

1 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
2 director, employe or agent of any association, or any appraiser making appraisals for
3 any association, who accepts or receives, or offers or agrees to accept or receive
4 anything of value in consideration of its loaning any money to any person; or any
5 person who offers, gives, presents or agrees to give or present anything of value to
6 any officer, director, employe or agent of any association or to any appraiser making
7 appraisals for any association in consideration of its loaning money to the person,
8 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
9 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
10 subsection prohibits an association from employing an officer, employe or agent to
11 solicit mortgage loans and to pay the officer, employe or agent on a fee basis.

12 *~~4424/2.117~~* *~~3266/P1.96~~* SECTION 250. 218.21 (7) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 218.21 (7) Any person who knowingly makes a false statement in an
15 application for a motor vehicle salvage dealer license ~~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 *~~4424/2.118~~* *~~3266/P1.97~~* SECTION 251. 220.06 (2) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 220.06 (2) If any employe in the division or any member of the banking review
21 board or any employe thereof discloses the name of any debtor of any bank or
22 licensee, or anything relative to the private account or transactions of such bank or
23 licensee, or any fact obtained in the course of any examination of any bank or
24 licensee, except as herein provided, that person is guilty of a Class I felony and shall
25 be subject, upon conviction, to forfeiture of office or position and may be fined not less

1 than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more
2 than 3 years or both.

3 *~~4424/2.119~~* *~~3266/P1.98~~* **SECTION 252.** 221.0625 (2) (intro.) of the
4 statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

5 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
6 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
7 ~~not more than 15 years~~ is guilty of a Class F felony:

8 *~~4424/2.120~~* *~~3266/P1.99~~* **SECTION 253.** 221.0636 (2) of the statutes, as
9 affected by 1997 Wisconsin Act 283, is amended to read:

10 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
11 ~~not more than 30 years~~ is guilty of a Class H felony.

12 *~~4424/2.121~~* *~~3266/P1.100~~* **SECTION 254.** 221.0637 (2) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~
15 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
16 felony.

17 *~~4424/2.122~~* *~~3266/P1.101~~* **SECTION 255.** 221.1004 (2) of the statutes, as
18 affected by 1997 Wisconsin Act 283, is amended to read:

19 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~
20 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~
21 ~~than 15 years or both~~ is guilty of a Class F felony

22 *~~4424/2.123~~* *~~3361/P2.11~~* **SECTION 256.** 230.08 (2) (L) 6. of the statutes is
23 created to read:

24 230.08 (2) (L) 6. Sentencing commission.

1 *~~4424/2.124~~* *~~3361/P2.12~~* SECTION 257. 230.08 (2) (of) of the statutes is
2 created to read:

3 230.08 (2) (of) The executive director of the sentencing commission.

4 *~~4424/2.125~~* *~~3266/P1.102~~* SECTION 258. 253.06 (4) (b) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

11 *~~4424/2.126~~* *~~3266/P1.103~~* SECTION 259. 285.87 (2) (b) of the statutes, as
12 affected by 1997 Wisconsin Act 283, is amended to read:

13 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
14 another conviction under par. (a), the person ~~shall is guilty of a Class I felony, except~~
15 ~~that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may~~
16 ~~be fined not more than \$50,000 per day of violation or imprisoned for not more than~~
17 ~~3 years or both.~~

18 *~~4424/2.127~~* *~~3266/P1.104~~* SECTION 260. 291.97 (2) (b) (intro.) of the
19 statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

20 291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~
21 ~~is guilty of a Class H felony, except that, notwithstanding the maximum fine specified~~
22 ~~in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than~~
23 ~~\$100,000 or imprisoned for not more than 7 years and 6 months or both:~~

24 *~~4424/2.128~~* *~~3266/P1.105~~* SECTION 261. 291.97 (2) (c) 1. and 2. of the
25 statutes, as affected by 1997 Wisconsin Act 283, are amended to read:

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

5 2. For a 2nd or subsequent violation under par. (b), a person ~~shall~~ is guilty of
6 a Class F felony, except that, notwithstanding the maximum fine specified in s.
7 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
8 or imprisoned for not more than 15 years or both.

9 *~~4424/2.129~~* *~~3266/P1.106~~* SECTION 262. 299.53 (4) (c) 2. of the statutes,
10 as affected by 1997 Wisconsin Act 283, is amended to read:

11 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
12 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
13 or imprisoned for not more than one year in the county jail or both. For a 2nd or
14 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,
15 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
16 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

17 *~~4424/2.130~~* SECTION 263. 301.03 (3) of the statutes is amended to read:

18 301.03 (3) ~~Administer~~ Subject to sub. (3a), administer parole, extended
19 supervision and probation matters, except that the decision to grant or deny parole
20 to inmates shall be made by the parole commission and the decision to revoke
21 probation, extended supervision or parole in cases in which there is no waiver of the
22 right to a hearing shall be made by the division of hearings and appeals in the
23 department of administration. The secretary may grant special action parole
24 releases under s. 304.02. The department shall promulgate rules establishing a drug
25 testing program for probationers, parolees and persons placed on extended

1 supervision. The rules shall provide for assessment of fees upon probationers,
2 parolees and persons placed on extended supervision to partially offset the costs of
3 the program.

4 ~~*-4424/2.131*~~ **SECTION 264.** 301.03 (3a) of the statutes is created to read:

5 301.03 (3a) The department shall take steps to promote the increased
6 effectiveness of probation, extended supervision and parole in Brown, Dane,
7 Kenosha, Milwaukee, Racine and Rock counties. In each of these counties, the
8 department shall, beginning on January 1, 2001, develop a partnership with the
9 community, have strategies for local crime prevention, supervise offenders actively,
10 commit additional resources to enhance supervision and purchase services for
11 offenders, establish day reporting centers and ensure that probation, extended
12 supervision and parole agents, on average, supervise no more than 20 persons on
13 probation, extended supervision or parole.

14 ~~*-4424/2.132*~~ ~~*-2889/P3.1*~~ **SECTION 265.** 301.035 (2) of the statutes is
15 amended to read:

16 301.035 (2) Assign hearing examiners from the division to preside over
17 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
18 (2) and ch. 304.

19 ~~*-4424/2.133*~~ ~~*-2889/P3.2*~~ **SECTION 266.** 301.035 (4) of the statutes is
20 amended to read:

21 301.035 (4) Supervise employes in the conduct of the activities of the division
22 and be the administrative reviewing authority for decisions of the division under ss.
23 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
24 ch. 304.

25 ~~*-4187/3.35*~~ **SECTION 267.** 301.26 (3) (c) of the statutes is amended to read:

1 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
2 (ce), (cf) and (ko), the department shall allocate funds to each county for services
3 under this section.

