably permits.

21           **SECTION 167.** 346.04 (4) of the statutes is created to read:

22           346.04 **(4)** Subsection (2t) is not an included offense of sub. (3), but a person may  
23 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same  
24 incident or occurrence.

25           **SECTION 168.** 346.17 (2t) of the statutes is created to read:

1           346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
2           \$10,000 or imprisoned for not more than 9 months or both.

3           **SECTION 169.** 346.17 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
4           283, is amended to read:

5           346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
6           346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~  
7           ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

8           **SECTION 170.** 346.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act  
9           283, is amended to read:

10          346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
11          to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
12          the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~  
13          ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

14          **SECTION 171.** 346.17 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
15          283, is amended to read:

16          346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
17          (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~  
18          ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

19          **SECTION 172.** 346.17 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
20          283, is amended to read:

21          346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~  
22          ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~  
23          ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

24          **SECTION 173.** 346.175 (1) (a) of the statutes is amended to read:

1           346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
2 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
3 the violation as provided in this section.

4           **SECTION 174.** 346.175 (1) (b) of the statutes is amended to read:

5           346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
6 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
7 section if the person operating the vehicle or having the vehicle under his or her  
8 control at the time of the violation has been convicted for the violation under this  
9 section or under s. 346.04 (2t) or (3).

10          **SECTION 175.** 346.175 (4) (b) of the statutes is amended to read:

11          346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by  
12 the authority issuing the citation with the name and address of the person operating  
13 the vehicle or having the vehicle under his or her control at the time of the violation  
14 and sufficient information for the officer to determine that probable cause does not  
15 exist to believe that the owner of the vehicle was operating the vehicle at the time  
16 of the violation, then the owner of the vehicle shall not be liable under this section  
17 or under s. 346.04 (2t) or (3).

18          **SECTION 176.** 346.175 (4) (c) of the statutes is amended to read:

19          346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of  
20 the violation the vehicle was in the possession of a lessee, and the lessor provides a  
21 traffic officer employed by the authority issuing the citation with the information  
22 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under  
23 this section or under s. 346.04 (2t) or (3).

24          **SECTION 177.** 346.175 (4) (d) of the statutes is amended to read:

1           346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)  
2 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time  
3 of the violation the vehicle was being operated by or was under the control of any  
4 person on a trial run, and if the dealer provides a traffic officer employed by the  
5 authority issuing the citation with the name, address and operator's license number  
6 of the person operating the vehicle, then that person, and not the dealer, shall be  
7 liable under this section or under s. 346.04 (2t) or (3).

8           **SECTION 178.** 346.175 (5) (intro.) of the statutes is amended to read:

9           346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
10 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

11           **SECTION 179.** 346.175 (5) (a) of the statutes is amended to read:

12           346.175 (5) (a) A vehicle owner or other person found liable under this section  
13 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
14 more than \$1,000.

15           **SECTION 180.** 346.65 (2) (e) of the statutes is amended to read:

16           346.65 (2) (e) Except as provided in par. (f), is guilty of a Class H felony and shall  
17 be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not less than  
18 6 months ~~nor more than 5 years~~ if the total number of suspensions, revocations and  
19 convictions counted under s. 343.307 (1) equals 5 or more, except that suspensions,  
20 revocations or convictions arising out of the same incident or occurrence shall be  
21 counted as one.

22           **SECTION 181.** 346.65 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
23 is amended to read:

1           346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)  
2 shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for  
3 not less than 90 days nor more than 2 years and 3 months is guilty of a Class I felony.

4           **SECTION 182.** 346.74 (5) (b) of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

6           346.74 (5) (b) Shall May be fined not less than \$300 nor more than \$5,000  
7 \$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or  
8 both if the accident involved injury to a person but the person did not suffer great  
9 bodily harm.

10          **SECTION 183.** 346.74 (5) (c) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12          346.74 (5) (c) May be fined not more than \$10,000 or imprisoned not more than  
13 3 years or both Is guilty of a Class I felony if the accident involved injury to a person  
14 and the person suffered great bodily harm.

15          **SECTION 184.** 346.74 (5) (d) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17          346.74 (5) (d) May be fined not more than \$10,000 or imprisoned not more than  
18 7 years and 6 months or both Is guilty of a Class H felony if the accident involved  
19 death to a person.

20          **SECTION 185.** 350.11 (2m) of the statutes, as affected by 1997 Wisconsin Act  
21 283, is amended to read:

22          350.11 (2m) Any person who violates s. 350.135 (1) shall be fined not more than  
23 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class H felony  
24 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
25 person.

1           **SECTION 186.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

2           **SECTION 187.** 351.07 (2) (b) of the statutes is repealed.

3           **SECTION 188.** 446.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
4 amended to read:

5           **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100  
6 nor more than \$500 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
7 both.

8           **SECTION 189.** 447.09 of the statutes, as affected by 1997 Wisconsin Act 283, is  
9 amended to read:

10           **447.09 Penalties.** Any person who violates this chapter may be fined not more  
11 than \$1,000 or imprisoned for not more than one year in the county jail or both for  
12 the first offense and may be fined not more than \$2,500 or imprisoned for not more  
13 than 3 years or both is guilty of a Class I felony for the 2nd or subsequent conviction  
14 within 5 years.

15           **SECTION 190.** 450.11 (9) (b) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17           450.11 **(9)** (b) Any person who delivers, or who possesses with intent to  
18 manufacture or deliver, a prescription drug in violation of this section may be fined  
19 not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both  
20 is guilty of a Class H felony.

21           **SECTION 191.** 450.14 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
22 is amended to read:

23           450.14 **(5)** Any person who violates this section may be fined not less than \$100  
24 nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years  
25 and 6 months or both is guilty of a Class H felony.

1           **SECTION 192.** 450.15 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~  
4 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
5 ~~and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 193.** 551.58 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

8           551.58 (1) Any person who wilfully violates any provision of this chapter except  
9 s. 551.54, or any rule under this chapter, or any order of which the person has notice,  
10 or who violates s. 551.54 knowing or having reasonable cause to believe that the  
11 statement made was false or misleading in any material respect, ~~may be fined not~~  
12 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
13 guilty of a Class H felony. Each of the acts specified shall constitute a separate  
14 offense and a prosecution or conviction for any one of such offenses shall not bar  
15 prosecution or conviction for any other offense.

16           **SECTION 194.** 552.19 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
17 is amended to read:

18           552.19 (1) Any person, including a controlling person of an offeror or target  
19 company, who wilfully violates this chapter or any rule under this chapter, or any  
20 order of which the person has notice, ~~may be fined not more than \$5,000 or~~  
21 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
22 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
23 conviction for any one of the offenses does not bar prosecution or conviction for any  
24 other offense.



1           **SECTION 195.** 553.52 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
4 which the person has notice, or who violates s. 553.41 (1) knowing or having  
5 reasonable cause to believe either that the statement made was false or misleading  
6 in any material respect or that the failure to report a material event under s. 553.31  
7 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
8 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
9 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
10 conviction for any one of those offenses does not bar prosecution or conviction for any  
11 other offense.

12           **SECTION 196.** 553.52 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
13 is amended to read:

14           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
15 or artifice to defraud in connection with the offer or sale of any franchise or engages,  
16 directly or indirectly, in any act, practice, or course of business which operates or  
17 would operate as a fraud or deceit upon any person in connection with the offer or  
18 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
19 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

20           **SECTION 197.** 562.13 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
21 is amended to read:

22           562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
23 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

24           **SECTION 198.** 562.13 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
25 is amended to read:

1           562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 may be  
2           ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
3           ~~or both~~ is guilty of a Class H felony.

4           **SECTION 199.** 565.50 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
5           is amended to read:

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

10          **SECTION 200.** 565.50 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
11          is amended to read:

12          565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
13          with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
14          more than ~~3 years~~ 9 months or both.

15          **SECTION 201.** 601.64 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
16          is amended to read:

17          601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
18          permits any person over whom he or she has authority to violate or intentionally aids  
19          any person in violating any insurance statute or rule of this state, s. 149.13 or  
20          149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I  
21          felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~  
22          ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
23          ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the  
24          meaning expressed under s. 939.23.

1           **SECTION 202.** 641.19 (4) (a) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

3           641.19 **(4)** (a) Any person who wilfully violates or fails to comply with any  
4 provision of this chapter or the rules promulgated thereunder or who, knowingly,  
5 makes a false statement, a false representation of a material fact, or who fails to  
6 disclose a material fact in any registration, examination, statement or report  
7 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~  
8 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
9 guilty of a Class H felony.

10           **SECTION 203.** 641.19 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12           641.19 **(4)** (b) Any person who embezzles, steals, or unlawfully and wilfully  
13 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
14 funds, securities, premiums, credits, property, or other assets of any employe welfare  
15 fund, or of any fund connected therewith, ~~shall be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
17 felony.

18           **SECTION 204.** 753.061 (2m) of the statutes is amended to read:

19           753.061 **(2m)** The chief judge of the 1st judicial administrative district is  
20 authorized to designate 4 circuit court branches to primarily handle violent crime  
21 cases that involve a violation of s. 939.63, if a felony is committed while armed, and  
22 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m)~~ and ~~(1r)~~ and 943.32  
23 (2). If the circuit court branches are designated under this subsection, 2 shall begin  
24 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
25 primarily handle violent crime cases on August 1, 1992.

1           **SECTION 205.** 765.30 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
2 Act 283, is amended to read:

3           765.30 **(1)** (intro.) The following shall may be fined not less than \$200 nor more  
4 than \$1,000 \$10,000 or imprisoned for not more than 2-years 9 months or both:

5           **SECTION 206.** 765.30 (2) (intro.) of the statutes, as affected by 1997 Wisconsin  
6 Act 283, is amended to read:

7           765.30 **(2)** (intro.) The following shall may be fined not less than \$100 nor more  
8 than \$1,000 \$10,000 or imprisoned for not more than 2-years 9 months or both:

9           **SECTION 207.** 768.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
10 amended to read:

11           **768.07 Penalty.** Any person who violates any provision of this chapter may  
12 be fined not less than \$100 nor more than \$1,000 \$10,000 or imprisoned for not more  
13 than 2-years 9 months or both.

14           **SECTION 208.** 783.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
15 amended to read:

16           **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
17 is directed to any public officer, body, board or person, commanding the performance  
18 of any duty specially enjoined by law, if it shall appear to the court that such and the  
19 officer or person or any member of such the body or board has, without just excuse,  
20 refused or neglected to perform the duty so enjoined the court may impose a fine, not  
21 exceeding \$5,000, upon every such, the officer, person or member of such the body or  
22 board, or sentence the officer, person or member to imprisonment for not more than  
23 7 years and 6 months is guilty of a Class H felony.

24           **SECTION 209.** 801.50 (5) of the statutes is amended to read:

1           801.50 (5) Venue of an action for certiorari to review a probation, extended  
2 supervision or parole revocation, a denial by a program review committee under s.  
3 302.113 (9g) of a petition for modification of a bifurcated sentence or a refusal of  
4 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an  
5 offense for which the relator was on probation, extended supervision or parole or for  
6 which the relator is currently incarcerated.

7           **SECTION 210.** 801.50 (5c) of the statutes is created to read:

8           801.50 (5c) Venue of an action for certiorari brought by the department of  
9 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke  
10 extended supervision shall be in the county in which the person on extended  
11 supervision was convicted of the offense for which he or she is on extended  
12 supervision.

13           **SECTION 211.** 911.01 (4) (c) of the statutes is amended to read:

14           911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
15 rendition; sentencing, ~~or~~ granting or revoking probation, modification of a bifurcated  
16 sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and  
17 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to  
18 pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
19 release on bail or as otherwise provided in ch. 969.

20           **SECTION 212.** 938.183 (3) of the statutes is amended to read:

21           938.183 (3) When a juvenile who is subject to a criminal penalty under sub.  
22 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a  
23 state prison named in s. 302.01. If a juvenile who is subject to a criminal penalty  
24 under sub. (1m) or (2) is 15 years of age or over, the department may transfer the  
25 juvenile to the Racine youthful offender correctional facility named in s. 302.01 as

1 provided in s. 938.357 (4) (d). A juvenile who is subject to a criminal penalty under  
2 sub. (1m) or (2) for an act committed before ~~December 31, 1999~~ July 1, 2000, is  
3 eligible for parole under s. 304.06.

4 **SECTION 213.** 938.208 (1) (a) of the statutes is amended to read:

5 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
6 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
7 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~  
8 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
9 committed by an adult.

10 **SECTION 214.** 938.34 (4h) (a) of the statutes is amended to read:

11 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated  
12 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
13 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~  
14 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1) or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or the  
15 juvenile is 10 years of age or over and has been adjudicated delinquent for attempting  
16 or committing a violation of s. 940.01 or for committing a violation of 940.02 or  
17 940.05.

18 **SECTION 215.** 938.34 (4m) (b) 1. of the statutes is amended to read:

19 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be  
20 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),  
21 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)  
22 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

23 **SECTION 216.** 938.355 (2d) (b) 3. of the statutes is amended to read:

24 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
25 1997 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025

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

7 **SECTION 217.** 938.355 (4) (b) of the statutes is amended to read:

8 938.355 **(4)** (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
9 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
10 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th  
11 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
12 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation  
13 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C  
14 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the  
15 juvenile is adjudicated delinquent for committing an act that would be punishable  
16 as a Class A felony if committed by an adult.

17 **SECTION 218.** 938.78 (3) of the statutes, as affected by 1999 Wisconsin Act 9,  
18 is amended to read:

19 938.78 **(3)** If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
20 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
21 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
22 943.23 (1m) or (1r), 1997 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
23 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,  
24 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r),~~ 943.32 (2), 948.02,  
25 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in



1 ch. 940 has escaped from a secured correctional facility, child caring institution,  
2 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention  
3 facility or juvenile portion of a county jail, or from the custody of a peace officer or  
4 a guard of such a facility, institution or jail, or has been allowed to leave a secured  
5 correctional facility, child caring institution, secured group home, inpatient facility,  
6 secure detention facility or juvenile portion of a county jail for a specified time period  
7 and is absent from the facility, institution or jail for more than 12 hours after the  
8 expiration of the specified period, the department or county department having  
9 supervision over the juvenile may release the juvenile's name and any information  
10 about the juvenile that is necessary for the protection of the public or to secure the  
11 juvenile's return to the facility, institution or jail. The department of corrections  
12 shall promulgate rules establishing guidelines for the release of the juvenile's name  
13 or information about the juvenile to the public.

14 **SECTION 219.** 939.22 (21) (d) of the statutes is amended to read:

15 939.22 **(21)** (d) Battery, ~~substantial battery or aggravated battery~~, as  
16 prohibited in s. 940.19 or 940.195.

17 **SECTION 220.** 939.30 (1) of the statutes is amended to read:

18 939.30 **(1)** Except as provided in sub. (2) and ~~ss. 948.35 and s.~~ 961.455, whoever,  
19 with intent that a felony be committed, advises another to commit that crime under  
20 circumstances that indicate unequivocally that he or she has the intent is guilty of  
21 a Class ~~D~~ H felony.

22 **SECTION 221.** 939.30 (2) of the statutes is amended to read:

23 939.30 **(2)** For a solicitation to commit a crime for which the penalty is life  
24 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
25 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.



1           **SECTION 222.** 939.32 (1) (intro.) of the statutes is amended to read:

2           939.32 (1) GENERALLY. (intro.) Whoever attempts to commit a felony or a crime  
3 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~  
4 ~~exceed one-half the maximum penalty for the completed crime; as provided under~~  
5 sub. (1g). except:

6           **SECTION 223.** 939.32 (1) (b) of the statutes is repealed.

7           **SECTION 224.** 939.32 (1) (bm) of the statutes is created to read:

8           939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
9 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
10 applied, is guilty of a Class A misdemeanor.

11           **SECTION 225.** 939.32 (1g) of the statutes is created to read:

12           939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit  
13 a crime that is punishable under sub. (1) (intro.) is as follows:

14           (a) The maximum fine is one-half of the maximum fine for the completed crime.

15           (b) 1. If s. 939.62 is not being applied, the maximum term of imprisonment is  
16 one-half of the maximum term of imprisonment, as increased by any penalty  
17 enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the completed crime.

18           2. If s. 939.62 is being applied, the maximum term of imprisonment is  
19 determined by the following method:

20           a. Multiplying by one-half the maximum term of imprisonment, as increased  
21 by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the  
22 completed crime.

23           b. Applying s. 939.62 to the product under subd. 2. a.

24           **SECTION 226.** 939.32 (1m) of the statutes is created to read:

1           **939.32 (1m) BIFURCATED SENTENCES.** If the court imposes a bifurcated sentence  
2 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.  
3 (1) (intro.), the following requirements apply:

4           (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
5 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
6 (d), if the crime is a classified felony and s. 939.62 is not being applied, the maximum  
7 term of confinement in prison is one-half of the maximum term of confinement in  
8 prison specified in s. 973.01 (2) (b), as increased by any penalty enhancement statute  
9 listed in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

10           2. Subject to the minimum term of extended supervision required under s.  
11 973.01 (2) (d), if the crime is a classified felony and s. 939.62 is being applied, the  
12 court shall determine the maximum term of confinement in prison by the following  
13 method:

14           a. Multiplying by one-half the maximum term of confinement in prison  
15 specified in s. 973.01 (2) (b), as increased by any penalty enhancement statutes listed  
16 in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

17           b. Applying s. 939.62 to the product under subd. 2. a.

18           (b) *Maximum term of extended supervision for attempt to commit classified*  
19 *felony.* The maximum term of extended supervision for an attempt to commit a  
20 classified felony is one-half of the maximum term of extended supervision for the  
21 completed crime under s. 973.01 (2) (d).

22           (c) *Maximum term of confinement for attempt to commit unclassified felony or*  
23 *misdemeanor.* The court shall determine the maximum term of confinement in  
24 prison for an attempt to commit a crime other than a classified felony by applying

1 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)  
2 (b).

3 **SECTION 227.** 939.32 (2) (title) of the statutes is created to read:

4 939.32 (2) (title) MISDEMEANORS.

5 **SECTION 228.** 939.32 (3) (title) of the statutes is created to read:

6 939.32 (3) (title) REQUIREMENTS.

7 **SECTION 229.** 939.50 (1) (intro.) of the statutes is amended to read:

8 939.50 (1) (intro.) ~~Except as provided in ss. 946.83 and 946.85, felonies~~ Felonies  
9 in ~~chs. 939 to 951~~ the statutes are classified as follows:

10 **SECTION 230.** 939.50 (1) (bc) of the statutes is repealed.

11 **SECTION 231.** 939.50 (1) (f) of the statutes is created to read:

12 939.50 (1) (f) Class F felony.

13 **SECTION 232.** 939.50 (1) (g) of the statutes is created to read:

14 939.50 (1) (g) Class G felony.

15 **SECTION 233.** 939.50 (1) (h) of the statutes is created to read:

16 939.50 (1) (h) Class H felony.

17 **SECTION 234.** 939.50 (1) (i) of the statutes is created to read:

18 939.50 (1) (i) Class I felony.

19 **SECTION 235.** 939.50 (2) of the statutes is amended to read:

20 939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H or I felony when it  
21 is so specified in ~~chs. 939 to 951~~ the statutes.

22 **SECTION 236.** 939.50 (3) (bc) of the statutes, as affected by 1997 Wisconsin Act  
23 283, is repealed.