4 *~~4187/3.36~~* **SECTION 268.** 301.26 (3) (e) of the statutes is amended to read:

5 301.26 (3) (e) The department may carry forward \$500,000 or 10% of its funds
6 allocated under this subsection and not encumbered or carried forward under par.
7 (dm) by counties by December 31, whichever is greater, to the next 2 calendar years.
8 The department may transfer moneys from or within s. 20.410 (3) (cd), (ce) or (cf) to
9 accomplish this purpose. The department may allocate these transferred moneys to
10 counties with persistently high rates of juvenile arrests for serious offenses during
11 the next 2 calendar years to improve community-based juvenile
12 delinquency-related services. The allocation does not affect a county's base
13 allocation.

14 *~~4187/3.37~~* **SECTION 269.** 301.26 (3) (em) of the statutes is amended to read:

15 301.26 (3) (em) The department may carry forward any emergency funds
16 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
17 by December 31 to the next 2 calendar years. The department may transfer moneys
18 from or within s. 20.410 (3) (cd), (ce) or (cf) to accomplish this purpose. The
19 department may allocate these transferred moneys to counties that are eligible for
20 emergency payments under sub. (7) (e). The allocation does not affect a county's base
21 allocation.

22 *~~4187/3.38~~* **SECTION 270.** 301.26 (4) (a) of the statutes is amended to read:

23 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
24 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
25 (ce), (cf) and (ko) for the costs of care, services and supplies purchased or provided

1 by the department of corrections for each person receiving services under s. 48.366,
2 938.183 or 938.34 or the department of health and family services for each person
3 receiving services under s. 46.057 or 51.35 (3). The department of corrections may
4 not bill a county for or deduct from a county's allocation the cost of care, services and
5 supplies provided to a person subject to an order under s. 48.366 or 938.183 after the
6 person reaches 18 years of age. Payment shall be due within 60 days after the billing
7 date. If any payment has not been received within 60 days, the department of
8 corrections may withhold aid payments in the amount due from the ~~appropriation~~
9 allocations under s. 20.410 (3) (cd), (ce), (cf) and (ko).

10 *~~4424/2.134~~* *~~0590/P5.12~~* SECTION 271. 301.26 (4) (cm) 1. of the statutes,
11 as affected by 1999 Wisconsin Act 9, is amended to read:

12 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
13 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
14 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured
15 correctional facilities, secured child caring institutions, alternate care providers,
16 aftercare supervision providers and corrective sanctions supervision providers for
17 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age
18 or over who has been placed in a secured correctional facility based on a delinquent
19 act that is a violation of s. 943.23 (1m) or (1r), 1997 stats., s. 948.35, 1997 stats., or
20 s. 948.36, 1997 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,
21 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),
22 948.02 (1), 948.025, (1) or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any
23 juvenile 10 years of age or over who has been placed in a secured correctional facility
24 or secured child caring institution for attempting or committing a violation of s.
25 940.01 or for committing a violation of s. 940.02 or 940.05.

1 *~~4187/3.39~~* SECTION 272. 301.26 (6) (a) of the statutes is amended to read:

2 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
3 legislature in allocating funding, excluding funding for base allocations, from the
4 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) for purposes described in
5 this section.

6 *~~4187/3.40~~* SECTION 273. 301.26 (7m) of the statutes is created to read:

7 301.26 (7m) ALLOCATION OF CONSUMER PRICE INDEX AND FEDERAL FUNDING LOSS
8 FUNDS. In addition to the amounts allocated under sub. (7) (a), the department shall
9 allocate in each fiscal year the amounts appropriated under s. 20.410 (3) (ce) and (cf)
10 for community youth and family aids under this section.

11 *~~4187/3.41~~* SECTION 274. 301.26 (8) of the statutes, as affected by 1999
12 Wisconsin Act 9, is amended to read:

13 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
14 allocations specified in ~~sub.~~ subs. (7) (a) and (7m), the department shall allocate
15 \$666,700 in the last 6 months of 1999, \$1,333,400 in 2000 and \$666,700 in the first
16 6 months of 2001 for alcohol and other drug abuse treatment programs.

17 *~~4428/1.1~~* SECTION 275. 301.46 (2s) of the statutes is created to read:

18 301.46 (2s) RELEASE OF INFORMATION TO PARENTS THROUGH SCHOOL DISTRICT
19 ADMINISTRATORS. (a) In this subsection, "school district administrator" has the
20 meaning given in s. 115.001 (8).

21 (b) 1. A parent, guardian or legal custodian of a child enrolled in a school district
22 may request the school district administrator to make a request for information
23 under par. (c) concerning persons subject to bulletin notification under sub. (2m)
24 (am).

1 2. A parent, guardian or legal custodian of a child enrolled in a private school
2 may request the school district administrator of the school district in which the child
3 resides or the school district administrator of the school district in which the private
4 school is located to make a request for information under par. (c) concerning persons
5 subject to bulletin notification under sub. (2m) (am).

6 3. If a parent, guardian or legal custodian of a child intends to move to a new
7 residence that is located in a different school district or intends to enroll his or her
8 child in a private school, the parent, guardian or legal custodian may request the
9 school district administrator of the school district in which the new residence is
10 located or the school district administrator of the school district in which the private
11 school is located to make a request for information under par. (c) concerning persons
12 subject to bulletin notification under sub. (2m) (am).

13 (c) When a school district administrator receives a request from a parent,
14 guardian or legal custodian under par. (b) for information concerning persons
15 required to register under s. 301.45, the school district administrator shall request
16 information concerning the persons from the police chief of the community in which
17 the school district is located or the sheriff of the county in which the school district
18 is located.

19 (d) Upon receiving a request from a school district administrator under par. (c),
20 the police chief or sheriff shall immediately provide in writing all of the following
21 information concerning each person who is residing, employed or attending school
22 in the community or county and about whom the police chief or sheriff has received
23 notification under sub. (2m) (am):

24 1. The person's name, including any aliases used by the person.

1 2. Information sufficient to identify the person, including date of birth, gender,
2 race, height, weight and hair and eye color.

3 3. The statute that the person violated, the date of conviction, adjudication or
4 commitment, and the county or, if the state is not this state, the state in which the
5 person was convicted, adjudicated or committed.

6 4. The address at which the person is residing.

7 5. The name and address of the place at which the person is employed.

8 6. The name and location of any school in which the person is enrolled.

9 7. A description of any motor vehicle that the person owns or that is registered
10 in the person's name, including the information provided by the person under s.
11 301.45 (2) (a) 7.

12 8. The most recent date on which the information under s. 301.45 was updated.

13 (e) Upon receiving information from a police chief or sheriff under par. (d), a
14 school district administrator shall in turn provide the information in writing to the
15 parent, guardian or legal custodian who requested the information.

16 (f) 1. A parent, guardian or legal custodian of a child who makes a request for
17 information under par. (b) may also make a request for information under sub. (5)
18 concerning a person required to register under s. 301.45.

19 2. A public or private elementary or secondary school administrator who makes
20 a request for information under par. (c) may also make a request for information
21 under sub. (4) for information concerning persons registered under s. 301.45.