24 **SECTION 237.** 939.50 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

1           939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 \$100,000 or  
2 imprisonment not to exceed 15 40 years, or both.

3           **SECTION 238.** 939.50 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
4 283, is amended to read:

5           939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 \$100,000 or  
6 imprisonment not to exceed 10 25 years, or both.

7           **SECTION 239.** 939.50 (3) (e) of the statutes, as affected by 1997 Wisconsin Act  
8 283, is amended to read:

9           939.50 (3) (e) For a Class E felony, a fine not to exceed \$10,000 \$50,000 or  
10 imprisonment not to exceed 5 15 years, or both.

11          **SECTION 240.** 939.50 (3) (f) of the statutes is created to read:

12          939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
13 not to exceed 12 years and 6 months, or both.

14          **SECTION 241.** 939.50 (3) (g) of the statutes is created to read:

15          939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
16 not to exceed 10 years, or both.

17          **SECTION 242.** 939.50 (3) (h) of the statutes is created to read:

18          939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
19 not to exceed 6 years, or both.

20          **SECTION 243.** 939.50 (3) (i) of the statutes is created to read:

21          939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
22 not to exceed 3 years and 6 months, or both.

23          **SECTION 244.** 939.615 (7) (b) 2. of the statutes is amended to read:

24          939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class E I felony if the  
25 same conduct that violates par. (a) also constitutes a crime that is a felony.

1           **SECTION 245.** 939.615 (7) (c) of the statutes is repealed.

2           **SECTION 246.** 939.62 (1) (a) of the statutes is amended to read:

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

5           **SECTION 247.** 939.62 (1) (b) of the statutes is amended to read:

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

10          **SECTION 248.** 939.62 (1) (c) of the statutes is amended to read:

11          939.62 **(1)** (c) A maximum term of imprisonment of more than 10 years may be  
12 increased by not more than 2 years if the prior convictions were for misdemeanors  
13 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

14          **SECTION 249.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

15          939.62 **(2m)** (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony  
16 is that is a Class A, B or C felony or, if the felony was committed before July 1, 2000,  
17 that was punishable by a maximum prison term of 30 years or more.

18          **SECTION 250.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

19          939.62 **(2m)** (a) 2m. b. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m)  
20 or (1r), 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., or s.  
21 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
22 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
23 (1m) or (1r), 943.32 (2), 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,  
24 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

25          **SECTION 251.** 939.622 of the statutes is repealed.

1           **SECTION 252.** 939.623 of the statutes is repealed.

2           **SECTION 253.** 939.624 of the statutes is repealed.

3           **SECTION 254.** 939.625 of the statutes is repealed.

4           **SECTION 255.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)

5 (d), (2) and (3), as renumbered, are amended to read:

6           939.63 (1) (d) The maximum term of imprisonment for a felony not specified  
7 in ~~subd. 2. or 3. par (b) or (c)~~ may be increased by not more than 3 years.

8           (2) The increased penalty provided in this ~~subsection~~ section does not apply if  
9 possessing, using or threatening to use a dangerous weapon is an essential element  
10 of the crime charged.

11           (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to  
12 951 and 961.

13           **SECTION 256.** 939.63 (2) of the statutes is repealed.

14           **SECTION 257.** 939.632 (1) (e) 1. of the statutes is amended to read:

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

20           **SECTION 258.** 939.632 (2) of the statutes is amended to read:

21           939.632 (2) If a person commits a violent crime in a school zone, the maximum  
22 period term of imprisonment is increased as follows:

23           (a) If the violent crime is a felony, the maximum period term of imprisonment  
24 is increased by 5 years.

1           (b) If the violent crime is a misdemeanor, the maximum period term of  
2 imprisonment is increased by 3 months and the place of imprisonment is the county  
3 jail.

4           **SECTION 259.** 939.635 of the statutes, as affected by 1999 Wisconsin Act 9, is  
5 repealed.

6           **SECTION 260.** 939.64 of the statutes is repealed.

7           **SECTION 261.** 939.641 of the statutes is repealed.

8           **SECTION 262.** 939.645 (2) of the statutes is amended to read:

9           939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
10 misdemeanor other than a Class A misdemeanor, the revised maximum fine is  
11 \$10,000 and the revised maximum period term of imprisonment is one year in the  
12 county jail.

13           (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,  
14 the penalty increase under this section changes the status of the crime to a felony and  
15 the revised maximum fine is \$10,000 and the revised maximum period term of  
16 imprisonment is 2 years.

17           (c) If the crime committed under sub. (1) is a felony, the maximum fine  
18 prescribed by law for the crime may be increased by not more than \$5,000 and the  
19 maximum period term of imprisonment prescribed by law for the crime may be  
20 increased by not more than 5 years.

21           **SECTION 263.** 939.646 of the statutes is repealed.

22           **SECTION 264.** 939.647 of the statutes is repealed.

23           **SECTION 265.** 939.648 of the statutes is repealed.

24           **SECTION 266.** 939.72 (1) of the statutes is amended to read:

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

3           **SECTION 267.** 939.75 (1) of the statutes is amended to read:

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

9           **SECTION 268.** 940.02 (2) (intro.) of the statutes is amended to read:

10          940.02 (2) (intro.) Whoever causes the death of another human being under any  
11 of the following circumstances is guilty of a Class B C felony:

12          **SECTION 269.** 940.03 of the statutes is amended to read:

13          **940.03 Felony murder.** Whoever causes the death of another human being  
14 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
15 (a), 943.02, 943.10 (2), 943.23 (1g) or 943.32 (2) may be imprisoned for not more than  
16 ~~20~~ 15 years in excess of the maximum period term of imprisonment provided by law  
17 for that crime or attempt.

18          **SECTION 270.** 940.04 (1) of the statutes is amended to read:

19          940.04 (1) Any person, other than the mother, who intentionally destroys the  
20 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~  
21 ~~than 3 years or both~~ is guilty of a Class H felony.

22          **SECTION 271.** 940.04 (2) (intro.) of the statutes is amended to read:

23          940.04 (2) (intro.) Any person, other than the mother, who does either of the  
24 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

25          **SECTION 272.** 940.04 (4) of the statutes is amended to read:



1           940.04 (4) Any pregnant woman who intentionally destroys the life of her  
2 unborn quick child or who consents to such destruction by another ~~may be~~  
3 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

4           **SECTION 273.** 940.06 (1) of the statutes is amended to read:

5           940.06 (1) Whoever recklessly causes the death of another human being is  
6 guilty of a Class C D felony.

7           **SECTION 274.** 940.06 (2) of the statutes is amended to read:

8           940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
9 a Class C D felony.

10          **SECTION 275.** 940.07 of the statutes is amended to read:

11          **940.07 Homicide resulting from negligent control of vicious animal.**

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

16          **SECTION 276.** 940.08 (1) of the statutes is amended to read:

17          940.08 (1) Whoever causes the death of another human being by the negligent  
18 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class  
19 D G felony.

20          **SECTION 277.** 940.08 (2) of the statutes is amended to read:

21          940.08 (2) Whoever causes the death of an unborn child by the negligent  
22 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D  
23 G felony.

24          **SECTION 278.** 940.09 (1) (intro.) of the statutes is amended to read:

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

3           **SECTION 279.** 940.09 (1b) of the statutes is repealed.

4           **SECTION 280.** 940.09 (1c) of the statutes is created to read:

5           940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
6 guilty of a Class D felony.

7           (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
8 one or more prior convictions, suspensions or revocations, as counted under s.  
9 343.307 (2).

10          **SECTION 281.** 940.10 (1) of the statutes is amended to read:

11          940.10 (1) Whoever causes the death of another human being by the negligent  
12 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

13          **SECTION 282.** 940.10 (2) of the statutes is amended to read:

14          940.10 (2) Whoever causes the death of an unborn child by the negligent  
15 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

16          **SECTION 283.** 940.11 (1) of the statutes is amended to read:

17          940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent  
18 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is  
19 guilty of a Class ~~C~~ F felony.

20          **SECTION 284.** 940.11 (2) of the statutes is amended to read:

21          940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
22 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G  
23 felony.

24          **SECTION 285.** 940.12 of the statutes is amended to read:

1           **940.12 Assisting suicide.** Whoever with intent that another take his or her  
2 own life assists such person to commit suicide is guilty of a Class D H felony.

3           **SECTION 286.** 940.15 (2) of the statutes is amended to read:

4           **940.15 (2)** Whoever intentionally performs an abortion after the fetus or  
5 unborn child reaches viability, as determined by reasonable medical judgment of the  
6 woman's attending physician, is guilty of a Class E I felony.

7           **SECTION 287.** 940.15 (5) of the statutes is amended to read:

8           **940.15 (5)** Whoever intentionally performs an abortion and who is not a  
9 physician is guilty of a Class E I felony.

10          **SECTION 288.** 940.15 (6) of the statutes is amended to read:

11          **940.15 (6)** Any physician who intentionally performs an abortion under sub.  
12 (3) shall use that method of abortion which, of those he or she knows to be available,  
13 is in his or her medical judgment most likely to preserve the life and health of the  
14 fetus or unborn child. Nothing in this subsection requires a physician performing  
15 an abortion to employ a method of abortion which, in his or her medical judgment  
16 based on the particular facts of the case before him or her, would increase the risk  
17 to the woman. Any physician violating this subsection is guilty of a Class E I felony.

18          **SECTION 289.** 940.19 (2) of the statutes is amended to read:

19          **940.19 (2)** Whoever causes substantial bodily harm to another by an act done  
20 with intent to cause bodily harm to that person or another is guilty of a Class E I  
21 felony.

22          **SECTION 290.** 940.19 (3) of the statutes is repealed.

23          **SECTION 291.** 940.19 (4) of the statutes is amended to read:

24          **940.19 (4)** Whoever causes great bodily harm to another by an act done with  
25 intent to cause bodily harm to that person or another is guilty of a Class D H felony.

1           **SECTION 292.** 940.19 (5) of the statutes is amended to read:

2           940.19 (5) Whoever causes great bodily harm to another by an act done with  
3 intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person  
4 or another is guilty of a Class ~~C~~ E felony.

5           **SECTION 293.** 940.19 (6) (intro.) of the statutes is amended to read:

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

10          **SECTION 294.** 940.195 (2) of the statutes is amended to read:

11          940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
12 act done with intent to cause bodily harm to that unborn child, to the woman who is  
13 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

14          **SECTION 295.** 940.195 (3) of the statutes is repealed.

15          **SECTION 296.** 940.195 (4) of the statutes is amended to read:

16          940.195 (4) Whoever causes great bodily harm to an unborn child by an act  
17 done with intent to cause bodily harm to that unborn child, to the woman who is  
18 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

19          **SECTION 297.** 940.195 (5) of the statutes is amended to read:

20          940.195 (5) Whoever causes great bodily harm to an unborn child by an act  
21 done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that  
22 unborn child, to the woman who is pregnant with that unborn child or another is  
23 guilty of a Class ~~C~~ E felony.

24          **SECTION 298.** 940.195 (6) of the statutes is repealed.

25          **SECTION 299.** 940.20 (1) of the statutes is amended to read:

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

5           **SECTION 300.** 940.20 (1m) of the statutes is amended to read:

6           **940.20 (1m) BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS.** (a) Any  
7 person who is subject to an injunction under s. 813.12 or a tribal injunction filed  
8 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who  
9 sought the injunction by an act done without the consent of the petitioner is guilty  
10 of a Class **E I** felony.

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

14           **SECTION 301.** 940.20 (2) of the statutes is amended to read:

15           **940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS.** Whoever  
16 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those  
17 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the  
18 person knows or has reason to know that the victim is a law enforcement officer or  
19 fire fighter, by an act done without the consent of the person so injured, is guilty of  
20 a Class **D H** felony.

21           **SECTION 302.** 940.20 (2m) (b) of the statutes is amended to read:

22           **940.20 (2m) (b)** Whoever intentionally causes bodily harm to a probation,  
23 extended supervision and parole agent or an aftercare agent, acting in an official  
24 capacity and the person knows or has reason to know that the victim is a probation,

1 extended supervision and parole agent or an aftercare agent, by an act done without  
2 the consent of the person so injured, is guilty of a Class D H felony.

3 **SECTION 303.** 940.20 (3) of the statutes is amended to read:

4 940.20 (3) BATTERY TO JURORS. Whoever intentionally causes bodily harm to a  
5 person who he or she knows or has reason to know is or was a grand or petit juror,  
6 and by reason of any verdict or indictment assented to by the person, without the  
7 consent of the person injured, is guilty of a Class D H felony.

8 **SECTION 304.** 940.20 (4) of the statutes is amended to read:

9 940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily  
10 harm to a public officer in order to influence the action of such officer or as a result  
11 of any action taken within an official capacity, without the consent of the person  
12 injured, is guilty of a Class E I felony.

13 **SECTION 305.** 940.20 (5) (b) of the statutes is amended to read:

14 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
15 district or school district officer or employe acting in that capacity, and the person  
16 knows or has reason to know that the victim is a technical college district or school  
17 district officer or employe, without the consent of the person so injured, is guilty of  
18 a Class E I felony.

19 **SECTION 306.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

20 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
21 under any of the following circumstances is guilty of a Class E I felony:

22 **SECTION 307.** 940.20 (7) (b) of the statutes is amended to read:

23 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
24 department worker, an emergency medical technician, a first responder or an  
25 ambulance driver who is acting in an official capacity and who the person knows or

1 has reason to know is an emergency department worker, an emergency medical  
2 technician, a first responder or an ambulance driver, by an act done without the  
3 consent of the person so injured, is guilty of a Class D H felony.

4 **SECTION 308.** 940.201 (2) (intro.) of the statutes is amended to read:

5 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H  
6 felony:

7 **SECTION 309.** 940.203 (2) (intro.) of the statutes is amended to read:

8 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
9 cause bodily harm to the person or family member of any judge under all of the  
10 following circumstances is guilty of a Class D H felony:

11 **SECTION 310.** 940.205 (2) (intro.) of the statutes is amended to read:

12 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
13 cause bodily harm to the person or family member of any department of revenue  
14 official, employe or agent under all of the following circumstances is guilty of a Class  
15 D H felony:

16 **SECTION 311.** 940.207 (2) (intro.) of the statutes is amended to read:

17 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
18 cause bodily harm to the person or family member of any department of commerce  
19 or department of workforce development official, employe or agent under all of the  
20 following circumstances is guilty of a Class D H felony:

21 **SECTION 312.** 940.21 of the statutes is amended to read:

22 **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
23 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
24 guilty of a Class B C felony.

25 **SECTION 313.** 940.22 (2) of the statutes is amended to read:

1           **940.22 (2) SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
2 or herself out to be a therapist and who intentionally has sexual contact with a  
3 patient or client during any ongoing therapist–patient or therapist–client  
4 relationship, regardless of whether it occurs during any treatment, consultation,  
5 interview or examination, is guilty of a Class ~~C~~ F felony. Consent is not an issue in  
6 an action under this subsection.

7           **SECTION 314.** 940.225 (2) (intro.) of the statutes is amended to read:

8           **940.225 (2) SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the  
9 following is guilty of a Class ~~B~~ C felony:

10           **SECTION 315.** 940.225 (3) of the statutes is amended to read:

11           **940.225 (3) THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse  
12 with a person without the consent of that person is guilty of a Class ~~D~~ G felony.  
13 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
14 without the consent of that person is guilty of a Class ~~D~~ G felony.

15           **SECTION 316.** 940.23 (1) (a) of the statutes is amended to read:

16           **940.23 (1) (a)** Whoever recklessly causes great bodily harm to another human  
17 being under circumstances which show utter disregard for human life is guilty of a  
18 Class ~~C~~ D felony.

19           **SECTION 317.** 940.23 (1) (b) of the statutes is amended to read:

20           **940.23 (1) (b)** Whoever recklessly causes great bodily harm to an unborn child  
21 under circumstances that show utter disregard for the life of that unborn child, the  
22 woman who is pregnant with that unborn child or another is guilty of a Class ~~C~~ D  
23 felony.

24           **SECTION 318.** 940.23 (2) (a) of the statutes is amended to read:



1           940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
2 being is guilty of a Class D F felony.

3           **SECTION 319.** 940.23 (2) (b) of the statutes is amended to read:

4           940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
5 is guilty of a Class D F felony.

6           **SECTION 320.** 940.24 (1) of the statutes is amended to read:

7           940.24 (1) Whoever causes bodily harm to another by the negligent operation  
8 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

9           **SECTION 321.** 940.24 (2) of the statutes is amended to read:

10          940.24 (2) Whoever causes bodily harm to an unborn child by the negligent  
11 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E  
12 I felony.

13          **SECTION 322.** 940.25 (1) (intro.) of the statutes is amended to read:

14          940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
15 D F felony:

16          **SECTION 323.** 940.25 (1b) of the statutes is repealed.

17          **SECTION 324.** 940.285 (2) (b) 1g. of the statutes is amended to read:

18          940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
19 that cause death is guilty of a Class B C felony. Any person violating par. (a) 3. under  
20 circumstances that cause death is guilty of a Class D felony.

21          **SECTION 325.** 940.285 (2) (b) 1m. of the statutes is amended to read:

22          940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
23 cause great bodily harm is guilty of a Class C F felony.

24          **SECTION 326.** 940.285 (2) (b) 1r. of the statutes is amended to read:

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

5           **SECTION 327.** 940.285 (2) (b) 2. of the statutes is amended to read:

6           940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
7 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
8 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
9 of a Class I felony.

10          **SECTION 328.** 940.285 (2) (b) 3. of the statutes is repealed.

11          **SECTION 329.** 940.29 of the statutes is amended to read:

12          **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
13 employed in a penal or correctional institution or other place of confinement who  
14 abuses, neglects or ill-treats any person confined in or a resident of any such  
15 institution or place or who knowingly permits another person to do so is guilty of a  
16 Class ~~E~~ I felony.

17          **SECTION 330.** 940.295 (3) (b) 1g. of the statutes is amended to read:

18          940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
19 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person  
20 violating par. (a) 3. under circumstances that cause death to a vulnerable person is  
21 guilty of a Class D felony.

22          **SECTION 331.** 940.295 (3) (b) 1m. of the statutes is amended to read:

23          940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
24 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

25          **SECTION 332.** 940.295 (3) (b) 1r. of the statutes is amended to read:

1           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
2 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty  
3 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
4 likely to cause great bodily harm is guilty of a Class G felony.

5           **SECTION 333.** 940.295 (3) (b) 2. of the statutes is amended to read:

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

10          **SECTION 334.** 940.295 (3) (b) 3. of the statutes is amended to read:

11          940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)  
12 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is  
13 guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances  
14 that are likely to cause great bodily harm is guilty of a Class I felony.

15          **SECTION 335.** 940.30 of the statutes is amended to read:

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

19          **SECTION 336.** 940.305 (1) of the statutes is amended to read:

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

25          **SECTION 337.** 940.305 (2) of the statutes is amended to read:

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

4           **SECTION 338.** 940.31 (1) (intro.) of the statutes is amended to read:

5           940.31 **(1)** (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
6 felony:

7           **SECTION 339.** 940.31 (2) (a) of the statutes is amended to read:

8           940.31 **(2)** (a) Except as provided in par. (b), whoever violates sub. (1) with  
9 intent to cause another to transfer property in order to obtain the release of the victim  
10 is guilty of a Class ~~A~~ B felony.