22 *~~4428/1.2~~* **SECTION 276.** 301.46 (5) (a) (intro.) of the statutes is amended to
23 read:

24 301.46 (5) (a) (intro.) The department or a police chief or sheriff may provide
25 the information specified in par. (b) concerning a specific person required to register

1 under s. 301.45 to a person who is not provided notice or access under ~~subs. sub.~~ (2)
2 ~~to, (2m), (3) or~~ (4) if, in the opinion of the department or the police chief or sheriff,
3 providing the information is necessary to protect the public and if the person
4 requesting the information does all of the following:

5 ~~*-4424/2.135* *-3266/P1.107*~~ SECTION 277. 302.095 (2) of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

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

18 ~~*-4424/2.136* *-0590/P5.13*~~ SECTION 278. 302.11 (1g) (a) 2. of the statutes
19 is amended to read:

20 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m),
21 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., or s. 940.02,
22 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
23 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),
24 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08,
25 or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

1 *~~4424/2.137~~* *~~3265/P1.2~~* **SECTION 279.** 302.11 (1p) of the statutes is
2 amended to read:

3 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1997 stats., for
4 a crime committed before December 31, 1999, is entitled to mandatory release,
5 except the inmate may not be released before he or she has complied with s. 961.49
6 (2), 1997 stats.

7 *~~4424/2.138~~* *~~3370/P2.1~~* **SECTION 280.** 302.113 (2) of the statutes is
8 amended to read:

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

14 *~~4424/2.139~~* **SECTION 281.** 302.113 (3) (a) (intro.) of the statutes is amended
15 to read:

16 302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the
17 conduct of each inmate subject to this section, specifying each infraction of the rules.
18 If an inmate subject to this section violates an order under s. 973.031 requiring him
19 or her to participate in a drug treatment program, violates any regulation of the
20 prison or refuses or neglects to perform required or assigned duties, the department
21 may extend the term of confinement in prison portion of the inmate's bifurcated
22 sentence as follows:

23 *~~4424/2.140~~* *~~3370/P2.2~~* **SECTION 282.** 302.113 (7) of the statutes is
24 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 *~~4424/2.141~~* *~~3370/P2.3~~* **SECTION 283.** 302.113 (7m) of the statutes is
8 created to read:

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

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

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

24 (d) A person subject to this section or the department may appeal an order
25 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 *~~4424/2.142~~* **SECTION 284.** 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 *~~4424/2.143~~* *~~2889/P3.3~~* SECTION 285. 302.113 (9) of the statutes is
4 amended to read:

5 302.113 (9) (a) If a person released to extended supervision under this section
6 violates a condition of extended supervision, the division of hearings and appeals in
7 the department of administration, upon proper notice and hearing, or the
8 department of corrections, if the person on extended supervision waives a hearing,
9 may revoke the extended supervision of the person ~~and return the person to prison.~~
10 If the extended supervision of the person is revoked, the person shall be returned to
11 the circuit court for the county in which the person was convicted of the offense for
12 which he or she was on extended supervision, and the court shall order the person
13 to be returned to prison, he or she shall be returned to prison for any specified period
14 of time that does not exceed the time remaining on the bifurcated sentence. The time
15 remaining on the bifurcated sentence is the total length of the bifurcated sentence,
16 less time served by the person in custody under the sentence before release to
17 extended supervision under sub. (2) and less all time served in custody for previous
18 revocations of extended supervision under the sentence. The revocation court order
19 returning a person to prison under this paragraph shall provide the person on whose
20 extended supervision was revoked with credit in accordance with ss. 304.072 and
21 973.155.

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

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

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

17 *~~4424/2.144~~* *~~2889/P3.4~~* **SECTION 286.** 302.113 (9) (am) of the statutes is
18 created to read:

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

1 *~~4424/2.145~~* *~~2889/P3.5~~* SECTION 287. 302.113 (9) (d) of the statutes is
2 created to read:

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

9 *~~4424/2.146~~* *~~3370/P2.4~~* SECTION 288. 302.113 (9g) of the statutes is
10 created to read:

11 302.113 (9g) (a) In this subsection, "program review committee" means the
12 committee at a correctional institution that reviews the security classifications,
13 institution assignments and correctional programming assignments of inmates
14 confined in the institution.

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

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

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

22 (c) An inmate who meets the criteria under par. (b) may submit a petition to
23 the program review committee at the correctional institution in which the inmate is
24 confined requesting a modification of the inmate's bifurcated sentence in the manner
25 specified in par. (f). If the program review committee determines that the public

1 interest would be served by a modification of the inmate's bifurcated sentence in the
2 manner provided under par. (f), the committee shall approve the petition for referral
3 to the sentencing court and notify the department of its approval. The department
4 shall then refer the inmate's petition to the sentencing court and request the court
5 to conduct a hearing on the petition. If the program review committee determines
6 that the public interest would not be served by a modification of the inmate's
7 bifurcated sentence in the manner specified in par. (f), the committee shall deny the
8 inmate's petition.

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

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

1 of the bifurcated sentence in the manner specified in par. (f) would serve the public
2 interest, the court shall deny the inmate's petition for modification of the bifurcated
3 sentence.

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

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

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

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

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

22 3. The director of state courts shall design and prepare cards for a victim to send
23 to the clerk of the circuit court for the county in which the inmate was convicted and
24 sentenced. The cards shall have space for a victim to provide his or her name and
25 address, the name of the applicable inmate and any other information that the

1 director of state courts determines is necessary. The director of state courts shall
2 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court
3 shall provide the cards, without charge, to victims. Victims may send completed
4 cards to the clerk of the circuit court for the county in which the inmate was convicted
5 and sentenced. All court records or portions of records that relate to mailing
6 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

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

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

20 (j) An inmate eligible to seek modification of his or her bifurcated sentence
21 under this subsection has a right to be represented by counsel in proceedings under
22 this subsection. An inmate, or the department on the inmate's behalf, may apply to
23 the state public defender for determination of indigency and appointment of counsel
24 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
25 committee under par. (c). If an inmate whose petition has been referred to the court

1 under par. (c) is without counsel, the court shall refer the matter to the state public
2 defender for determination of indigency and appointment of counsel under s. 977.05
3 (4) (jm).

4 *~~4424/2.147~~* SECTION 289. 302.114 (3) (a) (intro.) of the statutes is amended
5 to read:

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

13 *~~4424/2.148~~* SECTION 290. 302.114 (5) (f) of the statutes is amended to read:

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

19 *~~4424/2.149~~* *~~2889/P3.6~~* SECTION 291. 302.114 (6) (b) of the statutes is
20 amended to read:

21 302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for
22 release to extended supervision under this section, the clerk of the circuit court in
23 which the petition is filed shall send a copy of the petition and, if a hearing is
24 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if
25 the victim has submitted a card under par. (e) requesting notification.