11          **SECTION 340.** 940.31 (2) (b) of the statutes is amended to read:

12          940.31 **(2)** (b) Whoever violates sub. (1) with intent to cause another to transfer  
13 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
14 the victim is released without permanent physical injury prior to the time the first  
15 witness is sworn at the trial.

16          **SECTION 341.** 940.32 (2) (intro.) of the statutes is amended to read:

17          940.32 **(2)** (intro.) Whoever meets all of the following criteria is guilty of a Class  
18 ~~A misdemeanor~~ I felony:

19          **SECTION 342.** 940.32 (2m) of the statutes is amended to read:

20          940.32 **(2m)** Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
21 intentionally gains access to a record in electronic format that contains personally  
22 identifiable information regarding the victim in order to facilitate the violation  
23 under sub. (2).

24          **SECTION 343.** 940.32 (3) (intro.) of the statutes is amended to read:

1           940.32 **(3)** (intro.) Whoever violates sub. (2) under any of the following  
2 circumstances is guilty of a Class E H felony:

3           **SECTION 344.** 940.32 (3m) (intro.) of the statutes is amended to read:

4           940.32 **(3m)** (intro.) Whoever violates sub. (3) under all of the following  
5 circumstances is guilty of a Class D G felony:

6           **SECTION 345.** 940.43 (intro.) of the statutes is amended to read:

7           **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
8 940.42 under any of the following circumstances is guilty of a Class D G felony:

9           **SECTION 346.** 940.45 (intro.) of the statutes is amended to read:

10          **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
11 under any of the following circumstances is guilty of a Class D G felony:

12          **SECTION 347.** 941.11 (intro.) of the statutes is amended to read:

13          **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
14 following is guilty of a Class D H felony:

15          **SECTION 348.** 941.12 (1) of the statutes is amended to read:

16          941.12 **(1)** Whoever intentionally interferes with the proper functioning of a  
17 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of  
18 a Class E I felony.

19          **SECTION 349.** 941.20 (2) (intro.) of the statutes is amended to read:

20          941.20 **(2)** (intro.) Whoever does any of the following is guilty of a Class E G  
21 felony:

22          **SECTION 350.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

23          941.20 **(3)** (a) (intro.) Whoever intentionally discharges a firearm from a  
24 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot

1 that is open to the public under any of the following circumstances is guilty of a Class  
2 C F felony:

3 **SECTION 351.** 941.21 of the statutes is amended to read:

4 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
5 officer who is acting in his or her official capacity by taking a dangerous weapon or  
6 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
7 without his or her consent is guilty of a Class E H felony. This section applies to any  
8 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)  
9 (a) that the officer is carrying or that is in an area within the officer's immediate  
10 presence.

11 **SECTION 352.** 941.235 (1) of the statutes is amended to read:

12 941.235 (1) Any person who goes armed with a firearm in any building owned  
13 or leased by the state or any political subdivision of the state is guilty of a Class B  
14 A misdemeanor.

15 **SECTION 353.** 941.26 (2) (a) of the statutes is amended to read:

16 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

17 **SECTION 354.** 941.26 (2) (b) of the statutes is amended to read:

18 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class C F felony.

19 **SECTION 355.** 941.26 (2) (e) of the statutes is amended to read:

20 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
21 commercial transportation of the bomb, grenade, projectile, shell or container under  
22 sub. (1) (b) is guilty of a Class E H felony.

23 **SECTION 356.** 941.26 (2) (f) of the statutes is amended to read:

24 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
25 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily

1 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
2 who is acting in an official capacity is guilty of a Class D H felony.

3 **SECTION 357.** 941.26 (2) (g) of the statutes is amended to read:

4 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
5 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
6 of another crime to cause bodily harm or bodily discomfort to another or who  
7 threatens to use the bomb, grenade, projectile, shell or container during his or her  
8 commission of another crime to incapacitate another person is guilty of a Class E H  
9 felony.

10 **SECTION 358.** 941.26 (4) (d) of the statutes is amended to read:

11 941.26 (4) (d) Whoever intentionally uses a device or container described under  
12 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,  
13 or has reason to know, is a peace officer who is acting in an official capacity is guilty  
14 of a Class D H felony.

15 **SECTION 359.** 941.26 (4) (e) of the statutes is amended to read:

16 941.26 (4) (e) Whoever uses a device or container described under par. (a)  
17 during his or her commission of another crime to cause bodily harm or bodily  
18 discomfort to another or who threatens to use the device or container during his or  
19 her commission of another crime to incapacitate another person is guilty of a Class  
20 E H felony.

21 **SECTION 360.** 941.28 (3) of the statutes is amended to read:

22 941.28 (3) Any person violating this section is guilty of a Class E H felony.

23 **SECTION 361.** 941.29 (2) (intro.) of the statutes is amended to read:

24 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class E G felony  
25 if he or she possesses a firearm under any of the following circumstances:



1           **SECTION 362.** 941.29 (2m) of the statutes is repealed.

2           **SECTION 363.** 941.295 (1) of the statutes is amended to read:

3           941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
4 with any electric weapon is guilty of a Class E H felony.

5           **SECTION 364.** 941.296 (2) (intro.) of the statutes is amended to read:

6           941.296 (2) (intro.) Whoever uses or possesses a handgun during the  
7 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony  
8 under any of the following circumstances.

9           **SECTION 365.** 941.296 (3) of the statutes is repealed.

10          **SECTION 366.** 941.298 (2) of the statutes is amended to read:

11          941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
12 a Class E H felony.

13          **SECTION 367.** 941.30 (1) of the statutes is amended to read:

14          941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly  
15 endangers another's safety under circumstances which show utter disregard for  
16 human life is guilty of a Class D F felony.

17          **SECTION 368.** 941.30 (2) of the statutes is amended to read:

18          941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
19 recklessly endangers another's safety is guilty of a Class E G felony.

20          **SECTION 369.** 941.31 (1) of the statutes is amended to read:

21          941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
22 explosive compound or offers to do the same, either with intent to use such explosive  
23 to commit a crime or knowing that another intends to use it to commit a crime, is  
24 guilty of a Class C F felony.

25          **SECTION 370.** 941.31 (2) (b) of the statutes is amended to read:



1           941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
2 transfers any improvised explosive device, or possesses materials or components  
3 with intent to assemble any improvised explosive device, is guilty of a Class E H  
4 felony.

5           **SECTION 371.** 941.315 (3) (intro.) of the statutes is amended to read:

6           941.315 (3) (intro.) Whoever does any of the following is guilty of a Class D H  
7 felony:

8           **SECTION 372.** 941.32 of the statutes is amended to read:

9           **941.32 Administering dangerous or stupefying drug.** Whoever  
10 administers to another or causes another to take any poisonous, stupefying,  
11 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
12 commission of a crime is guilty of a Class C F felony.

13           **SECTION 373.** 941.325 of the statutes is amended to read:

14           **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
15 or other substances in candy or other liquid or solid edibles with the intent to cause  
16 bodily harm to another person is guilty of a Class E I felony.

17           **SECTION 374.** 941.327 (2) (b) 1. of the statutes is amended to read:

18           941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.  
19 (a) is guilty of a Class E I felony.

20           **SECTION 375.** 941.327 (2) (b) 2. of the statutes is amended to read:

21           941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great  
22 bodily harm to another, a person violating par. (a) is guilty of a Class D H felony.

23           **SECTION 376.** 941.327 (2) (b) 3. of the statutes is amended to read:

24           941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
25 a person violating par. (a) is guilty of a Class C F felony.

1           **SECTION 377.** 941.327 (2) (b) 4. of the statutes is amended to read:

2           941.327 **(2)** (b) 4. If the act under par. (a) causes death to another, a person is  
3 guilty of a Class ~~A~~ C felony.

4           **SECTION 378.** 941.327 (3) of the statutes is amended to read:

5           941.327 **(3)** Whoever intentionally imparts or conveys false information,  
6 knowing the information to be false, concerning an act or attempted act which, if  
7 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

8           **SECTION 379.** 941.37 (3) of the statutes is amended to read:

9           941.37 **(3)** Any person who intentionally interferes with any emergency  
10 medical personnel in the performance of duties relating to an emergency or rescue  
11 and who has reasonable grounds to believe that the interference may endanger  
12 another's safety is guilty of a Class ~~E~~ I felony.

13           **SECTION 380.** 941.37 (4) of the statutes is amended to read:

14           941.37 **(4)** Any person who violates sub. (3) and thereby contributes to the  
15 death of another is guilty of a Class ~~C~~ E felony.

16           **SECTION 381.** 941.38 (1) (b) 4. of the statutes is amended to read:

17           941.38 **(1)** (b) 4. Battery, ~~substantial battery or aggravated battery,~~ as  
18 prohibited in s. 940.19 or 940.195.

19           **SECTION 382.** 941.38 (2) of the statutes is amended to read:

20           941.38 **(2)** Whoever intentionally solicits a child to participate in criminal gang  
21 activity is guilty of a Class ~~E~~ I felony.

22           **SECTION 383.** 943.01 (2) (intro.) of the statutes is amended to read:

23           943.01 **(2)** (intro.) Any person violating sub. (1) under any of the following  
24 circumstances is guilty of a Class ~~D~~ I felony:

25           **SECTION 384.** 943.01 (2) (d) of the statutes is amended to read:

1           943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
2 in value by more than \$1,000 \$2,000. For the purposes of this paragraph, property  
3 is reduced in value by the amount which it would cost either to repair or replace it,  
4 whichever is less.

5           **SECTION 385.** 943.01 (2g) of the statutes is repealed.

6           **SECTION 386.** 943.011 (2) (intro.) of the statutes is amended to read:

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

9           **SECTION 387.** 943.012 (intro.) of the statutes is amended to read:

10           **943.012 Criminal damage to or graffiti on religious and other property.**

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

16           **SECTION 388.** 943.013 (2) (intro.) of the statutes is amended to read:

17           943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
18 to any physical property that belongs to a judge or his or her family member under  
19 all of the following circumstances is guilty of a Class D I felony:

20           **SECTION 389.** 943.014 (2) of the statutes is amended to read:

21           943.014 (2) Whoever intentionally demolishes a historic building without a  
22 permit issued by a city, village, town or county or without an order issued under s.  
23 66.05 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~  
24 ~~building and the land upon which the building is located immediately prior to~~

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

3 **SECTION 390.** 943.015 (2) (intro.) of the statutes is amended to read:

4 943.015 **(2)** (intro.) Whoever intentionally causes or threatens to cause damage  
5 to any physical property which belongs to a department of revenue official, employe  
6 or agent or his or her family member under all of the following circumstances is guilty  
7 of a Class ~~D~~ I felony:

8 **SECTION 391.** 943.017 (2) (intro.) of the statutes is amended to read:

9 943.017 **(2)** (intro.) Any person violating sub. (1) under any of the following  
10 circumstances is guilty of a Class ~~D~~ I felony:

11 **SECTION 392.** 943.017 (2) (d) of the statutes is amended to read:

12 943.017 **(2)** (d) If the total property affected in violation of sub. (1) is reduced  
13 in value by more than \$1,000 \$2,000. For the purposes of this paragraph, property  
14 is reduced in value by the amount which it would cost to repair or replace it or to  
15 remove the marking, drawing, writing or etching, whichever is less.

16 **SECTION 393.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

17 943.017 **(2m)** (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~  
18 I felony:

19 **SECTION 394.** 943.02 (1) (intro.) of the statutes is amended to read:

20 943.02 **(1)** (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
21 felony:

22 **SECTION 395.** 943.03 of the statutes is amended to read:

23 **943.03 Arson of property other than building.** Whoever, by means of fire,  
24 intentionally damages any property (other than a building) of another without the

1 person's consent, if the property is of the value of \$100 or more, is guilty of a Class  
2 E I felony.

3 **SECTION 396.** 943.04 of the statutes is amended to read:

4 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages  
5 any property (other than a building) with intent to defraud an insurer of that  
6 property is guilty of a Class ~~D~~ H felony. Proof that the actor recovered or attempted  
7 to recover on a policy of insurance by reason of the fire is relevant but not essential  
8 to establish the actor's intent to defraud the insurer.

9 **SECTION 397.** 943.06 (2) of the statutes is amended to read:

10 943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or  
11 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

12 **SECTION 398.** 943.07 (1) of the statutes is amended to read:

13 943.07 (1) Whoever intentionally causes damage or who causes another person  
14 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,  
15 tunnel or signal or any railroad property used in providing rail services, which could  
16 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

17 **SECTION 399.** 943.07 (2) of the statutes is amended to read:

18 943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
19 train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

20 **SECTION 400.** 943.10 (1) (intro.) of the statutes is amended to read:

21 943.10 (1) (intro.) Whoever intentionally enters any of the following places  
22 without the consent of the person in lawful possession and with intent to steal or  
23 commit a felony in such place is guilty of a Class ~~C~~ E felony:

24 **SECTION 401.** 943.10 (2) (intro.) of the statutes is amended to read:

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

3           **SECTION 402.** 943.12 of the statutes is amended to read:

4           **943.12 Possession of burglarious tools.** Whoever has in personal  
5 possession any device or instrumentality intended, designed or adapted for use in  
6 breaking into any depository designed for the safekeeping of any valuables or into  
7 any building or room, with intent to use such device or instrumentality to break into  
8 a depository, building or room, and to steal therefrom, is guilty of a Class E I felony.

9           **SECTION 403.** 943.20 (3) (a) of the statutes is amended to read:

10           943.20 (3) (a) If the value of the property does not exceed \$1,000 \$2,000, is  
11 guilty of a Class A misdemeanor.

12           **SECTION 404.** 943.20 (3) (b) of the statutes is amended to read:

13           943.20 (3) (b) If the value of the property exceeds \$1,000 \$2,000 but does not  
14 \$2,500 exceed \$5,000, is guilty of a Class E I felony.

15           **SECTION 405.** 943.20 (3) (bm) of the statutes is created to read:

16           943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed  
17 \$10,000, is guilty of a Class H felony.

18           **SECTION 406.** 943.20 (3) (c) of the statutes is amended to read:

19           943.20 (3) (c) If the value of the property exceeds \$2,500 \$10,000, is guilty of  
20 a Class C G felony.

21           **SECTION 407.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

22           943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~  
23 any of the following circumstances ~~exist~~ exists, is guilty of a Class D H felony:

24           **SECTION 408.** 943.20 (3) (d) 1. of the statutes is amended to read:

25           943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

1           **SECTION 409.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
2 amended to read:

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

5           **SECTION 410.** 943.20 (3) (d) 3. of the statutes is amended to read:

6           943.20 (3) (d) 3. The property is taken from a building which has been destroyed  
7 or left unoccupied because of physical disaster, riot, bombing or the proximity of  
8 battle; ~~or,~~

9           **SECTION 411.** 943.20 (3) (d) 4. of the statutes is amended to read:

10          943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
11 the proximity of battle has necessitated its removal from a building; ~~or,~~

12          **SECTION 412.** 943.201 (2) of the statutes is amended to read:

13          943.201 (2) Whoever intentionally uses or attempts to use any personal  
14 identifying information or personal identification document of an individual to  
15 obtain credit, money, goods, services or anything else of value without the  
16 authorization or consent of the individual and by representing that he or she is the  
17 individual or is acting with the authorization or consent of the individual is guilty  
18 of a Class D H felony.

19          **SECTION 413.** 943.205 (3) of the statutes is amended to read:

20          943.205 (3) Anyone who violates this section is guilty of a Class E I felony.

21          **SECTION 414.** 943.21 (3) (a) of the statutes is amended to read:

22          943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
23 beverage, food, lodging, accommodation, transportation or other service is \$1,000  
24 \$2,000 or less.

25          **SECTION 415.** 943.21 (3) (b) of the statutes is amended to read:

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

3           **SECTION 416.** 943.23 (1g) of the statutes is amended to read:

4           943.23 **(1g)** Whoever, while possessing a dangerous weapon and by the use of,  
5 or the threat of the use of, force or the weapon against another, intentionally takes  
6 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

7           **SECTION 417.** 943.23 (1m) of the statutes is repealed.

8           **SECTION 418.** 943.23 (1r) of the statutes is repealed.

9           **SECTION 419.** 943.23 (2) of the statutes is amended to read:

10          943.23 **(2)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
11 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
12 H felony.

13          **SECTION 420.** 943.23 (3) of the statutes is amended to read:

14          943.23 **(3)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
15 drives or operates any vehicle without the consent of the owner is guilty of a Class  
16 ~~E~~ I felony.

17          **SECTION 421.** 943.23 (3m) of the statutes is created to read:

18          943.23 **(3m)** It is an affirmative defense to a prosecution for a violation of sub.  
19 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
20 after the vehicle was taken from the possession of the owner. An affirmative defense  
21 under this subsection mitigates the offense to a Class A misdemeanor. A defendant  
22 who raises this affirmative defense has the burden of proving the defense by a  
23 preponderance of the evidence.

24          **SECTION 422.** 943.23 (4m) of the statutes is amended to read:



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

5           **SECTION 423.** 943.23 (5) of the statutes is amended to read:

6           943.23 **(5)** Whoever intentionally removes a major part of a vehicle without the  
7 consent of the owner is guilty of a Class ~~E~~ I felony. Whoever intentionally removes  
8 any other part or component of a vehicle without the consent of the owner is guilty  
9 of a Class A misdemeanor.

10          **SECTION 424.** 943.24 (1) of the statutes is amended to read:

11          943.24 **(1)** Whoever issues any check or other order for the payment of not more  
12 than ~~\$1,000~~ \$2,000 which, at the time of issuance, he or she intends shall not be paid  
13 is guilty of a Class A misdemeanor.

14          **SECTION 425.** 943.24 (2) of the statutes is amended to read:

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

20          **SECTION 426.** 943.25 (1) of the statutes is amended to read:

21          943.25 **(1)** Whoever, with intent to defraud, conveys real property which he or  
22 she knows is encumbered, without informing the grantee of the existence of the  
23 encumbrance is guilty of a Class ~~E~~ I felony.

24          **SECTION 427.** 943.25 (2) (intro.) of the statutes is amended to read:

1           943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following  
2 is guilty of a Class E I felony:

3           **SECTION 428.** 943.26 (2) of the statutes is amended to read:

4           943.26 (2) If the security is impaired by more than \$1,000 \$2,000, the  
5 mortgagor or vendee is guilty of a Class E I felony.

6           **SECTION 429.** 943.27 of the statutes is amended to read:

7           **943.27 Possession of records of certain usurious loans.** Any person who  
8 knowingly possesses any writing representing or constituting a record of a charge of,  
9 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
10 upon \$100 for one year computed upon the declining principal balance of the loan,  
11 use or forbearance of money, goods or things in action or upon the loan, use or sale  
12 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
13 E I felony.

14           **SECTION 430.** 943.28 (2) of the statutes is amended to read:

15           943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
16 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
17 is guilty of a Class C F felony.

18           **SECTION 431.** 943.28 (3) of the statutes is amended to read:

19           943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
20 as an investment, pursuant to a partnership or profit-sharing agreement, or  
21 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
22 Class C F felony.

23           **SECTION 432.** 943.28 (4) of the statutes is amended to read:

1           943.28 (4) Whoever knowingly participates in any way in the use of any  
2 extortionate means to collect or attempt to collect any extension of credit, or to punish  
3 any person for the nonrepayment thereof, is guilty of a Class C F felony.

4           **SECTION 433.** 943.30 (1) of the statutes is amended to read:

5           943.30 (1) Whoever, either verbally or by any written or printed  
6 communication, maliciously threatens to accuse or accuses another of any crime or  
7 offense, or threatens or commits any injury to the person, property, business,  
8 profession, calling or trade, or the profits and income of any business, profession,  
9 calling or trade of another, with intent thereby to extort money or any pecuniary  
10 advantage whatever, or with intent to compel the person so threatened to do any act  
11 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

12           **SECTION 434.** 943.30 (2) of the statutes is amended to read:

13           943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting  
14 commerce or business or the movement of any article or commodity in commerce or  
15 business is guilty of a Class D H felony.

16           **SECTION 435.** 943.30 (3) of the statutes is amended to read:

17           943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
18 grand juror, in the performance of his or her functions as such, is guilty of a Class D  
19 H felony.

20           **SECTION 436.** 943.30 (4) of the statutes is amended to read:

21           943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
22 action of any public officer is guilty of a Class D H felony.

23           **SECTION 437.** 943.30 (5) (b) of the statutes is amended to read:

24           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
25 maliciously uses, or threatens to use, the patient health care records of another

1 person, with intent thereby to extort money or any pecuniary advantage, or with  
2 intent to compel the person so threatened to do any act against the person's will or  
3 omit to do any lawful act, is guilty of a Class ~~D~~ H felony.

4 **SECTION 438.** 943.31 of the statutes is amended to read:

5 **943.31 Threats to communicate derogatory information.** Whoever  
6 threatens to communicate to anyone information, whether true or false, which would  
7 injure the reputation of the threatened person or another unless the threatened  
8 person transfers property to a person known not to be entitled to it is guilty of a Class  
9 ~~E~~ I felony.

10 **SECTION 439.** 943.32 (1) (intro.) of the statutes is amended to read:

11 943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person  
12 or presence of the owner by either of the following means is guilty of a Class ~~C~~ E  
13 felony:

14 **SECTION 440.** 943.32 (2) of the statutes is amended to read:

15 943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
16 weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
17 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
18 weapon or such a device or container is guilty of a Class ~~B~~ C felony.

19 **SECTION 441.** 943.34 (1) (a) of the statutes is amended to read:

20 943.34 (1) (a) A Class A misdemeanor, if the value of the property does not  
21 exceed \$1,000 ~~\$2,000~~.

22 **SECTION 442.** 943.34 (1) (b) of the statutes is amended to read:

23 943.34 (1) (b) A Class ~~E~~ I felony, if the value of the property exceeds \$1,000  
24 ~~\$2,000~~ but ~~does not more than \$2,500~~ exceed \$5,000.

25 **SECTION 443.** 943.34 (1) (bm) of the statutes is created to read:

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

3           **SECTION 444.** 943.34 (1) (c) of the statutes is amended to read:

4           943.34 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds ~~\$2,500~~  
5 \$10,000.

6           **SECTION 445.** 943.38 (1) (intro.) of the statutes is amended to read:

7           943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
8 writing or object of any of the following kinds so that it purports to have been made  
9 by another, or at another time, or with different provisions, or by authority of one who  
10 did not give such authority, is guilty of a Class ~~C~~ H felony:

11           **SECTION 446.** 943.38 (2) of the statutes is amended to read:

12           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
13 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
14 been thus falsely made or altered, is guilty of a Class ~~C~~ H felony.

15           **SECTION 447.** 943.39 (intro.) of the statutes is amended to read:

16           **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or  
17 defraud, does any of the following is guilty of a Class ~~D~~ H felony:

18           **SECTION 448.** 943.395 (2) (a) of the statutes is amended to read:

19           943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or  
20 benefit does not exceed ~~\$1,000~~ \$2,000.

21           **SECTION 449.** 943.395 (2) (b) of the statutes is amended to read:

22           943.395 (2) (b) Is guilty of a Class ~~E~~ I felony if the value of the claim or benefit  
23 exceeds ~~\$1,000~~ \$2,000.

24           **SECTION 450.** 943.40 (intro.) of the statutes is amended to read:

1           **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with  
2 intent to defraud does either of the following is guilty of a Class ~~D~~ H felony:

3           **SECTION 451.** 943.41 (8) (b) of the statutes is amended to read:

4           943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)  
5 or (6m) is guilty of a Class ~~E~~ I felony.

6           **SECTION 452.** 943.41 (8) (c) of the statutes is amended to read:

7           943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d),  
8 if the value of the money, goods, services or property illegally obtained does not  
9 exceed \$1,000 \$2,000 is guilty of a Class A misdemeanor; if the value of the money,  
10 goods, services or property exceeds \$1,000 \$2,000 but does not exceed ~~\$2,500~~ \$5,000,  
11 in a single transaction or in separate transactions within a period not exceeding 6  
12 months, the person is guilty of a Class ~~E~~ I felony; if the value of the money, goods,  
13 services or property exceeds \$5,000 but does not exceed \$10,000, in a single  
14 transaction or in separate transactions within a period not exceeding 6 months, the  
15 person is guilty of a Class H felony; or if the value of the money, goods, services or  
16 property exceeds ~~\$2,500~~ \$10,000, in a single transaction or in separate transactions  
17 within a period not exceeding 6 months, the person is guilty of a Class ~~C~~ G felony.

18           **SECTION 453.** 943.45 (3) (c) of the statutes is amended to read:

19           943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)  
20 for direct or indirect commercial advantage or private financial gain is guilty of a  
21 Class ~~E~~ felony A misdemeanor.

22           **SECTION 454.** 943.45 (3) (d) of the statutes is amended to read:

23           943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial  
24 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
25 ~~D~~ I felony.

1           **SECTION 455.** 943.455 (4) (c) of the statutes is amended to read:

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

5           **SECTION 456.** 943.455 (4) (d) of the statutes is amended to read:

6           943.455 **(4)** (d) Any person who violates sub. (2) (a) to (f) for direct or indirect  
7 commercial advantage or private financial gain as a 2nd or subsequent offense is  
8 guilty of a Class ~~D I~~ felony.

9           **SECTION 457.** 943.46 (4) (c) of the statutes is amended to read:

10          943.46 **(4)** (c) Except as provided in par. (d), any person who violates sub. (2)  
11 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty  
12 of a Class ~~E~~ felony A misdemeanor.

13          **SECTION 458.** 943.46 (4) (d) of the statutes is amended to read:

14          943.46 **(4)** (d) Any person who violates sub. (2) (a) to (g) for direct or indirect  
15 commercial advantage or private financial gain as a 2nd or subsequent offense is  
16 guilty of a Class ~~D I~~ felony.

17          **SECTION 459.** 943.47 (3) (c) of the statutes is amended to read:

18          943.47 **(3)** (c) Except as provided in par. (d), any person who violates sub. (2)  
19 for direct or indirect commercial advantage or private financial gain is guilty of a  
20 Class ~~E~~ felony A misdemeanor.

21          **SECTION 460.** 943.47 (3) (d) of the statutes is amended to read:

22          943.47 **(3)** (d) Any person who violates sub. (2) for direct or indirect commercial  
23 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
24 ~~D I~~ felony.

25          **SECTION 461.** 943.50 (4) (a) of the statutes is amended to read:

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

3           **SECTION 462.** 943.50 (4) (b) of the statutes is amended to read:

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

6           **SECTION 463.** 943.50 (4) (bm) of the statutes is created to read:

7           943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000  
8 but does not exceed \$10,000.

9           **SECTION 464.** 943.50 (4) (c) of the statutes is amended to read:

10          943.50 (4) (c) A Class ~~C~~ G felony, if the value of the merchandise exceeds ~~\$2,500~~  
11 \$10,000.

12          **SECTION 465.** 943.60 (1) of the statutes is amended to read:

13          943.60 (1) Any person who submits for filing, entering or recording any lien,  
14 claim of lien, lis pendens, writ of attachment, financing statement or any other  
15 instrument relating to a security interest in or title to real or personal property, and  
16 who knows or should have known that the contents or any part of the contents of the  
17 instrument are false, a sham or frivolous, is guilty of a Class ~~D~~ H felony.

18          **SECTION 466.** 943.61 (5) (b) of the statutes is amended to read:

19          943.61 (5) (b) A Class ~~E~~ I felony, if the value of the library materials exceeds  
20 \$1,000 but does not exceed \$2,500.

21          **SECTION 467.** 943.61 (5) (c) of the statutes is amended to read:

22          943.61 (5) (c) A Class ~~C~~ H felony, if the value of the library materials exceeds  
23 \$2,500.

24          **SECTION 468.** 943.62 (4) (b) of the statutes is amended to read:



1           943.62 **(4)** (b) A Class E I felony, if the value of the advance payment or required  
2 refund, as applicable, exceeds \$500 but does not exceed \$2,500.

3           **SECTION 469.** 943.62 (4) (c) of the statutes is amended to read:

4           943.62 **(4)** (c) A Class C F felony, if the value of the advance payment or required  
5 refund, as applicable, exceeds \$2,500.

6           **SECTION 470.** 943.70 (2) (b) 2. of the statutes is amended to read:

7           943.70 **(2)** (b) 2. A Class E I felony if the offense is committed to defraud or to  
8 obtain property.

9           **SECTION 471.** 943.70 (2) (b) 3. of the statutes is amended to read:

10          943.70 **(2)** (b) 3. A Class D H felony if the damage is greater than ~~\$2,500~~ \$5,000  
11 or if it causes an interruption or impairment of governmental operations or public  
12 communication, of transportation or of a supply of water, gas or other public service.

13          **SECTION 472.** 943.70 (2) (b) 4. of the statutes is amended to read:

14          943.70 **(2)** (b) 4. A Class C F felony if the offense creates a substantial and  
15 unreasonable risk of death or great bodily harm to another.

16          **SECTION 473.** 943.70 (3) (b) 2. of the statutes is amended to read:

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

19          **SECTION 474.** 943.70 (3) (b) 3. of the statutes is amended to read:

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

22          **SECTION 475.** 943.70 (3) (b) 4. of the statutes is amended to read:

23          943.70 **(3)** (b) 4. A Class C F felony if the offense creates a substantial and  
24 unreasonable risk of death or great bodily harm to another.

25          **SECTION 476.** 943.75 (2) of the statutes is amended to read:

1           **943.75 (2)** Whoever intentionally releases an animal that is lawfully confined  
2 for scientific, farming, companionship or protection of persons or property,  
3 recreation, restocking, research, exhibition, commercial or educational purposes,  
4 acting without the consent of the owner or custodian of the animal, is guilty of a Class  
5 C misdemeanor. A 2nd violation of this section by a person is a Class A misdemeanor.  
6 A 3rd or subsequent violation of this section by a person is a Class E I felony.

7           **SECTION 477.** 944.05 (1) (intro.) of the statutes is amended to read:

8           **944.05 (1)** (intro.) Whoever does any of the following is guilty of a Class E I  
9 felony:

10          **SECTION 478.** 944.06 of the statutes is amended to read:

11          **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with  
12 a person he or she knows is a blood relative and such relative is in fact related in a  
13 degree within which the marriage of the parties is prohibited by the law of this state  
14 is guilty of a Class C F felony.

15          **SECTION 479.** 944.15 (title) of the statutes is repealed and recreated to read:

16          **944.15** (title) **Public fornication.**

17          **SECTION 480.** 944.16 (intro.) of the statutes is amended to read:

18          **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a  
19 Class E I felony:

20          **SECTION 481.** 944.205 (2) (intro.) of the statutes is amended to read:

21          **944.205 (2)** (intro.) Whoever does any of the following is guilty of a Class E I  
22 felony:

23          **SECTION 482.** 944.21 (5) (c) of the statutes is amended to read:

24          **944.21 (5) (c)** If the person violating sub. (3) or (4) has 2 or more prior  
25 convictions under this section, the person is guilty of a Class D H felony.

1           **SECTION 483.** 944.21 (5) (e) of the statutes is amended to read:

2           944.21 (5) (e) Regardless of the number of prior convictions, if the violation  
3 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,  
4 the person is guilty of a Class D H felony.

5           **SECTION 484.** 944.32 of the statutes is amended to read:

6           **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever  
7 intentionally solicits or causes any person to practice prostitution or establishes any  
8 person in a place of prostitution is guilty of a Class D H felony.

9           **SECTION 485.** 944.33 (2) of the statutes is amended to read:

10          944.33 (2) If the person received compensation from the earnings of the  
11 prostitute, such person is guilty of a Class C F felony.

12          **SECTION 486.** 944.34 (intro.) of the statutes is amended to read:

13          **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does  
14 any of the following is guilty of a Class D H felony:

15          **SECTION 487.** 945.03 (1m) (intro.) of the statutes, as affected by 1999 Wisconsin  
16 Act 9, is amended to read:

17          945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
18 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
19 I felony:

20          **SECTION 488.** 945.05 (1) (intro.) of the statutes, as affected by 1999 Wisconsin  
21 Act 9, is amended to read:

22          945.05 (1) (intro.) Except as provided in subs. (1e) and (1m), whoever  
23 manufactures, transfers commercially or possesses with intent to transfer  
24 commercially either of the following is guilty of a Class E I felony:

25          **SECTION 489.** 945.08 (1) of the statutes is amended to read:

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

5           **SECTION 490.** 946.02 (1) (intro.) of the statutes is amended to read:

6           **946.02 (1)** (intro.) Whoever does any of the following is guilty of a Class C F  
7 felony:

8           **SECTION 491.** 946.03 (1) (intro.) of the statutes is amended to read:

9           **946.03 (1)** (intro.) Whoever does any of the following is guilty of a Class C F  
10 felony:

11           **SECTION 492.** 946.03 (2) of the statutes is amended to read:

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

19           **SECTION 493.** 946.05 (1) of the statutes is amended to read:

20           **946.05 (1)** Whoever intentionally and publicly mutilates, defiles, or casts  
21 contempt upon the flag is guilty of a Class E I felony.

22           **SECTION 494.** 946.10 (intro.) of the statutes is amended to read:

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

25           **SECTION 495.** 946.11 (1) (intro.) of the statutes is amended to read:

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

2           **SECTION 496.** 946.12 (intro.) of the statutes is amended to read:

3           **946.12 Misconduct in public office.** (intro.) Any public officer or public  
4 employe who does any of the following is guilty of a Class E I felony:

5           **SECTION 497.** 946.13 (1) (intro.) of the statutes is amended to read:

6           946.13 (1) (intro.) Any public officer or public employe who does any of the  
7 following is guilty of a Class E I felony:

8           **SECTION 498.** 946.14 of the statutes is amended to read:

9           **946.14 Purchasing claims at less than full value.** Any public officer or  
10 public employe who in a private capacity directly or indirectly intentionally  
11 purchases for less than full value or discounts any claim held by another against the  
12 state or a political subdivision thereof or against any public fund is guilty of a Class  
13 E I felony.

14           **SECTION 499.** 946.15 (1) of the statutes is amended to read:

15           946.15 (1) Any employer, or any agent or employe of an employer, who induces  
16 any person who seeks to be or is employed pursuant to a public contract as defined  
17 in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing  
18 wage rate determination has been issued by the department of workforce  
19 development under s. 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental  
20 unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to give up, waive or return any  
21 part of the compensation to which that person is entitled under his or her contract  
22 of employment or under the prevailing wage rate determination issued by the  
23 department or local governmental unit, or who reduces the hourly basic rate of pay  
24 normally paid to an employe for work on a project on which a prevailing wage rate  
25 determination has not been issued under s. 66.293 (3) or (6), 103.49 (3) or 103.50 (3)

1 during a week in which the employe works both on a project on which a prevailing  
2 wage rate determination has been issued and on a project on which a prevailing wage  
3 rate determination has not been issued, is guilty of a Class E I felony.

4 **SECTION 500.** 946.15 (3) of the statutes is amended to read:

5 946.15 (3) Any employer or labor organization, or any agent or employe of an  
6 employer or labor organization, who induces any person who seeks to be or is  
7 employed on a project on which a prevailing wage rate determination has been issued  
8 by the department of workforce development under s. 66.293 (3), 103.49 (3) or 103.50  
9 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6)  
10 to permit any part of the wages to which that person is entitled under the prevailing  
11 wage rate determination issued by the department or local governmental unit to be  
12 deducted from the person's pay is guilty of a Class E I felony, unless the deduction  
13 would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project  
14 that is subject to 40 USC 276c.

15 **SECTION 501.** 946.31 (1) (intro.) of the statutes is amended to read:

16 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false  
17 material statement which the person does not believe to be true, in any matter, cause,  
18 action or proceeding, before any of the following, whether legally constituted or  
19 exercising powers as if legally constituted, is guilty of a Class D H felony:

20 **SECTION 502.** 946.32 (1) (intro.) of the statutes is amended to read:

21 946.32 (1) (intro.) Whoever does either of the following is guilty of a Class D  
22 H felony:

23 **SECTION 503.** 946.41 (2m) (intro.) of the statutes is amended to read:

24 946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following  
25 circumstances is guilty of a Class D H felony:

1           **SECTION 504.** 946.415 (2) (intro.) of the statutes is amended to read:

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

4           **SECTION 505.** 946.42 (3) (intro.) of the statutes is amended to read:

5           946.42 **(3)** (intro.) A person in custody who intentionally escapes from custody  
6 under any of the following circumstances is guilty of a Class D H felony:

7           **SECTION 506.** 946.42 (4) of the statutes is repealed.

8           **SECTION 507.** 946.425 (1) of the statutes is amended to read:

9           946.425 **(1)** Any person who is subject to a series of periods of imprisonment  
10 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as  
11 required under the sentence is guilty of a Class D H felony.

12           **SECTION 508.** 946.425 (1m) (b) of the statutes is amended to read:

13           946.425 **(1m)** (b) Any person who receives a stay of execution of a sentence of  
14 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who  
15 intentionally fails to report to the county jail as required under the sentence is guilty  
16 of a Class D H felony.

17           **SECTION 509.** 946.425 (1r) (b) of the statutes is amended to read:

18           946.425 **(1r)** (b) Any person who is subject to a confinement order under s.  
19 973.09 (4) as the result of a conviction for a felony and who intentionally fails to  
20 report to the county jail or house of correction as required under the order is guilty  
21 of a Class D H felony.

22           **SECTION 510.** 946.425 (2) of the statutes is repealed.

23           **SECTION 511.** 946.43 (intro.) of the statutes is amended to read:



1           **946.43 Assaults by prisoners.** (intro.) Any prisoner confined to a state  
2 prison or other state, county or municipal detention facility who intentionally does  
3 any of the following is guilty of a Class C F felony:

4           **SECTION 512.** 946.44 (1) (intro.) of the statutes is amended to read:

5           946.44 (1) (intro.) Whoever does the following is guilty of a Class D H felony:

6           **SECTION 513.** 946.44 (1g) of the statutes is amended to read:

7           946.44 (1g) Any public officer or public employe who violates sub. (1) (a) or (b)  
8 is guilty of a Class C F felony.

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

10           946.44 (1m) Whoever intentionally introduces into an institution where  
11 prisoners are detained or transfers to a prisoner any firearm, whether loaded or  
12 unloaded, or any article used or fashioned in a manner to lead another person to  
13 believe it is a firearm, is guilty of a Class C F felony.