1 *~~4424/2.150~~* *~~2889/P3.7~~* SECTION 292. 302.114 (6) (c) of the statutes is
2 amended to read:

3 302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she
4 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,
5 and shall inform the victim of the manner in which he or she may provide written
6 statements concerning the inmate's petition for release to extended supervision.

7 *~~4424/2.151~~* SECTION 293. 302.114 (8m) of the statutes is created to read:

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

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

22 *~~4424/2.152~~* *~~2889/P3.8~~* SECTION 294. 302.114 (9) of the statutes is
23 amended to read:

24 302.114 (9) (a) If a person released to extended supervision under this section
25 violates a condition of extended supervision, the division of hearings and appeals in

1 the department of administration, upon proper notice and hearing, or the
2 department of corrections, if the person on extended supervision waives a hearing,
3 may revoke the extended supervision of the person ~~and return the person to prison.~~
4 If the extended supervision of the person is revoked, the person shall be returned to
5 the circuit court for the county in which the person was convicted of the offense for
6 which he or she was on extended supervision, and the court shall order the person
7 to be returned to prison, he or she shall be returned to prison for a specified period
8 of time, as provided under par. (b) before he or she is eligible for being released again
9 to extended supervision. The period of time specified under this paragraph may not
10 be less than 5 years and may be extended in accordance with sub. (3).

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

19 (bm) A person who is returned to prison under par. (a) after revocation of
20 extended supervision may, upon petition to the sentencing court, be released to
21 extended supervision after he or she has served the entire period of time specified
22 ~~in by the court under par. (b) (a)~~, including any periods of extension imposed under
23 sub. (3). A person may not file a petition under this paragraph earlier than 90 days
24 before the date on which he or she is eligible to be released to extended supervision.
25 If a person files a petition for release to extended supervision under this paragraph

1 at any time earlier than 90 days before the date on which he or she is eligible to be
2 released to extended supervision, the court shall deny the petition without a hearing.
3 The procedures specified in sub. (5) (am) to (f) apply to a petition filed under this
4 paragraph.

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

8 *~~4424/2.153~~* *~~2889/P3.9~~* **SECTION 295.** 302.114 (9) (d) of the statutes is
9 created to read:

10 302.114 (9) (d) In any case in which there is a hearing before the division of
11 hearings and appeals in the department of administration concerning whether to
12 revoke a person's extended supervision, the person on extended supervision may
13 seek review of a decision to revoke extended supervision and the department of
14 corrections may seek review of a decision to not revoke extended supervision. Review
15 of a decision under this paragraph may be sought only by an action for certiorari.

16 *~~4424/2.154~~* **SECTION 296.** 302.33 (1) of the statutes is amended to read:

17 302.33 (1) The maintenance of persons who have been sentenced to the state
18 penal institutions; persons in the custody of the department, except as provided in
19 sub. (2) and ~~s. ss.~~ 301.048 (7), 302.113 (8m) and 302.114 (8m); persons accused of
20 crime and committed for trial; persons committed for the nonpayment of fines and
21 expenses; and persons sentenced to imprisonment therein, while in the county jail,
22 shall be paid out of the county treasury. No claim may be allowed to any sheriff for
23 keeping or boarding any person in the county jail unless the person was lawfully
24 detained therein.

25 *~~4424/2.155~~* **SECTION 297.** 302.43 of the statutes is amended to read:

1 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
2 in the amount of one-fourth of his or her term for good behavior if sentenced to at
3 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
4 for time served prior to sentencing under s. 973.155, including good time under s.
5 973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her
6 to participate in a drug treatment program, violates any law or any regulation of the
7 jail, or neglects or refuses to perform any duty lawfully required of him or her, may
8 be deprived by the sheriff of good time under this section, except that the sheriff shall
9 not deprive the inmate of more than 2 days good time for any one offense without the
10 approval of the court. An inmate who files an action or special proceeding, including
11 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be
12 deprived of the number of days of good time specified in the court order prepared
13 under s. 807.15 (3).

14 *~~4424/2.156~~* *~~2889/P3.10~~* **SECTION 298.** 303.065 (1) (b) 1. of the statutes
15 is amended to read:

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

21 *~~4424/2.157~~* **SECTION 299.** 303.08 (1) (intro.) of the statutes is amended to
22 read:

23 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment
24 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under

1 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during
2 necessary and reasonable hours for any of the following purposes:

3 ***-4424/2.158* SECTION 300.** 303.08 (2) of the statutes is amended to read:

4 303.08 (2) Unless such privilege is expressly granted by the court or, in the case
5 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),
6 the department, the prisoner person is sentenced to ordinary confinement. The A
7 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)
8 or 302.114 (8m), may petition the court for such privilege at the time of sentence or
9 thereafter, and in the discretion of the court may renew the prisoner's petition. The
10 court may withdraw the privilege at any time by order entered with or without notice.

11 ***-4424/2.159* SECTION 301.** 303.08 (5) (intro.) of the statutes is amended to
12 read:

13 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement
14 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the
15 wages, salary and unemployment insurance and employment training benefits
16 received by prisoners shall be disbursed by the sheriff for the following purposes, in
17 the order stated:

18 ***-4424/2.160* SECTION 302.** 303.08 (6) of the statutes is amended to read:

19 303.08 (6) The department, for a person subject to a confinement sanction
20 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may
21 authorize the sheriff to whom the prisoner is committed to arrange with another
22 sheriff for the employment or employment training of the prisoner in the other's
23 county, and while so employed or trained to be in the other's custody but in other
24 respects to be and continue subject to the commitment.

25 ***-4424/2.161* SECTION 303.** 303.08 (12) of the statutes is amended to read:

1 303.08 (12) In counties having a house of correction, any person violating the
2 privilege granted under sub. (1) may be transferred by the county jailer to the house
3 of correction for the remainder of the term of the person's sentence or, if applicable,
4 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114
5 (8m).

6 *~~4424/2.162~~* *~~3265/P1.3~~* **SECTION 304.** 304.06 (1) (b) of the statutes is
7 amended to read:

8 304.06 (1) (b) Except as provided in s. 961.49 (2), 1997 stats., sub. (1m) or s.
9 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an
10 inmate of the Wisconsin state prisons or any felon or any person serving at least one
11 year or more in a county house of correction or a county reforestation camp organized
12 under s. 303.07, when he or she has served 25% of the sentence imposed for the
13 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)
14 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate
15 serving a life term when he or she has served 20 years, as modified by the formula
16 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.
17 The person serving the life term shall be given credit for time served prior to
18 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary
19 may grant special action parole releases under s. 304.02. The department or the
20 parole commission shall not provide any convicted offender or other person
21 sentenced to the department's custody any parole eligibility or evaluation until the
22 person has been confined at least 60 days following sentencing.