14           **SECTION 515.** 946.47 (1) (intro.) of the statutes is amended to read:

15           946.47 (1) (intro.) Whoever does either of the following is guilty of a Class E I  
16 felony:

17           **SECTION 516.** 946.48 (1) of the statutes is amended to read:

18           946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any  
19 written or oral communication with intent to induce a false belief that the sender has  
20 knowledge of the whereabouts, physical condition, or terms imposed upon the return  
21 of a kidnapped or missing person is guilty of a Class D H felony.

22           **SECTION 517.** 946.49 (1) (b) of the statutes is amended to read:

23           946.49 (1) (b) If the offense with which the person is charged is a felony, guilty  
24 of a Class D H felony.

25           **SECTION 518.** 946.49 (2) of the statutes is amended to read:



1           946.49 **(2)** A witness for whom bail has been required under s. 969.01 (3) is  
2 guilty of a Class **E I** felony for failure to appear as provided.

3           **SECTION 519.** 946.50 (5d) of the statutes is created to read:

4           946.50 **(5d)** A Class F felony, if the person was adjudicated delinquent for  
5 committing an act that would be a Class F felony if committed by an adult.

6           **SECTION 520.** 946.50 (5h) of the statutes is created to read:

7           946.50 **(5h)** A Class G felony, if the person was adjudicated delinquent for  
8 committing an act that would be a Class G felony if committed by an adult.

9           **SECTION 521.** 946.50 (5p) of the statutes is created to read:

10          946.50 **(5p)** A Class H felony, if the person was adjudicated delinquent for  
11 committing an act that would be a Class H felony if committed by an adult.

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

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

15          **SECTION 523.** 946.60 (1) of the statutes is amended to read:

16          946.60 **(1)** Whoever intentionally destroys, alters, mutilates, conceals,  
17 removes, withholds or transfers possession of a document, knowing that the  
18 document has been subpoenaed by a court or by or at the request of a district attorney  
19 or the attorney general, is guilty of a Class **E I** felony.

20          **SECTION 524.** 946.60 (2) of the statutes is amended to read:

21          946.60 **(2)** Whoever uses force, threat, intimidation or deception, with intent  
22 to cause or induce another person to destroy, alter, mutilate, conceal, remove,  
23 withhold or transfer possession of a subpoenaed document, knowing that the  
24 document has been subpoenaed by a court or by or at the request of a district attorney  
25 or the attorney general, is guilty of a Class **E I** felony.

1           **SECTION 525.** 946.61 (1) (intro.) of the statutes is amended to read:

2           946.61 **(1)** (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
3 felony:

4           **SECTION 526.** 946.64 of the statutes is amended to read:

5           **946.64 Communicating with jurors.** Whoever, with intent to influence any  
6 person, summoned or serving as a juror, in relation to any matter which is before that  
7 person or which may be brought before that person, communicates with him or her  
8 otherwise than in the regular course of proceedings in the trial or hearing of that  
9 matter is guilty of a Class ~~E~~ I felony.

10          **SECTION 527.** 946.65 (1) of the statutes is amended to read:

11          946.65 **(1)** Whoever for a consideration knowingly gives false information to  
12 any officer of any court with intent to influence the officer in the performance of  
13 official functions is guilty of a Class ~~E~~ I felony.

14          **SECTION 528.** 946.68 (1r) (a) of the statutes is amended to read:

15          946.68 **(1r)** (a) Except as provided in pars. (b) and (c), whoever sends or delivers  
16 to another any document which simulates legal process is guilty of a Class ~~E~~ I felony.

17          **SECTION 529.** 946.68 (1r) (b) of the statutes is amended to read:

18          946.68 **(1r)** (b) If the document under par. (a) is sent or delivered with intent  
19 to induce payment of a claim, the person is guilty of a Class ~~D~~ H felony.

20          **SECTION 530.** 946.68 (1r) (c) of the statutes is amended to read:

21          946.68 **(1r)** (c) If the document under par. (a) simulates any criminal process,  
22 the person is guilty of a Class ~~D~~ H felony.

23          **SECTION 531.** 946.69 (2) (intro.) of the statutes is amended to read:

24          946.69 **(2)** (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I  
25 felony:

1           **SECTION 532.** 946.70 (2) of the statutes is amended to read:

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

5           **SECTION 533.** 946.72 (1) of the statutes is amended to read:

6           946.72 (1) Whoever with intent to injure or defraud destroys, damages,  
7 removes or conceals any public record is guilty of a Class D H felony.

8           **SECTION 534.** 946.74 (2) of the statutes is amended to read:

9           946.74 (2) Whoever violates sub. (1) with intent to commit a crime against  
10 sexual morality with or upon the inmate of the institution is guilty of a Class D H  
11 felony.

12           **SECTION 535.** 946.76 of the statutes is amended to read:

13           **946.76 Search warrant; premature disclosure.** Whoever discloses prior  
14 to its execution that a search warrant has been applied for or issued, except so far  
15 as may be necessary to its execution, is guilty of a Class E I felony.

16           **SECTION 536.** 946.82 (4) of the statutes, as affected by 1999 Wisconsin Act 9,  
17 is amended to read:

18           946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961  
19 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission  
20 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
21 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,  
22 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
23 940.19 (3) (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20  
24 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) ~~or (2g)~~, 943.011,  
25 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d)

1 (e), 943.201, 943.23 (1g), ~~(1m), (1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27, 943.28,  
2 943.30, 943.32, 943.34 (1) (b), (bm) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and  
3 (c), 943.50 (4) (b), (bm) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32,  
4 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11,  
5 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72,  
6 946.76, 947.015, 948.05, 948.08, 948.12 and 948.30.

7 **SECTION 537.** 946.84 (1) of the statutes is amended to read:

8 946.84 (1) Any person convicted of engaging in racketeering activity in  
9 violation of s. 946.83 is guilty of a Class C E felony.

10 **SECTION 538.** 946.85 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
11 is amended to read:

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

17 **SECTION 539.** 947.013 (1t) of the statutes is amended to read:

18 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E I felony if the  
19 person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s.  
20 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation  
21 occurs within 7 years of the prior conviction.

22 **SECTION 540.** 947.013 (1v) of the statutes is amended to read:

23 947.013 (1v) Whoever violates sub. (1r) is guilty of a Class D H felony if he or  
24 she intentionally gains access to a record in electronic format that contains

1 personally identifiable information regarding the victim in order to facilitate the  
2 violation under sub. (1r).

3 **SECTION 541.** 947.013 (1x) (intro.) of the statutes is amended to read:

4 947.013 (1x) (intro.) Whoever violates sub. (1r) under all of the following  
5 circumstances is guilty of a Class D H felony:

6 **SECTION 542.** 947.015 of the statutes is amended to read:

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

11 **SECTION 543.** 948.02 (2) of the statutes is amended to read:

12 948.02 (2) **SECOND DEGREE SEXUAL ASSAULT.** Whoever has sexual contact or  
13 sexual intercourse with a person who has not attained the age of 16 years is guilty  
14 of a Class BC C felony.

15 **SECTION 544.** 948.02 (3) of the statutes is amended to read:

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

25 **SECTION 545.** 948.02 (3m) of the statutes is repealed.

1           **SECTION 546.** 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and  
2 amended to read:

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

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

6           **SECTION 547.** 948.025 (1) (b) of the statutes is created to read:

7           948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations  
8 of s. 948.02 (1).

9           **SECTION 548.** 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and  
10 amended to read:

11           948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find  
12 the defendant guilty the members of the jury must unanimously agree that at least  
13 3 violations of s. 948.02 (1) or (2) occurred within the time specified period ~~applicable~~  
14 ~~under sub. (1) of time~~ but need not agree on which acts constitute the requisite  
15 number and need not agree on whether a particular violation was a violation of s.  
16 948.02 (1) or (2).

17           **SECTION 549.** 948.025 (2) (a) of the statutes is created to read:

18           948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find  
19 the defendant guilty the members of the jury must unanimously agree that at least  
20 3 violations of s. 948.02 (1) occurred within the specified period of time but need not  
21 agree on which acts constitute the requisite number.

22           **SECTION 550.** 948.025 (2m) of the statutes is repealed.

23           **SECTION 551.** 948.03 (2) (a) of the statutes is amended to read:

24           948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is  
25 guilty of a Class C E felony.

1           **SECTION 552.** 948.03 (2) (b) of the statutes is amended to read:

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

4           **SECTION 553.** 948.03 (2) (c) of the statutes is amended to read:

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

7           **SECTION 554.** 948.03 (3) (a) of the statutes is amended to read:

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

10          **SECTION 555.** 948.03 (3) (b) of the statutes is amended to read:

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

13          **SECTION 556.** 948.03 (3) (c) of the statutes is amended to read:

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

16          **SECTION 557.** 948.03 (4) (a) of the statutes is amended to read:

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

24          **SECTION 558.** 948.03 (4) (b) of the statutes is amended to read:



1           948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class  
2     D H felony if that person has knowledge that another person intends to cause, is  
3     causing or has intentionally or recklessly caused bodily harm to the child and is  
4     physically and emotionally capable of taking action which will prevent the bodily  
5     harm from occurring or being repeated, fails to take that action and the failure to act  
6     exposes the child to an unreasonable risk of bodily harm by the other person or  
7     facilitates the bodily harm to the child that is caused by the other person.

8           **SECTION 559.** 948.03 (5) of the statutes is repealed.

9           **SECTION 560.** 948.04 (1) of the statutes is amended to read:

10          948.04 (1) Whoever is exercising temporary or permanent control of a child and  
11         causes mental harm to that child by conduct which demonstrates substantial  
12         disregard for the mental well-being of the child is guilty of a Class C F felony.

13          **SECTION 561.** 948.04 (2) of the statutes is amended to read:

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

20          **SECTION 562.** 948.05 (1) (intro.) of the statutes is amended to read:

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

24          **SECTION 563.** 948.05 (1m) of the statutes, as affected by 1999 Wisconsin Act 3,  
25         is amended to read:



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

9           **SECTION 564.** 948.05 (2) of the statutes, as affected by 1999 Wisconsin Act 3,  
10 is amended to read:

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

14           **SECTION 565.** 948.055 (2) (a) of the statutes is amended to read:

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

17           **SECTION 566.** 948.055 (2) (b) of the statutes is amended to read:

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

20           **SECTION 567.** 948.06 (intro.) of the statutes is amended to read:

21           **948.06 Incest with a child.** (intro.) Whoever does any of the following is  
22 guilty of a Class BC C felony:

23           **SECTION 568.** 948.07 (intro.) of the statutes is amended to read:

24           **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the  
25 following acts, causes or attempts to cause any child who has not attained the age

1 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class  
2 BC D felony:

3 **SECTION 569.** 948.08 of the statutes is amended to read:

4 **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits  
5 or causes any child to practice prostitution or establishes any child in a place of  
6 prostitution is guilty of a Class BC D felony.

7 **SECTION 570.** 948.095 (2) (intro.) of the statutes is amended to read:

8 948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a  
9 child who has attained the age of 16 years and who is not the defendant's spouse is  
10 guilty of a Class D H felony if all of the following apply:

11 **SECTION 571.** 948.11 (2) (a) of the statutes is amended to read:

12 948.11 (2) (a) Whoever, with knowledge of the nature of the material, sells,  
13 rents, exhibits, transfers or loans to a child any harmful material, with or without  
14 monetary consideration, is guilty of a Class E I felony.

15 **SECTION 572.** 948.11 (2) (am) of the statutes is amended to read:

16 948.11 (2) (am) Any person who has attained the age of 17 and who, with  
17 knowledge of the nature of the description or narrative account, verbally  
18 communicates, by any means, a harmful description or narrative account to a child,  
19 with or without monetary consideration, is guilty of a Class E I felony.

20 **SECTION 573.** 948.12 (intro.) of the statutes is amended to read:

21 **948.12 Possession of child pornography.** (intro.) Whoever possesses any  
22 undeveloped film, photographic negative, photograph, motion picture, videotape or  
23 other pictorial reproduction or audio recording of a child engaged in sexually explicit  
24 conduct under all of the following circumstances is guilty of a Class E I felony:

25 **SECTION 574.** 948.13 (2) of the statutes is amended to read:

1           **948.13 (2)** Whoever has been convicted of a serious child sex offense and  
2 subsequently engages in an occupation or participates in a volunteer position that  
3 requires him or her to work or interact primarily and directly with children under  
4 16 years of age is guilty of a Class C F felony. This subsection does not apply to a  
5 person who is exempt under a court order issued under sub. (2m).

6           **SECTION 575.** 948.20 of the statutes is amended to read:

7           **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,  
8 leaves any child in a place where the child may suffer because of neglect is guilty of  
9 a Class D G felony.

10          **SECTION 576.** 948.21 (1) of the statutes is amended to read:

11          **948.21 (1)** Any person who is responsible for a child's welfare who, through his  
12 or her actions or failure to take action, intentionally contributes to the neglect of the  
13 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class C D  
14 felony.

15          **SECTION 577.** 948.22 (2) of the statutes is amended to read:

16          **948.22 (2)** Any person who intentionally fails for 120 or more consecutive days  
17 to provide spousal, grandchild or child support which the person knows or reasonably  
18 should know the person is legally obligated to provide is guilty of a Class E I felony.  
19 A prosecutor may charge a person with multiple counts for a violation under this  
20 subsection if each count covers a period of at least 120 consecutive days and there is  
21 no overlap between periods.

22          **SECTION 578.** 948.23 of the statutes is amended to read:

23          **948.23 Concealing death of child.** Any person who conceals the corpse of  
24 any issue of a woman's body with intent to prevent a determination of whether it was  
25 born dead or alive is guilty of a Class E I felony.

1           **SECTION 579.** 948.24 (1) (intro.) of the statutes is amended to read:

2           948.24 (1) (intro.) Whoever does any of the following is guilty of a Class **D H**  
3 felony:

4           **SECTION 580.** 948.30 (1) (intro.) of the statutes is amended to read:

5           948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the  
6 following is guilty of a Class **C E** felony:

7           **SECTION 581.** 948.30 (2) (intro.) of the statutes is amended to read:

8           948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the  
9 following is guilty of a Class **B C** felony:

10          **SECTION 582.** 948.31 (1) (b) of the statutes is amended to read:

11          948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally  
12 causes a child to leave, takes a child away or withholds a child for more than 12 hours  
13 beyond the court–approved period of physical placement or visitation period from a  
14 legal custodian with intent to deprive the custodian of his or her custody rights  
15 without the consent of the custodian is guilty of a Class **C F** felony. This paragraph  
16 is not applicable if the court has entered an order authorizing the person to so take  
17 or withhold the child. The fact that joint legal custody has been awarded to both  
18 parents by a court does not preclude a court from finding that one parent has  
19 committed a violation of this paragraph.

20          **SECTION 583.** 948.31 (2) of the statutes is amended to read:

21          948.31 (2) Whoever causes a child to leave, takes a child away or withholds a  
22 child for more than 12 hours from the child’s parents or, in the case of a nonmarital  
23 child whose parents do not subsequently intermarry under s. 767.60, from the child’s  
24 mother or, if he has been granted legal custody, the child’s father, without the consent  
25 of the parents, the mother or the father with legal custody, is guilty of a Class **E I**

1 felony. This subsection is not applicable if legal custody has been granted by court  
2 order to the person taking or withholding the child.

3 **SECTION 584.** 948.31 (3) (intro.) of the statutes is amended to read:

4 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from  
5 the parent, who does any of the following is guilty of a Class C F felony:

6 **SECTION 585.** 948.35 of the statutes is repealed.

7 **SECTION 586.** 948.36 of the statutes is repealed.

8 **SECTION 587.** 948.40 (4) (a) of the statutes is amended to read:

9 948.40 (4) (a) If death is a consequence, the person is guilty of a Class C D  
10 felony; or

11 **SECTION 588.** 948.40 (4) (b) of the statutes is amended to read:

12 948.40 (4) (b) If the child's act which is encouraged or contributed to is a  
13 violation of a state or federal criminal law which is punishable as a felony, the person  
14 is guilty of a Class D H felony.

15 **SECTION 589.** 948.51 (3) (b) of the statutes is amended to read:

16 948.51 (3) (b) A Class E H felony if the act results in great bodily harm ~~or death~~  
17 to another.

18 **SECTION 590.** 948.51 (3) (c) of the statutes is created to read:

19 948.51 (3) (c) A Class G felony if the act results in the death of another.

20 **SECTION 591.** 948.60 (2) (b) of the statutes is amended to read:

21 948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,  
22 loans or gives a dangerous weapon to a person under 18 years of age is guilty of a  
23 Class E I felony.

24 **SECTION 592.** 948.60 (2) (c) of the statutes is amended to read:

1           948.60 (2) (c) Whoever violates par. (b) is guilty of a Class ~~D~~ H felony if the  
2 person under 18 years of age under par. (b) discharges the firearm and the discharge  
3 causes death to himself, herself or another.

4           **SECTION 593.** 948.605 (2) (a) of the statutes is amended to read:

5           948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
6 that the individual knows, or has reasonable cause to believe, is a school zone is  
7 guilty of a Class ~~A-misdemeanor~~ I felony.

8           **SECTION 594.** 948.605 (3) (a) of the statutes is amended to read:

9           948.605 (3) (a) Any individual who knowingly, or with reckless disregard for  
10 the safety of another, discharges or attempts to discharge a firearm at a place the  
11 individual knows is a school zone is guilty of a Class ~~D~~ G felony.

12           **SECTION 595.** 948.605 (4) of the statutes is repealed.

13           **SECTION 596.** 948.61 (2) (b) of the statutes is amended to read:

14           948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or  
15 subsequent violation of this section within a 5-year period, as measured from the  
16 dates the violations occurred.

17           **SECTION 597.** 948.62 (1) (a) of the statutes is amended to read:

18           948.62 (1) (a) A Class ~~E~~ felony A misdemeanor, if the value of the property does  
19 not exceed \$500.

20           **SECTION 598.** 948.62 (1) (b) of the statutes is amended to read:

21           948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but  
22 does not exceed ~~\$2,500~~ \$2,000.

23           **SECTION 599.** 948.62 (1) (bm) of the statutes is created to read:

24           948.62 (1) (bm) A Class ~~H~~ felony, if the value of the property exceeds \$2,000 but  
25 does not exceed \$5,000.

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

2           948.62 **(1)** (c) A Class C G felony, if the value of the property exceeds \$2,500  
3           \$5,000.

4           **SECTION 601.** 949.03 (1) (b) of the statutes is amended to read:

5           949.03 **(1)** (b) The commission or the attempt to commit any crime specified in  
6           s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
7           940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
8           940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,  
9           943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,  
10          948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

11          **SECTION 602.** 950.04 (1v) (g) of the statutes is amended to read:

12          950.04 **(1v)** (g) To have reasonable attempts made to notify the victim of  
13          hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6).  
14          938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

15          **SECTION 603.** 950.04 (1v) (nt) of the statutes is created to read:

16          950.04 **(1v)** (nt) To attend a hearing on a petition for modification of a  
17          bifurcated sentence and provide a statement concerning modification of the  
18          bifurcated sentence, as provided under s. 302.113 (9g) (d).

19          **SECTION 604.** 951.18 (1) of the statutes, as affected by 1997 Wisconsin Act 192,  
20          is amended to read:

21          951.18 **(1)** Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,  
22          951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a  
23          Class C forfeiture. Any person who violates any of these provisions within 3 years  
24          after a humane officer issues an abatement order under s. 173.11 prohibiting the  
25          violation of that provision is subject to a Class A forfeiture. Any person who



1 intentionally or negligently violates any of those sections is guilty of a Class A  
2 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the  
3 mutilation, disfigurement or death of an animal, is guilty of a Class E I felony. Any  
4 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that  
5 is the victim is used by a law enforcement agency to perform agency functions or  
6 duties and causing injury to the animal, is guilty of a Class E I felony.

7 **SECTION 605.** 951.18 (2) of the statutes is amended to read:

8 951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A  
9 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class E I  
10 felony for the first violation and is guilty of a Class D H felony for the 2nd or  
11 subsequent violation.

12 **SECTION 606.** 951.18 (2m) of the statutes is amended to read:

13 951.18 (2m) Any person who violates s. 951.095 is subject to a Class B  
14 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing  
15 that the animal that is the victim is used by a law enforcement agency or fire  
16 department to perform agency or department functions or duties, is guilty of a Class  
17 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the  
18 animal that is the victim is used by a law enforcement agency or fire department to  
19 perform agency or department functions or duties and causing injury to the animal,  
20 is guilty of a Class E I felony. Any person who intentionally violates s. 951.095,  
21 knowing that the animal that is the victim is used by a law enforcement agency or  
22 fire department to perform agency or department functions or duties and causing  
23 death to the animal, is guilty of a Class D H felony.

24 **SECTION 607.** 961.41 (1) (intro.) of the statutes is amended to read:



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

5           **SECTION 608.** 961.41 (1) (a) of the statutes, as affected by 1997 Wisconsin Act  
6 283, is amended to read:

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

13           **SECTION 609.** 961.41 (1) (b) of the statutes, as affected by 1997 Wisconsin Act  
14 283, is amended to read:

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

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

22           961.41 (1) (cm) *Cocaine and cocaine base.* (intro.) ~~Cocaine~~ If the person violates  
23 this subsection with respect to cocaine or cocaine base, or a controlled substance  
24 analog of cocaine or cocaine base, ~~is subject to the following penalties if~~ and the  
25 amount manufactured, distributed or delivered is:

1           **SECTION 611.** 961.41 (1) (cm) 1. of the statutes, as affected by 1997 Wisconsin  
2 Act 283, is renumbered 961.41 (1) (cm) 1r. and amended to read:

3           961.41 (1) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
4 5 grams, the person ~~shall be fined not more than \$500,000 and may be imprisoned~~  
5 ~~for not more than 15 years~~ is guilty of a Class F felony.

6           **SECTION 612.** 961.41 (1) (cm) 1g. of the statutes is created to read:

7           961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

8           **SECTION 613.** 961.41 (1) (cm) 2. of the statutes, as affected by 1997 Wisconsin  
9 Act 283, is amended to read:

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

13           **SECTION 614.** 961.41 (1) (cm) 3. of the statutes, as affected by 1997 Wisconsin  
14 Act 283, is amended to read:

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

18           **SECTION 615.** 961.41 (1) (cm) 4. of the statutes, as affected by 1997 Wisconsin  
19 Act 283, is amended to read:

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

23           **SECTION 616.** 961.41 (1) (cm) 5. of the statutes, as affected by 1997 Wisconsin  
24 Act 283, is repealed.

25           **SECTION 617.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

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

4           **SECTION 618.** 961.41 (1) (d) 1. of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

6           961.41 (1) (d) 1. Three grams or less, the person ~~shall be fined not less than~~  
7 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~  
8 ~~and 6 months~~ is guilty of a Class F felony.

9           **SECTION 619.** 961.41 (1) (d) 2. of the statutes, as affected by 1997 Wisconsin Act  
10 283, is amended to read:

11           961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person  
12 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
13 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class  
14 E felony.

15           **SECTION 620.** 961.41 (1) (d) 3. of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

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

21           **SECTION 621.** 961.41 (1) (d) 4. of the statutes, as affected by 1997 Wisconsin Act  
22 283, is amended to read:

23           961.41 (1) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person  
24 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~

1 ~~for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C~~  
2 ~~felony.~~

3 **SECTION 622.** 961.41 (1) (d) 5. of the statutes, as affected by 1997 Wisconsin Act  
4 283, is repealed.

5 **SECTION 623.** 961.41 (1) (d) 6. of the statutes, as affected by 1997 Wisconsin Act  
6 283, is repealed.

7 **SECTION 624.** 961.41 (1) (e) (intro.) of the statutes is amended to read:

8 961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine and  
9 methcathinone. (intro.) Phencyclidine If the person violates this subsection with  
10 respect to phencyclidine, amphetamine, methamphetamine or methcathinone, or a  
11 controlled substance analog of phencyclidine, amphetamine, methamphetamine or  
12 methcathinone, is subject to the following penalties if and the amount  
13 manufactured, distributed or delivered is:

14 **SECTION 625.** 961.41 (1) (e) 1. of the statutes, as affected by 1997 Wisconsin Act  
15 283, is amended to read:

16 961.41 (1) (e) 1. Three grams or less, the person ~~shall be fined not less than~~  
17 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
18 ~~6 months is guilty of a Class F felony.~~

19 **SECTION 626.** 961.41 (1) (e) 2. of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person  
22 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
23 ~~for not less than 6 months nor more than 7 years and 6 months is guilty of a Class~~  
24 E felony.

1           **SECTION 627.** 961.41 (1) (e) 3. of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

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

7           **SECTION 628.** 961.41 (1) (e) 4. of the statutes, as affected by 1997 Wisconsin Act  
8 283, is amended to read:

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

13           **SECTION 629.** 961.41 (1) (e) 5. of the statutes, as affected by 1997 Wisconsin Act  
14 283, is repealed.

15           **SECTION 630.** 961.41 (1) (e) 6. of the statutes, as affected by 1997 Wisconsin Act  
16 283, is repealed.

17           **SECTION 631.** 961.41 (1) (f) (intro.) of the statutes is amended to read:

18           961.41 (1) (f) Lysergic acid diethylamide. (intro.) Lysergic ~~If the person violates~~  
19 this subsection with respect to lysergic acid diethylamide or a controlled substance  
20 analog of lysergic acid diethylamide ~~is subject to the following penalties if and the~~  
21 amount manufactured, distributed or delivered is:

22           **SECTION 632.** 961.41 (1) (f) 1. of the statutes, as affected by 1997 Wisconsin Act  
23 283, is amended to read:

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

4           **SECTION 633.** 961.41 (1) (f) 2. of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

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

9           **SECTION 634.** 961.41 (1) (f) 3. of the statutes, as affected by 1997 Wisconsin Act  
10 283, is amended to read:

11           961.41 (1) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~  
12 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
13 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

14           **SECTION 635.** 961.41 (1) (g) (intro.) of the statutes is amended to read:

15           961.41 (1) (g) *Psilocin and psilocybin.* (intro.) Psilocin If the person violates  
16 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
17 of psilocin or psilocybin, ~~is subject to the following penalties if~~ and the amount  
18 manufactured, distributed or delivered is:

19           **SECTION 636.** 961.41 (1) (g) 1. of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21           961.41 (1) (g) 1. One hundred grams or less, the person ~~shall be fined not less~~  
22 ~~than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~  
23 ~~years and 6 months~~ is guilty of a Class G felony.

24           **SECTION 637.** 961.41 (1) (g) 2. of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

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

5           **SECTION 638.** 961.41 (1) (g) 3. of the statutes, as affected by 1997 Wisconsin Act  
6 283, is amended to read:

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

10          **SECTION 639.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

11          961.41 (1) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If the  
12 person violates this subsection with respect to tetrahydrocannabinols, included  
13 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
14 subject to the following penalties if and the amount manufactured, distributed or  
15 delivered is:

16          **SECTION 640.** 961.41 (1) (h) 1. of the statutes, as affected by 1997 Wisconsin Act  
17 283, is amended to read:

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

22          **SECTION 641.** 961.41 (1) (h) 2. of the statutes, as affected by 1997 Wisconsin Act  
23 283, is amended to read:

24          961.41 (1) (h) 2. More than 500 200 grams but not more than 2,500 1,000 grams,  
25 or more than 10 4 plants containing tetrahydrocannabinols but not more than 50 20

1 plants containing tetrahydrocannabinols, the person shall be fined not less than  
2 \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor  
3 more than 7 years and 6 months is guilty of a Class H felony.

4 **SECTION 642.** 961.41 (1) (h) 3. of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

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

11 **SECTION 643.** 961.41 (1) (h) 4. of the statutes is created to read:

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

15 **SECTION 644.** 961.41 (1) (h) 5. of the statutes is created to read:

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

18 **SECTION 645.** 961.41 (1) (i) of the statutes, as affected by 1997 Wisconsin Act  
19 283, is amended to read:

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

24 **SECTION 646.** 961.41 (1) (j) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:



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

4           **SECTION 647.** 961.41 (1m) (intro.) of the statutes is amended to read:

5           961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.  
6 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,  
7 with intent to manufacture, distribute or deliver, a controlled substance or a  
8 controlled substance analog. Intent under this subsection may be demonstrated by,  
9 without limitation because of enumeration, evidence of the quantity and monetary  
10 value of the substances possessed, the possession of manufacturing implements or  
11 paraphernalia, and the activities or statements of the person in possession of the  
12 controlled substance or a controlled substance analog prior to and after the alleged  
13 violation. Any person who violates this subsection with respect to is subject to the  
14 following penalties:

15           **SECTION 648.** 961.41 (1m) (a) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17           961.41 (1m) (a) Schedule I and II narcotic drugs generally. Except as provided  
18 in par. (d), if a person violates this subsection with respect to a controlled substance  
19 included in schedule I or II which is a narcotic drug or a controlled substance analog  
20 of a controlled substance included in schedule I or II which is a narcotic drug, may  
21 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6  
22 months or both the person is guilty of a Class E felony.

23           **SECTION 649.** 961.41 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act  
24 283, is amended to read:

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

7           **SECTION 650.** 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

8           961.41 (1m) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If a person violates  
9 this subsection with respect to cocaine or cocaine base, or a controlled substance  
10 analog of cocaine or cocaine base, ~~is subject to the following penalties if and the~~  
11 amount possessed, with intent to manufacture, distribute or deliver, is:

12           **SECTION 651.** 961.41 (1m) (cm) 1. of the statutes, as affected by 1997 Wisconsin  
13 Act 283, is renumbered 961.41 (1m) (cm) 1r. and amended to read:

14           961.41 (1m) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
15 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
16 ~~for not more than 15 years~~ is guilty of a Class F felony.

17           **SECTION 652.** 961.41 (1m) (cm) 1g. of the statutes is created to read:

18           961.41 (1m) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

19           **SECTION 653.** 961.41 (1m) (cm) 2. of the statutes, as affected by 1997 Wisconsin  
20 Act 283, is amended to read:

21           961.41 (1m) (cm) 2. More than 5 grams but not more than 15 grams, the person  
22 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~  
23 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

24           **SECTION 654.** 961.41 (1m) (cm) 3. of the statutes, as affected by 1997 Wisconsin  
25 Act 283, is amended to read:

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

4           **SECTION 655.** 961.41 (1m) (cm) 4. of the statutes, as affected by 1997 Wisconsin  
5 Act 283, is amended to read:

6           961.41 **(1m)** (cm) 4. More than 40 grams but not more than 100 grams, the  
7 person shall be fined not more than \$500,000 and shall be imprisoned for not less  
8 than 5 years nor more than 45 years is guilty of a Class C felony.

9           **SECTION 656.** 961.41 (1m) (cm) 5. of the statutes, as affected by 1997 Wisconsin  
10 Act 283, is repealed.

11           **SECTION 657.** 961.41 (1m) (d) (intro.) of the statutes is amended to read:

12           961.41 **(1m)** (d) Heroin. (intro.) Heroin If a person violates this subsection with  
13 respect to heroin or a controlled substance analog of heroin is subject to the following  
14 penalties if and the amount possessed, with intent to manufacture, distribute or  
15 deliver, is:

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

18           961.41 **(1m)** (d) 1. Three grams or less, the person shall be fined not less than  
19 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years  
20 and 6 months is guilty of a Class F felony.

21           **SECTION 659.** 961.41 (1m) (d) 2. of the statutes, as affected by 1997 Wisconsin  
22 Act 283, is amended to read:

23           961.41 **(1m)** (d) 2. More than 3 grams but not more than 10 grams, the person  
24 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned

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 660.** 961.41 (1m) (d) 3. of the statutes, as affected by 1997 Wisconsin  
4 Act 283, is amended to read:

5 961.41 **(1m)** (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 661.** 961.41 (1m) (d) 4. of the statutes, as affected by 1997 Wisconsin  
10 Act 283, is amended to read:

11 961.41 **(1m)** (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 662.** 961.41 (1m) (d) 5. of the statutes, as affected by 1997 Wisconsin  
16 Act 283, is repealed.

17 **SECTION 663.** 961.41 (1m) (d) 6. of the statutes, as affected by 1997 Wisconsin  
18 Act 283, is repealed.

19 **SECTION 664.** 961.41 (1m) (e) (intro.) of the statutes is amended to read:

20 961.41 **(1m)** (e) Phencyclidine, amphetamine, methamphetamine and  
21 methcathinone. (intro.) Phencyclidine If a 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 possessed,  
25 with intent to manufacture, distribute or deliver, is:

1           **SECTION 665.** 961.41 (1m) (e) 1. of the statutes, as affected by 1997 Wisconsin  
2 Act 283, is amended to read:

3           961.41 **(1m)** (e) 1. ~~Three grams or less, the person shall be fined not less than~~  
4 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and~~  
5 ~~6 months~~ is guilty of a Class F felony.

6           **SECTION 666.** 961.41 (1m) (e) 2. of the statutes, as affected by 1997 Wisconsin  
7 Act 283, is amended to read:

8           961.41 **(1m)** (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 \$200,000 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 667.** 961.41 (1m) (e) 3. of the statutes, as affected by 1997 Wisconsin  
13 Act 283, is amended to read:

14           961.41 **(1m)** (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 668.** 961.41 (1m) (e) 4. of the statutes, as affected by 1997 Wisconsin  
19 Act 283, is amended to read:

20           961.41 **(1m)** (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 669.** 961.41 (1m) (e) 5. of the statutes, as affected by 1997 Wisconsin  
25 Act 283, is repealed.

1           **SECTION 670.** 961.41 (1m) (e) 6. of the statutes, as affected by 1997 Wisconsin  
2 Act 283, is repealed.

3           **SECTION 671.** 961.41 (1m) (f) (intro.) of the statutes is amended to read:

4           961.41 **(1m)** (f) Lysergic acid diethylamide. (intro.) Lysergic If a 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 possessed, with intent to manufacture, distribute or deliver, is:

8           **SECTION 672.** 961.41 (1m) (f) 1. of the statutes, as affected by 1997 Wisconsin  
9 Act 283, is amended to read:

10           961.41 **(1m)** (f) 1. One gram or less, the person ~~shall be fined not less than~~  
11 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and~~  
12 ~~6 months~~ is guilty of a Class G felony.

13           **SECTION 673.** 961.41 (1m) (f) 2. of the statutes, as affected by 1997 Wisconsin  
14 Act 283, is amended to read:

15           961.41 **(1m)** (f) 2. More than one gram but not more than 5 grams, the person  
16 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~  
17 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
18 F felony.

19           **SECTION 674.** 961.41 (1m) (f) 3. of the statutes, as affected by 1997 Wisconsin  
20 Act 283, is amended to read:

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

24           **SECTION 675.** 961.41 (1m) (g) (intro.) of the statutes is amended to read:

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

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

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

10          **SECTION 677.** 961.41 (1m) (g) 2. of the statutes, as affected by 1997 Wisconsin  
11 Act 283, is amended to read:

12          961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the  
13 ~~person shall be fined not less than \$1,000 nor more than \$200,000 and shall be~~  
14 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months~~ is guilty  
15 of a Class F felony.

16          **SECTION 678.** 961.41 (1m) (g) 3. of the statutes, as affected by 1997 Wisconsin  
17 Act 283, is amended to read:

18          961.41 (1m) (g) 3. More than 500 grams, the person shall be fined not less than  
19 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
20 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

21          **SECTION 679.** 961.41 (1m) (h) (intro.) of the statutes is amended to read:

22          961.41 (1m) (h) *Tetrahydrocannabinols.* (intro.) ~~Tetrahydrocannabinols~~ If a  
23 person violates this subsection with respect to tetrahydrocannabinols, included  
24 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is

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

3 **SECTION 680.** 961.41 (1m) (h) 1. of the statutes, as affected by 1997 Wisconsin  
4 Act 283, is amended to read:

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

9 **SECTION 681.** 961.41 (1m) (h) 2. of the statutes, as affected by 1997 Wisconsin  
10 Act 283, is amended to read:

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

16 **SECTION 682.** 961.41 (1m) (h) 3. of the statutes, as affected by 1997 Wisconsin  
17 Act 283, is amended to read:

18 961.41 **(1m)** (h) 3. More than ~~2,500~~ 1,000 grams ~~but not more than 2,500 grams,~~  
19 or more than ~~50~~ 20 plants containing tetrahydrocannabinols ~~but not more than 50~~  
20 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~  
21 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~  
22 ~~nor more than 15 years~~ is guilty of a Class G felony.

23 **SECTION 683.** 961.41 (1m) (h) 4. of the statutes is created to read:



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

4           **SECTION 684.** 961.41 (1m) (h) 5. of the statutes is created to read:

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

7           **SECTION 685.** 961.41 (1m) (i) of the statutes, as affected by 1997 Wisconsin Act  
8 283, is amended to read:

9           961.41 (1m) (i) Schedule IV drugs. ~~A~~ If a person violates this subsection with  
10 respect to a substance included in schedule IV, may be fined not more than \$10,000  
11 or imprisoned for not more than 4 years and 6 months or both the person is guilty  
12 of a Class H felony.

13           **SECTION 686.** 961.41 (1m) (j) of the statutes, as affected by 1997 Wisconsin Act  
14 283, is amended to read:

15           961.41 (1m) (j) Schedule V drugs. ~~A~~ If a person violates this subsection with  
16 respect to a substance included in schedule V, may be fined not more than \$5,000 or  
17 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

18           **SECTION 687.** 961.41 (1n) (c) of the statutes, as affected by 1997 Wisconsin Act  
19 283, is amended to read:

20           961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~  
21 ~~\$250,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

22           **SECTION 688.** 961.41 (1q) of the statutes is amended to read:

23           961.41 (1q) PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.  
24 Under s. 961.49 (2), 1997 stats., and subs. (1) (h) and (1m) (h) ~~and s. 961.49 (2), if~~  
25 different penalty provisions apply to a person depending on whether the weight of

1 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is  
2 considered, the greater penalty provision applies.

3 **SECTION 689.** 961.41 (1r) of the statutes is amended to read:

4 961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under  
5 s. 961.49 (2) (b), 1997 stats., and subs. (1) and (1m) and s. 961.49 (2) (b), an amount  
6 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid  
7 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,  
8 methcathinone or tetrahydrocannabinols or any controlled substance analog of any  
9 of these substances together with any compound, mixture, diluent, plant material  
10 or other substance mixed or combined with the controlled substance or controlled  
11 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)  
12 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14  
13 (4) (t) and includes the weight of any marijuana.