23 *~~4424/2.163~~* *~~3265/P1.4~~* **SECTION 305.** 304.071 (2) of the statutes is
24 amended to read:

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

4 *~~4424/2.164~~* *~~3266/P1.108~~* SECTION 306. 341.605 (3) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

9 *~~4424/2.165~~* *~~3266/P1.109~~* SECTION 307. 342.06 (2) of the statutes, as
10 affected by 1997 Wisconsin Act 283, is amended to read:

11 342.06 (2) Any person who knowingly makes a false statement in an
12 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
13 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

14 *~~4424/2.166~~* *~~3266/P1.110~~* SECTION 308. 342.065 (4) (b) of the statutes, as
15 affected by 1997 Wisconsin Act 283, is amended to read:

16 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~
17 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
18 ~~or both is guilty of a Class H felony.~~

19 *~~4424/2.167~~* *~~3266/P1.111~~* SECTION 309. 342.155 (4) (b) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 342.155 (4) (b) Any person who violates this section with intent to defraud may
22 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
23 or both is guilty of Class H felony.

24 *~~4424/2.168~~* *~~3266/P1.112~~* SECTION 310. 342.156 (6) (b) of the statutes, as
25 affected by 1997 Wisconsin Act 283, is amended to read:

1 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~
2 ~~be 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 *~~4424/2.169~~* *~~3266/P1.113~~* **SECTION 311.** 342.30 (3) (a) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

9 *~~4424/2.170~~* *~~3266/P1.114~~* **SECTION 312.** 342.32 (3) of the statutes, as
10 affected by 1997 Wisconsin Act 283, is amended to read:

11 342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
12 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation~~ is
13 guilty of a Class H felony.

14 *~~4424/2.171~~* **SECTION 313.** 343.31 (1) (i) of the statutes is amended to read:
15 343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under
16 s. 346.04 (3).

17 *~~4424/2.172~~* **SECTION 314.** 343.31 (3) (d) (intro.) of the statutes is amended
18 to read:

19 343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting
20 to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege
21 revoked as follows:

22 *~~4424/2.173~~* *~~3266/P1.115~~* **SECTION 315.** 343.44 (2) (b) (intro.) of the
23 statutes is amended to read:

24 343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates
25 sub. (1) (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more

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1 than one year in the county jail or both. In imposing a sentence under this
2 paragraph, or a local ordinance in conformity with this paragraph, the court shall
3 review the record and consider the following:

4 ~~*-4424/2.174*~~ ~~*-3266/P1.116*~~ **SECTION 316.** 344.48 (2) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 344.48 (2) Any person violating this section may be fined not more than ~~\$1,000~~
7 \$10,000 or imprisoned for not more than ~~2 years 9 months~~ or both.

8 ~~*-4441/1.41*~~ **SECTION 317.** 344.576 (3) (a) 5. of the statutes is amended to read:

9 344.576 (3) (a) 5. The address and telephone number of the office of consumer
10 protection in the department of ~~agriculture, trade and consumer protection~~ justice.

11 ~~*-4441/1.42*~~ **SECTION 318.** 344.576 (3) (c) of the statutes is amended to read:

12 344.576 (3) (c) The department of ~~agriculture, trade and consumer protection~~
13 justice shall promulgate rules specifying the form of the notice required under par.
14 (a), including the size of the paper and the type size and any highlighting of the
15 information described in par. (a). The rule may specify additional information that
16 must be included in the notice and the precise language that must be used.

17 ~~*-4441/1.43*~~ **SECTION 319.** 344.579 (2) (intro.) of the statutes is amended to
18 read:

19 344.579 (2) ENFORCEMENT. (intro.) The department of ~~agriculture, trade and~~
20 ~~consumer protection~~ justice shall investigate violations of ss. 344.574, 344.576 (1),
21 (2) and (3) (a) and (b), 344.577 and 344.578. The department of ~~agriculture, trade~~
22 ~~and consumer protection~~ justice may on behalf of the state:

23 ~~*-4424/2.175*~~ ~~*-0590/P5.14*~~ **SECTION 320.** 346.04 (2t) of the statutes is
24 created to read:

1 346.04 (2t) No operator of a vehicle, after having received a visible or audible
2 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall
3 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as
4 safety reasonably permits.

5 *~~4424/2.176~~* *~~0590/P5.15~~* SECTION 321. 346.04 (4) of the statutes is
6 created to read:

7 346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may
8 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same
9 incident or occurrence.

10 *~~4424/2.177~~* *~~0590/P5.16~~* SECTION 322. 346.17 (2t) of the statutes is
11 created to read:

12 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than
13 \$10,000 or imprisoned for not more than 9 months or both.

14 *~~4424/2.178~~* *~~3266/P1.117~~* SECTION 323. 346.17 (3) (a) of the statutes, as
15 affected by 1997 Wisconsin Act 283, is amended to read:

16 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
17 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~
18 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

19 *~~4424/2.179~~* *~~0590/P5.18~~* SECTION 324. 346.17 (3) (b) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
22 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
23 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~
24 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

1 *~~4424/2.180~~* *~~0590/P5.19~~* **SECTION 325.** 346.17 (3) (c) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

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

6 *~~4424/2.181~~* *~~0590/P5.20~~* **SECTION 326.** 346.17 (3) (d) of the statutes, as
7 affected by 1997 Wisconsin Act 283, is amended to read:

8 346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~
9 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~
10 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

11 *~~4424/2.182~~* *~~0590/P5.21~~* **SECTION 327.** 346.175 (1) (a) of the statutes is
12 amended to read:

13 346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a
14 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for
15 the violation as provided in this section.

16 *~~4424/2.183~~* *~~0590/P5.22~~* **SECTION 328.** 346.175 (1) (b) of the statutes is
17 amended to read:

18 346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a
19 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this
20 section if the person operating the vehicle or having the vehicle under his or her
21 control at the time of the violation has been convicted for the violation under this
22 section or under s. 346.04 (2t) or (3).

23 *~~4424/2.184~~* *~~0590/P5.23~~* **SECTION 329.** 346.175 (4) (b) of the statutes is
24 amended to read:

1 346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by
2 the authority issuing the citation with the name and address of the person operating
3 the vehicle or having the vehicle under his or her control at the time of the violation
4 and sufficient information for the officer to determine that probable cause does not
5 exist to believe that the owner of the vehicle was operating the vehicle at the time
6 of the violation, then the owner of the vehicle shall not be liable under this section
7 or under s. 346.04 (2t) or (3).