14 **SECTION 690.** 961.41 (2) (intro.) of the statutes is amended to read:

15 961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this  
16 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or  
17 possess with intent to distribute or deliver, a counterfeit substance. Any person who  
18 violates this subsection ~~with respect to~~ is subject to the following penalties:

19 **SECTION 691.** 961.41 (2) (a) of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21 961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. ~~A- If a person~~  
22 violates this subsection with respect to a counterfeit substance included in schedule  
23 I or II which is a narcotic drug, ~~may be fined not more than \$25,000 or imprisoned~~  
24 ~~for not more than 22 years and 6 months or both~~ the person is guilty of a Class E  
25 felony.

1           **SECTION 692.** 961.41 (2) (b) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

3           961.41 (2) (b) Counterfeit schedule I, II, III and IV drugs. ~~Any~~ If a person  
4 violates this subsection with respect to any other counterfeit substance included in  
5 schedule I, II or, III or IV, may be fined not more than \$15,000 or imprisoned for not  
6 more than 7 years and 6 months or both the person is guilty of a Class H felony.

7           **SECTION 693.** 961.41 (2) (c) of the statutes, as affected by 1997 Wisconsin Act  
8 283, is repealed.

9           **SECTION 694.** 961.41 (2) (d) of the statutes, as affected by 1997 Wisconsin Act  
10 283, is amended to read:

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

15           **SECTION 695.** 961.41 (3g) (a) 1. of the statutes, as affected by 1999 Wisconsin  
16 Act 283, is renumbered 961.41 (3g) (am) and amended to read:

17           961.41 (3g) (am) Schedule I and II narcotic drugs. ~~Except as provided in subd.~~  
18 ~~2., if the~~ If a person possesses a controlled substance included in schedule I or II  
19 which is a narcotic drug, or possesses a controlled substance analog of a controlled  
20 substance included in schedule I or II which is a narcotic drug, the person may, upon  
21 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2  
22 or both, and for a 2nd or subsequent offense, the person may be fined not more than  
23 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I felony.

24           **SECTION 696.** 961.41 (3g) (a) 2. of the statutes, as affected by 1997 Wisconsin  
25 Act 283, is repealed.

1           **SECTION 697.** 961.41 (3g) (a) 3. of the statutes is repealed.

2           **SECTION 698.** 961.41 (3g) (b) (title) of the statutes is created to read:

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

4           **SECTION 699.** 961.41 (3g) (c) of the statutes is amended to read:

5           961.41 **(3g)** (c) *Cocaine and cocaine base.* If a person possess or attempts to  
6 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine  
7 base, the person shall be fined not more than \$5,000 and may be imprisoned for not  
8 more than one year in the county jail upon a first conviction and is guilty of a Class  
9 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense  
10 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the  
11 offense, the offender has at any time been convicted of any felony or misdemeanor  
12 under this chapter or under any statute of the United States or of any state relating  
13 to controlled substances, controlled substance analogs, narcotic drugs, marijuana or  
14 depressant, stimulant or hallucinogenic drugs.

15           **SECTION 700.** 961.41 (3g) (d) of the statutes is amended to read:

16           961.41 **(3g)** (d) *Certain hallucinogenic and stimulant drugs.* If a person  
17 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,  
18 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a  
19 controlled substance analog of lysergic acid diethylamide, phencyclidine,  
20 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person  
21 may be fined not more than \$5,000 or imprisoned for not more than one year in the  
22 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd  
23 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd  
24 or subsequent offense if, prior to the offender's conviction of the offense, the offender  
25 has at any time been convicted of any felony or misdemeanor under this chapter or

1 under any statute of the United States or of any state relating to controlled  
2 substances, controlled substance analogs, narcotic drugs, marijuana or depressant,  
3 stimulant or hallucinogenic drugs.

4 **SECTION 701.** 961.41 (3g) (e) of the statutes is amended to read:

5 961.41 **(3g)** (e) *Tetrahydrocannabinols.* If a person possesses or attempts to  
6 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled  
7 substance analog of tetrahydrocannabinols, the person may be fined not more than  
8 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and  
9 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this  
10 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the  
11 offender's conviction of the offense, the offender has at any time been convicted of any  
12 felony or misdemeanor under this chapter or under any statute of the United States  
13 or of any state relating to controlled substances, controlled substance analogs,  
14 narcotic drugs, marijuana or depressant, stimulant or hallucinogenic drugs.

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

16 961.41 **(3g)** (f) *Gamma-hydroxybutyric acid, gamma-hydroxybutyrolactone,*  
17 *ketamine and flunitrazepam.* If a person possesses or attempts to possess  
18 gamma-hydroxybutyric acid, gamma-hydroxybutyrolactone, ketamine or  
19 flunitrazepam, the person ~~may be fined not more than \$5,000 or imprisoned for not~~  
20 ~~more than 2 years or both~~ is guilty of a Class H felony.

21 **SECTION 703.** 961.41 (4) (am) 3. of the statutes, as affected by 1997 Wisconsin  
22 Act 283, is amended to read:

23 961.41 **(4)** (am) 3. A person ~~convicted of violating who violates~~ this paragraph  
24 ~~may be fined not more than \$5,000 or imprisoned for not more than 2 years or both~~  
25 is guilty of a Class I felony.

1           **SECTION 704.** 961.42 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           961.42 (2) Any person who violates this section ~~may be fined not more than~~  
4 ~~\$25,000 or imprisoned not more than 2 years or both~~ is guilty of a Class I felony.

5           **SECTION 705.** 961.43 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
6 is amended to read:

7           961.43 (2) Any person who violates this section ~~may be fined not more than~~  
8 ~~\$30,000 or imprisoned not more than 6 years or both~~ is guilty of a Class H felony.

9           **SECTION 706.** 961.438 of the statutes is repealed.

10          **SECTION 707.** 961.455 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
11 is amended to read:

12          961.455 (1) Any person who has attained the age of 17 years who knowingly  
13 solicits, hires, directs, employs or uses a person who is under the age of 17 years of  
14 ~~age or under~~ for the purpose of violating s. 961.41 (1) ~~may be fined not more than~~  
15 ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

16          **SECTION 708.** 961.455 (3) of the statutes is amended to read:

17          961.455 (3) Solicitation under sub. (1) occurs in the manner described under  
18 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.  
19 939.30 ~~or 948.35.~~

20          **SECTION 709.** 961.46 (1) of the statutes is renumbered 961.46 and amended to  
21 read:

22          **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~  
23 ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing  
24 or delivering a controlled substance included in schedule I or II which is a narcotic  
25 drug or a controlled substance analog of a controlled substance included in schedule

1 ~~I or II which is a narcotic drug to a person 17 years of age or under who is at least~~  
2 ~~3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or~~  
3 ~~a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the~~  
4 ~~applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the~~  
5 ~~offense may be increased by not more than 5 years.~~

6 **SECTION 710.** 961.46 (2) of the statutes is repealed.

7 **SECTION 711.** 961.46 (3) of the statutes is repealed.

8 **SECTION 712.** 961.465 of the statutes is repealed.

9 **SECTION 713.** 961.472 (2) of the statutes is amended to read:

10 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found  
11 guilty of possession or attempted possession of a controlled substance or controlled  
12 substance analog under s. 961.41 (3g) (a) ~~2.~~ (am), (c) or (d), the court shall order the  
13 person to comply with an assessment of the person's use of controlled substances.  
14 The court's order shall designate a facility that is operated by or pursuant to a  
15 contract with the county department established under s. 51.42 and that is certified  
16 by the department of health and family services to provide assessment services to  
17 perform the assessment and, if appropriate, to develop a proposed treatment plan.  
18 The court shall notify the person that noncompliance with the order limits the court's  
19 ability to determine whether the treatment option under s. 961.475 is appropriate.  
20 The court shall also notify the person of the fee provisions under s. 46.03 (18) (fm).

21 **SECTION 714.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and  
22 amended to read:

23 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who  
24 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or  
25 subsequent offense as provided under this chapter sub. (3) and the person is



1 convicted of that 2nd or subsequent offense ~~may be fined an amount up to twice that~~  
2 ~~otherwise authorized or imprisoned for a term up to twice the term otherwise~~  
3 ~~authorized or both.~~ the maximum term of imprisonment for the offense may be  
4 increased as follows:

5 **SECTION 715.** 961.48 (1) (a) and (b) of the statutes are created to read:

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

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

8 **SECTION 716.** 961.48 (2) of the statutes is repealed.

9 **SECTION 717.** 961.48 (2m) (a) of the statutes is amended to read:

10 961.48 (2m) (a) Whenever a person charged with ~~an~~ a felony offense under this  
11 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is  
12 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior  
13 convictions are alleged in the complaint, indictment or information or in an amended  
14 complaint, indictment or information that is filed under par. (b) 1. A person is not  
15 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of  
16 applicable prior convictions is withdrawn by an amended complaint filed under par.  
17 (b) 2.

18 **SECTION 718.** 961.48 (3) of the statutes is amended to read:

19 961.48 (3) For purposes of this section, ~~an~~ a felony offense under this chapter  
20 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the  
21 offense, the offender has at any time been convicted of any felony or misdemeanor  
22 offense under this chapter or under any statute of the United States or of any state  
23 relating to controlled substances or controlled substance analogs, narcotic drugs,  
24 marijuana or depressant, stimulant or hallucinogenic drugs.

25 **SECTION 719.** 961.48 (4) of the statutes is repealed.



1           **SECTION 720.** 961.49 (1) of the statutes is renumbered 961.49.

2           **SECTION 721.** 961.49 (2) of the statutes is repealed.

3           **SECTION 722.** 961.49 (3) of the statutes is repealed.

4           **SECTION 723.** 961.492 of the statutes is repealed.

5           **SECTION 724.** 968.255 (1) (a) 2. of the statutes is amended to read:

6           968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20  
7 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

8           **SECTION 725.** 968.31 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
9 Act 283, is amended to read:

10           968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or  
11 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~  
12 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
13 ~~or both~~ is guilty of a Class H felony:

14           **SECTION 726.** 968.34 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
15 is amended to read:

16           968.34 (3) Whoever knowingly violates sub. (1) ~~shall~~ may be fined not more  
17 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

18           **SECTION 727.** 968.43 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
19 is amended to read:

20           968.43 (3) Any person who violates an oath or affirmation required by sub. (2)  
21 ~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H  
22 felony.

23           **SECTION 728.** 969.08 (10) (a) of the statutes is amended to read:

1           969.08 (10) (a) “Commission of a serious crime” includes a solicitation,  
2 conspiracy or attempt, under s. 939.30, 939.31, or 939.32 ~~or 948.35~~, to commit a  
3 serious crime.

4           **SECTION 729.** 969.08 (10) (b) of the statutes is amended to read:

5           969.08 (10) (b) “Serious crime” means any crime specified in s. 346.62 (4),  
6 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195  
7 (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25,  
8 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30,  
9 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10,  
10 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1)  
11 or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07 or 948.30.

12           **SECTION 730.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and  
13 amended to read:

14           971.17 (1) (a) Felonies committed before July 1, 2000. ~~When Except as provided~~  
15 in par. (c), when a defendant is found not guilty by reason of mental disease or mental  
16 defect of a felony committed before July 1, 2000, the court shall commit the person  
17 to the department of health and family services for a specified period not exceeding  
18 two-thirds of the maximum term of imprisonment that could be imposed under s.  
19 973.15 (2) (a) against an offender convicted of the same ~~crime or crimes~~ felony or  
20 felonies, including imprisonment authorized by ~~ss. 346.65 (2) (f), (2j) (d) or (3m),~~  
21 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~  
22 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, ~~as applicable,~~  
23 subject to the credit provisions of s. 973.155.

24           (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~  
25 imprisonment is a defendant is found not guilty by reason of mental disease or

1 mental defect of a felony that is punishable by life imprisonment, the commitment  
2 period specified by the court may be life, subject to termination under sub. (5).

3 **SECTION 731.** 971.17 (1) (b) of the statutes is created to read:

4 971.17 (1) (b) *Felonies committed on or after July 1, 2000.* Except as provided  
5 in par. (c), when a defendant is found not guilty by reason of mental disease or mental  
6 defect of a felony committed on or after July 1, 2000, the court shall commit the  
7 person to the department of health and family services for a specified period not  
8 exceeding the maximum term of confinement in prison that could be imposed on an  
9 offender convicted of the same felony or felonies under ss. 973.01 (2) (b) and 973.15  
10 (2) (a), plus imprisonment authorized by any applicable penalty enhancement  
11 statutes, subject to the credit provisions of s. 973.155.

12 **SECTION 732.** 971.17 (1) (d) of the statutes is created to read:

13 971.17 (1) (d) *Misdemeanors.* When a defendant is found not guilty by reason  
14 of mental disease or mental defect of a misdemeanor, the court shall commit the  
15 person to the department of health and family services for a specified period not  
16 exceeding two-thirds of the maximum term of imprisonment that could be imposed  
17 under s. 973.15 (2) (a) against an offender convicted of the same misdemeanor or  
18 misdemeanors, including imprisonment authorized by any applicable penalty  
19 enhancement statutes, subject to the credit provisions of s. 973.155.

20 **SECTION 733.** 971.365 (1) (c) of the statutes is amended to read:

21 971.365 (1) (c) In any case under s. 961.41 (3g) ~~(a) 2.~~ (am), (c), (d) or (e) involving  
22 more than one violation, all violations may be prosecuted as a single crime if the  
23 violations were pursuant to a single intent and design.

24 **SECTION 734.** 971.365 (2) of the statutes is amended to read:

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

5           **SECTION 735.** 973.01 (1) of the statutes is amended to read:

6           973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),  
7 whenever a court sentences a person to imprisonment in the Wisconsin state prisons  
8 for a felony crime committed on or after ~~December 31, 1999~~ July 1, 2000, the court  
9 shall impose a bifurcated sentence ~~that consists of a term of confinement in prison~~  
10 ~~followed by a term of extended supervision~~ under s. 302.113 this section.

11           **SECTION 736.** 973.01 (2) (intro.) of the statutes is amended to read:

12           973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~  
13 ~~that a~~ A bifurcated sentence is a sentence that consists of a term of confinement in  
14 prison followed by a term of extended supervision under s. 302.113. The total length  
15 of a bifurcated sentence equals the length of the term of confinement in prison plus  
16 the length of the term of extended supervision. A bifurcated sentence imposed under  
17 sub. (1) complies this section shall comply with all of the following:

18           **SECTION 737.** 973.01 (2) (a) of the statutes is amended to read:

19           973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),  
20 the total length of the bifurcated sentence may not exceed the maximum period of  
21 imprisonment ~~for the~~ specified in s. 939.50 (3), if the crime is a classified felony, or  
22 the maximum term of imprisonment provided by statute for the crime, if the crime  
23 is not a classified felony, plus additional imprisonment authorized by any applicable  
24 penalty enhancement statutes.

25           **SECTION 738.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

1           973.01 (2) (b) *Imprisonment portion of bifurcated sentence.* (intro.) The portion  
2 of the bifurcated sentence that imposes a term of confinement in prison may not be  
3 less than one year, ~~subject to any minimum sentence prescribed for the felony,~~ and,  
4 except as provided in par. (c), may not exceed whichever of the following is applicable:

5           **SECTION 739.** 973.01 (2) (b) 2. of the statutes is repealed.

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

7           973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may  
8 not exceed ~~10~~ 25 years.

9           **SECTION 741.** 973.01 (2) (b) 4. of the statutes is amended to read:

10          973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may  
11 not exceed ~~5~~ 15 years.

12          **SECTION 742.** 973.01 (2) (b) 5. of the statutes is amended to read:

13          973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may  
14 not exceed ~~2~~ 10 years.

15          **SECTION 743.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.

16 and amended to read:

17          973.01 (2) (b) 10. For any felony crime other than a felony specified in subds.  
18 1. to 5. 9., the term of confinement in prison may not exceed 75% of the total length  
19 of the bifurcated sentence.

20          **SECTION 744.** 973.01 (2) (b) 6m. of the statutes is created to read:

21          973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may  
22 not exceed 7 years and 6 months.

23          **SECTION 745.** 973.01 (2) (b) 7. of the statutes is created to read:

24          973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may  
25 not exceed 5 years.

1           **SECTION 746.** 973.01 (2) (b) 8. of the statutes is created to read:

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

4           **SECTION 747.** 973.01 (2) (b) 9. of the statutes is created to read:

5           973.01 **(2)** (b) 9. For a Class I felony, the term of confinement in prison may not  
6 exceed one year and 6 months.

7           **SECTION 748.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and  
8 amended to read:

9           973.01 **(2)** (c) 1. The Subject to the minimum period of extended supervision  
10 required under par. (d), the maximum term of confinement in prison specified in par.  
11 (b) may be increased by any applicable penalty enhancement statute. If the  
12 maximum term of confinement in prison specified in par. (b) is increased under this  
13 paragraph, the total length of the bifurcated sentence that may be imposed is  
14 increased by the same amount.

15           **SECTION 749.** 973.01 (2) (c) 2. of the statutes is created to read:

16           973.01 **(2)** (c) 2. If more than one of the following penalty enhancement statutes  
17 apply to a crime, the court shall apply them in the order listed in calculating the  
18 maximum term of imprisonment for that crime:

19           a. Sections 939.621, 939.632, 939.645, 961.46 and 961.49.

20           b. Section 939.63.

21           c. Section 939.62 or 961.48.

22           **SECTION 750.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)  
23 and amended to read:

24           973.01 **(2)** (d) *Minimum and maximum term of extended supervision.* (intro.)

25           The term of extended supervision that follows the term of confinement in prison may

1 not be less than 25% of the length of the term of confinement in prison imposed under  
2 par. (b); and, for a classified felony, may not exceed whichever of the following is  
3 applicable:

4 **SECTION 751.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

5 973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not  
6 exceed 20 years.

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

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

11 4. For a Class E, F or G felony, the term of extended supervision may not exceed  
12 5 years.

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

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

16 **SECTION 752.** 973.01 (4) of the statutes is amended to read:

17 973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A  
18 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of  
19 confinement in prison portion of the sentence without reduction for good behavior.  
20 The term of confinement in prison portion is subject to extension under s. 302.113 (3)  
21 and, if applicable, to reduction under s. 302.045 (3m) or 302.113 (9g).

22 **SECTION 753.** 973.01 (5) of the statutes is amended to read:

23 973.01 (5) OTHER EXTENDED SUPERVISION CONDITIONS. Whenever the court  
24 imposes a bifurcated sentence under sub. (1), the court may impose conditions upon  
25 the term of extended supervision, including drug treatment under s. 973.031.

1           **SECTION 754.** 973.0135 (1) (b) 2. of the statutes is amended to read:

2           973.0135 **(1)** (b) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m)  
3 or (1r), 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., s.  
4 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
5 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
6 (1m) or (1r), 943.32 (2), 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,  
7 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

8           **SECTION 755.** 973.0135 (2) (intro.) of the statutes is amended to read:

9           973.0135 **(2)** (intro.) Except as provided in sub. (3), when a court sentences a  
10 prior offender to imprisonment in a state prison for a serious felony committed on or  
11 after April 21, 1994, but before ~~December 31, 1999~~ July 1, 2000, the court shall make  
12 a parole eligibility determination regarding the person and choose one of the  
13 following options:

14           **SECTION 756.** 973.014 (1) (intro.) of the statutes is amended to read:

15           973.014 **(1)** (intro.) Except as provided in sub. (2), when a court sentences a  
16 person to life imprisonment for a crime committed on or after July 1, 1988, but before  
17 ~~December 31, 1999~~ July 1, 2000, the court shall make a parole eligibility  
18 determination regarding the person and choose one of the following options:

19           **SECTION 757.** 973.014 (1) (c) of the statutes is amended to read:

20           973.014 **(1)** (c) The person is not eligible for parole. This paragraph applies only  
21 if the court sentences a person for a crime committed on or after August 31, 1995, but  
22 before ~~December 31, 1999~~ July 1, 2000.

23           **SECTION 758.** 973.014 (1g) (a) (intro.) of the statutes is amended to read:

24           973.014 **(1g)** (a) (intro.) Except as provided in sub. (2), when a court sentences  
25 a person to life imprisonment for a crime committed on or after ~~December 31, 1999~~



1 July 1, 2000, the court shall make an extended supervision eligibility date  
2 determination regarding the person and choose one of the following options:

3 **SECTION 759.** 973.017 of the statutes is created to read:

4 **973.017 Bifurcated sentences; consideration of aggravating and**  
5 **mitigating factors; findings of fact; appeal. (1) DEFINITION.** In this section,  
6 “sentencing decision” means a decision as to whether to impose a bifurcated sentence  
7 under s. 973.01 or place a person on probation and a decision as to the length of a  
8 bifurcated sentence, including the length of each component of the bifurcated  
9 sentence, the amount of a fine and the length of a term of probation.

10 **(2) GENERAL REQUIREMENT.** When a court makes a sentencing decision  
11 concerning a person convicted of a criminal offense committed on or after July 1,  
12 2000, the court shall consider any applicable mitigating factors and any applicable  
13 aggravating factors, including the aggravating factors specified in subs. (3) to (8).

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

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

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

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

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

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

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

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

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

14 2. a. In this subdivision, “labor dispute” includes any controversy concerning  
15 terms, tenure or conditions of employment, or concerning the association or  
16 representation of persons in negotiating, fixing, maintaining, changing or seeking  
17 to arrange terms or conditions of employment, regardless of whether the disputants  
18 stand in the proximate relation of employer and employe.

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

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

23 1. “HIV” means any strain of human immunodeficiency virus, which causes  
24 acquired immunodeficiency syndrome.

1           2. “Serious sex crime” means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2)  
2 or 948.025.

3           3. “Sexually transmitted disease” means syphilis, gonorrhea, hepatitis B,  
4 hepatitis C or chlamydia.

5           4. “Significantly exposed” means sustaining a contact which carries a potential  
6 for transmission of a sexually transmitted disease or HIV by one or more of the  
7 following:

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

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

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

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

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

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

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

9           **(5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON.** (a)  
10 In this subsection:

11           1. “Elder person” means any individual who is 62 years of age or older.

12           2. “Violent felony” means any felony under s. 940.19 (2), (4), (5) or (6), 940.225  
13 (1), (2) or (3), 940.23 or 943.32.

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

18           **(6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN**  
19 **PERSONS.** (a) In this subsection, “person responsible for the welfare the child”  
20 includes the child’s parent, stepparent, guardian, foster parent or treatment foster  
21 parent; an employe of a public or private residential home, institution or agency; any  
22 other person legally responsible for the child’s welfare in a residential setting; or a  
23 person employed by one who is legally responsible for the child’s welfare to exercise  
24 temporary control or care for the child.

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

5           **(7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.**  
6 When making a sentencing decision concerning a person convicted of a violation of  
7 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact  
8 that, at the time of the violation, there was a minor passenger under 16 years of age  
9 or an unborn child in the person’s motor vehicle.

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

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

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

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

6           **(10) REQUIRED FINDINGS OF FACT.** The court shall make explicit findings of fact  
7 on the record to support each element of its sentencing decision, including its decision  
8 as to whether to impose a bifurcated sentence under s. 973.01 or to place a person  
9 on probation and its decision as to the length of a bifurcated sentence, including the  
10 length of each component of the bifurcated sentence, the amount of a fine and the  
11 length of a term of probation.

12           **(11) BASIS FOR APPEAL.** In an appeal from a court's sentencing decision, the  
13 appellate court shall reverse the sentencing decision if it determines that there is not  
14 substantial evidence in the record to support the sentencing decision.

15           **SECTION 760.** 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

16           973.03 **(3)** (e) 1. A crime which is a Class A ~~or~~, B or C felony.

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

19           **SECTION 761.** 973.03 (3) (e) 3. of the statutes is repealed.

20           **SECTION 762.** 973.031 of the statutes is created to read:

21           **973.031 Court-ordered drug treatment.** Whenever the court imposes a  
22 sentence or places a person on probation for any offense committed on or after July  
23 1, 2000, the court may order the person to participate in a drug treatment program  
24 as a condition of probation or, in the case of a person sentenced under s. 973.01, while  
25 the person is in prison or as a condition of extended supervision or both. The court

1 may order the department to pay for the cost of drug treatment under this section  
2 from the appropriation under s. 20.410 (1) (a) for persons in jail or prison or under  
3 s. 20.410 (1) (b) for persons on probation or extended supervision.

4 **SECTION 763.** 973.032 (1) of the statutes is amended to read:

5 973.032 (1) SENTENCE. Beginning July 1, 1992, a court may sentence a person  
6 who is convicted of a felony occurring on or after August 15, 1991, but before  
7 ~~December 31, 1999~~ July 1, 2000, to participate in the intensive sanctions program  
8 under s. 301.048. If a person is convicted of a felony occurring on or after  
9 ~~December 31, 1999~~ July 1, 2000, a court may not sentence the person to participate  
10 in the intensive sanctions program under s. 301.048.

11 **SECTION 764.** 973.032 (4) (c) 2. of the statutes is amended to read:

12 973.032 (4) (c) 2. The person is sentenced for the escape under ~~s. 946.42 (4) (b)~~  
13 to a sentence of imprisonment concurrent with the sentence to the intensive  
14 sanctions program.

15 **SECTION 765.** 973.075 (1) (b) 1m. e. of the statutes is amended to read:

16 973.075 (1) (b) 1m. e. To cause more than ~~\$1,000~~ \$2,000 worth of criminal  
17 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

18 **SECTION 766.** 973.075 (2) (d) of the statutes is amended to read:

19 973.075 (2) (d) The officer has probable cause to believe that the property was  
20 derived from or realized through a crime or that the property is a vehicle which was  
21 used to transport any property or weapon used or to be used or received in the  
22 commission of any felony, which was used in the commission of a crime relating to  
23 a submerged cultural resource in violation of s. 44.47 or which was used to cause  
24 more than ~~\$1,000~~ \$2,000 worth of criminal damage to cemetery property in violation  
25 of s. 943.01 (2) (d) or 943.012.

1           **SECTION 767.** 973.09 (2) (b) 1. of the statutes is amended to read:

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

6           **SECTION 768.** 973.09 (6) of the statutes is created to read:

7           973.09 **(6)** The court may require as a condition of probation that the person  
8 participate in a drug treatment program under s. 973.031.

9           **SECTION 769.** 973.15 (2) (am) of the statutes is created to read:

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

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

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

20           2. If a court imposes a sentence to the Wisconsin state prisons that is not a  
21 bifurcated sentence imposed under s. 973.01 and provides that the nonbifurcated  
22 sentence is to run concurrent with or consecutive to a bifurcated sentence under s.  
23 973.01, the court shall do all of the following:



1           a. Order the term of confinement in prison under the nonbifurcated sentence  
2 to be concurrent with or consecutive to the term of confinement in prison required  
3 under the bifurcated sentence.

4           b. Order the period of parole under the nonbifurcated sentence to be concurrent  
5 with or consecutive to the term of extended supervision required under the  
6 bifurcated sentence.

7           **SECTION 770.** 973.15 (6) of the statutes is amended to read:

8           973.15 (6) Sections 302.11 and 304.06 are applicable to an inmate serving a  
9 sentence to the Wisconsin state prisons for a crime committed before  
10 ~~December 31, 1999~~ July 1, 2000, but confined in a federal institution or an  
11 institution in another state.

12          **SECTION 771.** 977.05 (4) (jm) of the statutes is created to read:

13          977.05 (4) (jm) At the request of an inmate determined by the state public  
14 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent  
15 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113  
16 (9g) before a program review committee and the sentencing court, if the state public  
17 defender determines the case should be pursued.

18          **SECTION 772.** 977.06 (2) (b) of the statutes, as affected by 1997 Wisconsin Act  
19 283, is amended to read:

20          977.06 (2) (b) A person who makes a false representation that he or she does  
21 not believe is true for purposes of qualifying for assignment of counsel ~~shall be fined~~  
22 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
23 is guilty of a Class I felony.

24          **SECTION 773.** 978.13 (1) (c) of the statutes, as affected by 1999 Wisconsin Act  
25 9, is amended to read:

1           978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
2 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
3 prosecution of violent crime cases primarily involving felony violations under s.  
4 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
5 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32 (2). The state treasurer shall  
6 pay the amount authorized under this paragraph to the county treasurer pursuant  
7 to a voucher submitted by the district attorney to the secretary of administration  
8 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph  
9 may not exceed \$94,400 in the 1999–2000 fiscal year and \$97,200 in the 2000–01  
10 fiscal year.

11           **SECTION 774.** 1997 Wisconsin Act 275, section 8m (1r) (a) is amended to read:

12           [1997 Wisconsin Act 275] Section 8m (1r) (a) If 1997 Assembly Bill 351 is  
13 enacted into law and it creates sections 302.113 and 973.01 of the statutes as shown  
14 by Senate Substitute Amendment 1 to 1997 Assembly Bill 351, then the repeal and  
15 recreation by this act of section 939.615 (3) (b) of the statutes and SECTION 9g (1p) of  
16 this act take effect on ~~December 31, 1999~~ July 1, 2000.

17           **SECTION 775.** 1997 Wisconsin Act 275, section 9g (1p) is amended to read:

18           [1997 Wisconsin Act 275] Section 9g (1p) The repeal and recreation of section  
19 939.615 (3) (b) of the statutes takes effect on ~~December 31, 1999~~ July 1, 2000.

20           **SECTION 776.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

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

1           **SECTION 777.** 1997 Wisconsin Act 283, section 456 (1) is amended to read:  
2           [1997 Wisconsin Act 283] Section 456 (1) INCREASE IN FELONY PENALTIES. The  
3 treatment of sections 11.61 (1) (a) and (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33  
4 (13) (cg), 26.14 (8), 29.99 (1) (c), (1m) (c), (11m) (a) and (11p) (a), 30.80 (2g) (b), (c) and  
5 (d) and (3m), 36.25 (6) (d), 47.03 (3) (d), 49.127 (8) (a) 2., (b) 2. and (c), 49.141 (7) (a)  
6 and (b), (9) (a) and (b) and (10) (b), 49.49 (1) (b) 1., (2) (a) and (b), (3), (3m) (b) and (4)  
7 (b), 49.95 (1), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b) and (c), 69.24 (1) (intro.),  
8 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.26 (2), (5) and (7),  
9 101.143 (10) (b), 101.94 (8) (b), 102.835 (11) and (18), 102.85 (3), 108.225 (11) and (18),  
10 114.20 (18) (c), 125.075 (2), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)  
11 (b) and (c), 132.20 (2), 133.03 (1) and (2), 134.05 (4), 134.16, 134.20 (1) (intro.),  
12 134.205 (4), 134.58, 139.44 (1), (1m), (2) and (8) (c), 139.95 (2) and (3), 146.345 (3),  
13 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b) 1. and  
14 2., 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93,  
15 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.),  
16 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b)  
17 (intro.) and (c), 299.53 (4) (c) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b),  
18 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), (b),  
19 (c) and (d), 346.65 (5), 346.74 (5) (b), (c) and (d), 350.11 (2m), 446.07, 447.09, 450.11  
20 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1) and (2), 562.13 (3) and  
21 (4), 565.50 (2) and (3), 601.64 (4), 641.19 (4) (a) and (b), 765.30 (1) (intro.) and (2)  
22 (intro.), 768.07, 783.07, 939.50 (3) (b), (bc), (c), (d) and (e), 946.85 (1), 961.41 (1) (a),  
23 (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1.,  
24 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3., (i) and (j), (1m) (a), (b), (cm) 1., 2., 3., 4. and  
25 5., (d) 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3.,

1 (h) 1., 2. and 3., (i) and (j), (1n) (c), (2) (a), (b), (c) and (d), (3g) (a) 1. and 2. and (4) (am)  
2 3., 961.42 (2), 961.43 (2), 961.455 (1), 968.31 (1) (intro.), 968.34 (3), 968.43 (3) and  
3 977.06 (2) (b) of the statutes and SECTION 455 (1) of this act take effect on ~~December~~  
4 ~~31, 1999~~ July 1, 2000.

5 **SECTION 778. Nonstatutory provisions.**

6 (1) INITIAL IMPLEMENTATION OF CASELOAD REDUCTION REQUIREMENTS. The  
7 department of corrections shall develop a plan to implement section 301.03 (3a) of  
8 the statutes, as created by this act, which it shall submit to the joint committee on  
9 finance no later than May 1, 2000. No later than July 1, 2000, the department shall  
10 begin reducing caseloads for probation, extended supervision and parole agents in  
11 Brown, Dane, Kenosha, Milwaukee, Racine and Rock counties who supervise more  
12 than 20 persons on probation, extended supervision or parole.

13 **SECTION 779. Initial applicability.**

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

1 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1)  
2 and 961.48 (1) of the statutes; the amendment of sections 11.61 (1) (a), 11.61 (1) (b),  
3 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971  
4 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d),  
5 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),  
6 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.49 (1) (b)  
7 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  
8 (11) (am), 66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
9 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),  
10 100.26 (7), 101.143 (10) (b), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3),  
11 108.225 (11), 108.225 (18), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a)  
12 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1),  
13 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1),  
14 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5),  
15 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g),  
16 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b),  
17 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2),  
18 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97  
19 (2) (c) 1. and 2., 299.53 (4) (c) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b),  
20 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a),  
21 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175  
22 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2)  
23 (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,  
24 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),  
25 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),

1 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07, 938.208 (1) (a),  
2 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22  
3 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50  
4 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b),  
5 939.62 (1) (c), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02  
6 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
7 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),  
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 (1m),  
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) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3)  
15 (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 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 (1), 941.20 (2) (intro.), 941.20 (3) (a)  
19 (intro.), 941.21, 941.235 (1), 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 (1),  
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) 1., 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

1 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 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 (1g), 943.23 (2), 943.23 (3), 943.23  
5 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1), 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 (1), 946.10 (intro.), 946.11 (1) (intro.),  
17 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 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 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (1g),  
20 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60  
21 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r)  
22 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
23 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (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 (1), 948.04 (2), 948.05 (1) (intro.), 948.05



1 (1m), 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), 973.03 (3) (e) 1. and 2., 973.075 (1) (b) 1m. e., 973.075



1 (2) (d), 973.09 (2) (b) 1. and 977.06 (2) (b) of the statutes; and the creation of sections  
2 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm),  
3 939.32 (1g), 939.32 (1m), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i),  
4 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm),  
5 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p),  
6 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1)  
7 (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4.,  
8 961.41 (1m) (h) 5., 961.41 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes first  
9 apply to offenses committed on the effective date of this subsection.

10 (2) OPERATING AFTER REVOCATION. The treatment of section 343.44 (2) (b) (intro.)  
11 of the statutes first applies to offenses committed on the effective date of this  
12 subsection.

13 **SECTION 780. Effective dates.** This act takes effect on the day after  
14 publication, except as follows:

15 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32  
16 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.623, 939.624,  
17 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b),  
18 940.19 (3), 940.195 (3), 940.195 (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m),  
19 941.296 (3), 943.01 (2g), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m),  
20 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d)  
21 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (1m)  
22 (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41  
23 (3g) (a) 2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2),  
24 961.48 (4), 961.49 (2), 961.49 (3), 961.492 and 973.03 (3) (e) 3. of the statutes; the  
25 renumbering of sections 351.07 (2) (a) and 961.49 (1) of the statutes; the renumbering

1 and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025  
2 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1)  
3 and 961.48 (1) of the statutes; the amendment of sections 6.18, 11.61 (1) (a), 11.61 (1)  
4 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c),  
5 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80  
6 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2.,  
7 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm)  
8 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  
9 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49  
10 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b), 66.4025  
11 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2),  
12 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b),  
13 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07  
14 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b),  
15 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05  
16 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),  
17 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70  
18 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2),  
19 181.0129 (2), 185.825, 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21  
20 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06  
21 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2.,  
22 301.26 (4) (cm) 1., 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 304.06 (1) (b), 304.071  
23 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3)  
24 (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d),  
25 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175

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2 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58  
3 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3),  
4 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2)  
5 (intro.), 768.07, 783.07, 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355  
6 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1)  
7 (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e),  
8 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a.  
9 and b., 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2)  
10 (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
11 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),  
12 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),  
13 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1), 940.20 (1m),  
14 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.),  
15 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2)  
16 (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1)  
17 (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2)  
18 (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3)  
19 (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3.,  
20 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b),  
21 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43  
22 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)  
23 (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
24 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),  
25 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),

1 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2)  
2 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38  
3 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)  
4 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017  
5 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2),  
6 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3)  
7 (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201  
8 (2), 943.205 (3), 943.21 (3) (a), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23  
9 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2),  
10 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4),  
11 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a), 943.34 (1) (b),  
12 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a), 943.395  
13 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d),  
14 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3)  
15 (d), 943.50 (4) (a), 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5)  
16 (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4.,  
17 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 944.05 (1) (intro.),  
18 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,  
19 944.33 (2), 944.34 (intro.), 945.03 (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1)  
20 (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.),  
21 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.),  
22 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425  
23 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (intro.), 946.44 (1) (intro.), 946.44 (1g),  
24 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60  
25 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r)

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2 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02  
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5 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.),  
6 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2),  
7 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2)  
8 (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b),  
9 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2)  
10 (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2),  
11 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),  
12 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41  
13 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.),  
14 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),  
15 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g)  
16 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41  
17 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m)  
18 (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm)  
19 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2.,  
20 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41  
21 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m)  
22 (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1.,  
23 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1.,  
24 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c),  
25 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (d),

1 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42  
2 (2), 961.43 (2), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3),  
3 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)  
4 (b), 971.365 (1) (c), 971.365 (2), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032  
5 (4) (c) 2., 973.075 (1) (b) 1m. e., 973.075 (2) (d), 973.09 (2) (b) 1., 977.06 (2) (b) and  
6 978.13 (1) (c) of the statutes; the creation of sections 49.95 (1) (e) and (f), 125.075 (2)  
7 (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m),  
8 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g),  
9 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm),  
10 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b),  
11 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4.,  
12 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.41  
13 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes; and SECTION 779 (NO TAG)  
14 of this act take effect on July 1, 2000.

15 (2) OPERATING AFTER REVOCATION. The treatment of section 343.44 (2) (b) (intro.)  
16 of the statutes and SECTION 779 (2) of this act take effect on whichever of the following  
17 dates is later:

18 (a) The day after publication.

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

22 (END)