8 *~~4424/2.185~~* *~~0590/P5.24~~* **SECTION 330.** 346.175 (4) (c) of the statutes is
9 amended to read:

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

15 *~~4424/2.186~~* *~~0590/P5.25~~* **SECTION 331.** 346.175 (4) (d) of the statutes is
16 amended to read:

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

24 *~~4424/2.187~~* *~~0590/P5.26~~* **SECTION 332.** 346.175 (5) (intro.) of the statutes
25 is amended to read:

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

3 *~~4424/2.188~~* *~~0590/P5.27~~* **SECTION 333.** 346.175 (5) (a) of the statutes is
4 amended to read:

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

8 *~~4424/2.189~~* *~~3266/P1.121~~* **SECTION 334.** 346.65 (2) (e) of the statutes is
9 amended to read:

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

16 *~~4424/2.190~~* *~~3266/P1.122~~* **SECTION 335.** 346.65 (5) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

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

21 *~~4424/2.191~~* *~~3266/P1.123~~* **SECTION 336.** 346.74 (5) (b) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

23 346.74 (5) (b) ~~Shall~~ May be fined not less than ~~\$300~~ ~~nor~~ more than \$5,000
24 \$10,000 or imprisoned for not less than ~~10 days~~ ~~nor~~ more than ~~2 years~~ 9 months or

1 both if the accident involved injury to a person but the person did not suffer great
2 bodily harm.

3 ~~*-4424/2.192* *-3266/P1.124*~~ **SECTION 337.** 346.74 (5) (c) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~
6 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person
7 and the person suffered great bodily harm.

8 ~~*-4424/2.193* *-3266/P1.125*~~ **SECTION 338.** 346.74 (5) (d) of the statutes, as
9 affected by 1997 Wisconsin Act 283, is amended to read:

10 346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~
11 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
12 death to a person.

13 ~~*-4424/2.194* *-3266/P1.126*~~ **SECTION 339.** 350.11 (2m) of the statutes, as
14 affected by 1997 Wisconsin Act 283, is amended to read:

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

19 ~~*-4424/2.195*~~ **SECTION 340.** 351.07 (2) (a) of the statutes is renumbered 351.07
20 (2).

21 ~~*-4424/2.196*~~ **SECTION 341.** 351.07 (2) (b) of the statutes is repealed.

22 ~~*-4424/2.197* *-3266/P1.127*~~ **SECTION 342.** 446.07 of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

1 **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100
2 nor more than \$500 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
3 both.

4 *~~4424/2.198~~* *~~3266/P1.128~~* **SECTION 343.** 447.09 of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 **447.09 Penalties.** Any person who violates this chapter may be fined not more
7 than \$1,000 or imprisoned for not more than one year in the county jail or both for
8 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~
9 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction
10 within 5 years.

11 *~~4424/2.199~~* *~~3266/P1.129~~* **SECTION 344.** 450.11 (9) (b) of the statutes, as
12 affected by 1997 Wisconsin Act 283, is amended to read:

13 450.11 (9) (b) Any person who delivers, or who possesses with intent to
14 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~
15 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
16 is guilty of a Class H felony.

17 *~~4424/2.200~~* *~~3266/P1.130~~* **SECTION 345.** 450.14 (5) of the statutes, as
18 affected by 1997 Wisconsin Act 283, is amended to read:

19 450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~
20 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
21 ~~and 6 months or both~~ is guilty of a Class H felony.

22 *~~4424/2.201~~* *~~3266/P1.131~~* **SECTION 346.** 450.15 (2) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

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

4 *~~4424/2.202~~* *~~3266/P1.132~~* **SECTION 347.** 551.58 (1) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

14 *~~4424/2.203~~* *~~3266/P1.133~~* **SECTION 348.** 552.19 (1) of the statutes, as
15 affected by 1997 Wisconsin Act 283, is amended to read:

16 552.19 (1) Any person, including a controlling person of an offeror or target
17 company, who wilfully violates this chapter or any rule under this chapter, or any
18 order of which the person has notice, ~~may be fined not more than \$5,000 or~~
19 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
20 felony. Each of the acts specified constitutes a separate offense and a prosecution or
21 conviction for any one of the offenses does not bar prosecution or conviction for any
22 other offense.

23 *~~4424/2.204~~* *~~3266/P1.134~~* **SECTION 349.** 553.52 (1) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

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

10 *~~4424/2.205~~* *~~3266/P1.135~~* **SECTION 350.** 553.52 (2) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 553.52 (2) Any person who employs, directly or indirectly, any device, scheme
13 or artifice to defraud in connection with the offer or sale of any franchise or engages,
14 directly or indirectly, in any act, practice, or course of business which operates or
15 would operate as a fraud or deceit upon any person in connection with the offer or
16 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~
17 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

18 *~~4424/2.206~~* *~~3266/P1.136~~* **SECTION 351.** 562.13 (3) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~
21 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

22 *~~4424/2.207~~* *~~3266/P1.137~~* **SECTION 352.** 562.13 (4) of the statutes, as
23 affected by 1997 Wisconsin Act 283, 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 *~~4424/2.208~~* *~~3266/P1.138~~* **SECTION 353.** 565.50 (2) of the statutes, as
5 affected by 1997 Wisconsin Act 283, 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 *~~4424/2.209~~* *~~3266/P1.139~~* **SECTION 354.** 565.50 (3) of the statutes, as
11 affected by 1997 Wisconsin Act 283, 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 *~~4424/2.210~~* *~~3266/P1.140~~* **SECTION 355.** 601.64 (4) of the statutes, as
16 affected by 1997 Wisconsin Act 283, 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.

25 *~~4445/1.9~~* **SECTION 356.** 609.88 of the statutes is created to read:

1 **609.88 Coverage of immunizations.** Managed care plans are subject to s.
2 632.895 (14).

3 *~~4441/1.44~~* **SECTION 357.** 618.41 (6m) of the statutes is amended to read:

4 618.41 (6m) RUSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy
5 of insurance to cover a warranty, as defined in s. ~~100.205~~ 134.178 (1) (g), shall comply
6 with s. 632.18 and the policy shall be on a form approved by the commissioner under
7 s. 631.20.

8 *~~4441/1.45~~* **SECTION 358.** 631.01 (1) (b) of the statutes is amended to read:

9 631.01 (1) (b) On business operations in this state if the contract is negotiated
10 outside this state and if the operations in this state are incidental or subordinate to
11 operations outside this state, unless the contract is for a policy of insurance to cover
12 a warranty, as defined in s. ~~100.205~~ 134.178 (1) (g), in which case the provisions set
13 forth in sub. (4m) apply; and

14 *~~4441/1.46~~* **SECTION 359.** 631.01 (4m) of the statutes is amended to read:

15 631.01 (4m) RUSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy
16 of insurance to cover a warranty, as defined in s. ~~100.205~~ 134.178 (1) (g), shall comply
17 with s. 632.18 and the policy shall be on a form approved by the commissioner under
18 s. 631.20.

19 *~~4441/1.47~~* **SECTION 360.** 632.18 of the statutes is amended to read:

20 **632.18 Rustproofing warranties insurance.** A policy of insurance to cover
21 a warranty, as defined in s. ~~100.205~~ 134.178 (1) (g), shall fully cover the financial
22 integrity of the warranty.

23 *~~4445/1.10~~* **SECTION 361.** 632.895 (14) of the statutes is created to read:

24 632.895 (14) **COVERAGE OF IMMUNIZATIONS.** (a) In this subsection:

1 1. “Appropriate and necessary immunizations” means the administration of
2 vaccine that meets the standards approved by the U.S. public health service for such
3 biological products against at least all of the following:

- 4 a. Diphtheria.
- 5 b. Pertussis.
- 6 c. Tetanus.
- 7 d. Polio.
- 8 e. Measles.
- 9 f. Mumps.
- 10 g. Rubella.
- 11 h. Hemophilus influenza B.
- 12 i. Hepatitis B.
- 13 j. Varicella.

14 2. “Dependent” means a spouse, an unmarried child under the age of 19 years,
15 an unmarried child who is a full-time student under the age of 21 years and who is
16 financially dependent upon the parent, or an unmarried child of any age who is
17 medically certified as disabled and who is dependent upon the parent.

18 (b) Except as provided in par. (d), every disability insurance policy, and every
19 self-insured health plan of the state or a county, city, town, village or school district,
20 that provides coverage for a dependent of the insured shall provide coverage of
21 appropriate and necessary immunizations, from birth to the age of 6 years, for a
22 dependent who is a child of the insured.

23 (c) The coverage required under par. (b) may not be subject to any deductibles,
24 copayments or coinsurance under the policy or plan. This paragraph applies to a
25 managed care plan, as defined in s. 609.01 (3c), only with respect to appropriate and

1 necessary immunizations provided by providers participating, as defined in s. 609.01
2 (3m), in the plan.

3 (d) This subsection does not apply to any of the following:

4 1. A disability insurance policy that covers only certain specified diseases.

5 2. A disability insurance policy that covers only hospital and surgical charges.

6 3. A health care plan offered by a limited service health organization, as defined
7 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not
8 a managed care plan, as defined in s. 609.01 (3c).

9 4. A long-term care insurance policy.

10 5. A medicare replacement policy.

11 6. A medicare supplement policy.

12 *~~4424/2.211~~* *~~3266/P1.141~~* SECTION 362. 641.19 (4) (a) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 641.19 (4) (a) Any person who wilfully violates or fails to comply with any
15 provision of this chapter or the rules promulgated thereunder or who, knowingly,
16 makes a false statement, a false representation of a material fact, or who fails to
17 disclose a material fact in any registration, examination, statement or report
18 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~
19 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
20 guilty of a Class H felony.

21 *~~4424/2.212~~* *~~3266/P1.142~~* SECTION 363. 641.19 (4) (b) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

23 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully
24 abstracts or converts to his or her own use or to the use of another, any of the moneys,
25 funds, securities, premiums, credits, property, or other assets of any employe welfare

1 fund, or of any fund connected therewith, ~~shall 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 *~~4441/1.48~~* SECTION 364. 704.90 (11) (title) of the statutes is amended to
5 read:

6 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF ~~AGRICULTURE, TRADE AND~~
7 ~~CONSUMER PROTECTION~~ JUSTICE.

8 *~~4441/1.49~~* SECTION 365. 704.90 (11) (a) of the statutes is amended to read:

9 704.90 (11) (a) Except as provided in par. (c), the department of ~~agriculture,~~
10 ~~trade and consumer protection~~ justice shall investigate alleged violations of this
11 section and rules promulgated under sub. (9). To facilitate its investigations, the
12 department of justice may subpoena persons and records and may enforce
13 compliance with the subpoenas as provided in s. 885.12.

14 *~~4441/1.50~~* SECTION 366. 704.90 (11) (b) of the statutes is amended to read:

15 704.90 (11) (b) Except as provided in par. (a), the department of justice may,
16 on behalf of the state, bring an action for temporary or permanent injunctive or other
17 relief in any court of competent jurisdiction for any violation of this section or any
18 rule promulgated under sub. (9).

19 *~~4441/1.51~~* SECTION 367. 707.49 (4) of the statutes is amended to read:

20 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an
21 escrow account, a developer may obtain a surety bond issued by a company
22 authorized to do business in this state, an irrevocable letter of credit or a similar
23 arrangement, in an amount which at all times is not less than the amount of the
24 deposits otherwise subject to the escrow requirements of this section. The bond,
25 letter of credit or similar arrangement shall be filed with the department of

1 ~~agriculture, trade and consumer protection justice~~ and made payable to the
2 department of ~~agriculture, trade and consumer protection justice~~ for the benefit of
3 aggrieved parties.

4 ***-4441/1.52* SECTION 368.** 707.55 (10) of the statutes is amended to read:

5 707.55 (10) GIFTS AND PRIZES. A mail or coupon promotion sent to residents of
6 this state that offers any award, gift or prize for visiting a development or attending
7 any sales presentation shall comply with the requirements of s. ~~100.171~~ 134.74.

8 ***-4441/1.53* SECTION 369.** 707.57 (2) of the statutes is amended to read:

9 707.57 (2) DEPARTMENT OF ~~AGRICULTURE, TRADE AND CONSUMER PROTECTION~~
10 JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer~~
11 ~~protection justice~~, or any district attorney upon informing the department of
12 ~~agriculture, trade and consumer protection justice~~, may commence an action in
13 circuit court in the name of the state to restrain by temporary or permanent
14 injunction any violation of this chapter. Before entry of final judgment, the court may
15 make such orders or judgments as may be necessary to restore to any person any
16 pecuniary loss suffered because of the acts or practices involved in the action if proof
17 of these acts or practices is submitted to the satisfaction of the court.

18 (b) The department of ~~agriculture, trade and consumer protection justice~~ may
19 conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its
20 investigation of violations of this chapter.

21 ***-4441/1.54* SECTION 370.** 707.57 (3) of the statutes is amended to read:

22 707.57 (3) PENALTY. Any person who violates this chapter shall be required to
23 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall
24 be enforced by action on behalf of the state by the department of ~~agriculture, trade~~

1 and ~~consumer protection~~ justice or by the district attorney of the county where the
2 violation occurs.

3 *~~4424/2.213~~* *~~0590/P5.28~~* SECTION 371. 753.061 (2m) of the statutes is
4 amended to read:

5 753.061 (2m) The chief judge of the 1st judicial administrative district is
6 authorized to designate 4 circuit court branches to primarily handle violent crime
7 cases that involve a violation of s. 939.63, if a felony is committed while armed, and
8 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m)~~ and ~~(1r)~~ and 943.32
9 (2). If the circuit court branches are designated under this subsection, 2 shall begin
10 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to
11 primarily handle violent crime cases on August 1, 1992.

12 *~~4187/3.42~~* SECTION 372. 758.19 (5) (b) (intro.) of the statutes, as affected by
13 1999 Wisconsin Act 9, is amended to read:

14 758.19 (5) (b) (intro.) Beginning in 2001, the amount to be distributed each year
15 under this subsection from s. 20.625 (1) (d) is equal to the amount distributed under
16 this subsection in the previous year, adjusted by a percentage that is equal to the
17 percentage change between the U.S. consumer price index for all urban consumers,
18 U.S. city average, for the 12-month period ending on June 30 of the previous year
19 and the U.S. consumer price index for all urban consumers, U.S. city average, for the
20 12-month period ending on June 30 of the year before the previous year, as
21 determined by the federal department of labor. Beginning in 2001, the amount to be
22 distributed under this subsection from s. 20.625 (1) (d) shall be rounded to the
23 nearest multiple of \$100. From the appropriation under s. 20.625 (1) (d), the director
24 of state courts shall make payments to counties totaling \$9,369,800 within 30 days
25 after October 29, 1999, and on every July 1 and January 1 thereafter, which the equal

1 to 50% of the yearly amount on January 1 and 50% of that amount on July 1. The
2 director of state courts shall distribute payments as follows:

3 ***-4187/3.43* SECTION 373.** 758.19 (5) (b) 1. of the statutes, as affected by 1999
4 Wisconsin Act 9, is amended to read:

5 758.19 (5) (b) 1. For each circuit court branch in the county, \$42,275 in 2000.
6 Beginning with the payment made on January 1, 2001, the annual amount paid for
7 each circuit court branch shall equal the amount paid in the previous year under this
8 subdivision plus the increase calculated under par. (b) (intro.), divided by the number
9 of circuit court branches at the time that the payment is made.

10 ***-4424/2.214* SECTION 374.** 758.19 (8) of the statutes is created to read:

11 758.19 (8) By July 1, 2000, the director of state courts shall promulgate rules
12 that establish a procedure by which a sentencing court may modify a bifurcated
13 sentence under s. 973.01 (7m) and that specify the factors that a court may consider
14 when deciding whether to modify a bifurcated sentence. The rules shall provide that
15 a court may modify a bifurcated sentence under s. 973.01 (7m) on its own motion, on
16 a motion of the department of corrections or on a motion of the person serving the
17 sentence. The rules shall also provide that a court and the department of corrections
18 may make a motion to modify a bifurcated sentence at any time and that a person
19 serving a bifurcated sentence may make a motion to modify the bifurcated sentence
20 that he or she is serving if at least 12 months have elapsed since the bifurcated
21 sentence was imposed or since the most recent motion to modify the person's
22 bifurcated sentence was made.

23 ***-4424/2.215* *-3266/P1.143* SECTION 375.** 765.30 (1) (intro.) of the statutes,
24 as affected by 1997 Wisconsin Act 283, is amended to read:

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

3 *~~4424/2.216~~* *~~3266/P1.144~~* **SECTION 376.** 765.30 (2) (intro.) of the statutes,
4 as affected by 1997 Wisconsin Act 283, is amended to read:

5 765.30 (2) (intro.) The following ~~shall~~ may be fined not less than ~~\$100~~ nor more
6 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

7 *~~4424/2.217~~* *~~3266/P1.145~~* **SECTION 377.** 768.07 of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

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

12 *~~4441/1.55~~* **SECTION 378.** 779.93 (title) of the statutes is amended to read:

13 **779.93 (title) Duties of the department of agriculture, trade and**
14 **~~consumer protection justice.~~**

15 *~~4441/1.56~~* **SECTION 379.** 779.93 (1) of the statutes is amended to read:

16 779.93 (1) The department of ~~agriculture, trade and consumer protection~~
17 ~~justice~~ shall investigate violations of this subchapter and attempts to circumvent
18 this subchapter. The department of ~~agriculture, trade and consumer protection~~
19 ~~justice~~ may subpoena persons and records to facilitate its investigations, and may
20 enforce compliance with such subpoenas as provided in s. 885.12.

21 *~~4441/1.57~~* **SECTION 380.** 779.93 (2) (intro.) of the statutes is amended to
22 read:

23 779.93 (2) (intro.) The department of ~~agriculture, trade and consumer~~
24 ~~protection justice~~ may in behalf of the state or in behalf of any person who holds a
25 prepaid maintenance lien:

SECTION 381

1 *~~4424/2.218~~* *~~3266/P1.146~~* **SECTION 381.** 783.07 of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus ~~shall be~~
4 is directed to any public officer, body, board or person, commanding the performance
5 of any duty specially enjoined by law, if it shall appear to the court that such and the
6 officer or person or any member of such the body or board has, without just excuse,
7 refused or neglected to perform the duty so enjoined the court may impose a fine, not
8 exceeding \$5,000, upon every such, the officer, person or member of such the body or
9 board, or sentence the officer, person or member to imprisonment for not more than
10 7 years and 6 months is guilty of a Class H felony.

11 *~~4424/2.219~~* *~~2889/P3.11~~* **SECTION 382.** 801.50 (5) of the statutes is
12 amended to read:

13 801.50 (5) Venue of an action for certiorari to review a probation, extended
14 supervision or parole revocation, a denial by a program review committee under s.
15 302.113 (9g) of a petition for modification of a bifurcated sentence or a refusal of
16 parole by certiorari shall be the county in which the relator was last convicted of an
17 offense for which the relator was on probation, extended supervision or parole or for
18 which the relator is currently incarcerated.

19 *~~4424/2.220~~* *~~2889/P3.12~~* **SECTION 383.** 801.50 (5c) of the statutes is
20 created to read:

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

1 *~~4442/1.1~~* SECTION 384. 814.04 (intro.) of the statutes is amended to read:

2 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.30 (5m),
3 106.04 (6) (i) and (6m) (a), 115.80 (9), 769.313, 814.025, 814.245, 895.035 (4), 895.10
4 (3), 895.75 (3), 895.77 (2), 895.79 (3), 895.80 (3), 943.212 (2) (b), 943.245 (2) (d) and
5 943.51 (2) (b), when allowed, costs shall be as follows:

6 *~~4437/1.5~~* *~~2195/1.6~~* SECTION 385. 814.245 (2) (d) of the statutes is
7 amended to read:

8 814.245 (2) (d) "State agency" does not include the public intervenor or citizens
9 utility board.

10 *~~4442/1.2~~* SECTION 386. 895.10 of the statutes is created to read:

11 **895.10 Tobacco product agreement. (1) DEFINITIONS.** In this section:

12 (a) "Adjusted for inflation" means increased in accordance with the formula for
13 an inflation adjustment set forth in exhibit C of the master settlement agreement.

14 (b) "Affiliate" means a person who directly or indirectly owns or controls, is
15 owned or controlled by or is under common ownership or control with, another
16 person. Solely for the purposes of this definition, "owns", "is owned" and "ownership"
17 mean ownership of an equity interest, or the equivalent thereof, of 10% or more, and
18 the term "person" means an individual, partnership, committee, association,
19 corporation or any other organization or group of persons.

20 (c) "Allocable share" means allocable share as that term is defined in the master
21 settlement agreement.

22 (d) 1. "Cigarette" means any product that contains nicotine, is intended to be
23 burned or heated under ordinary conditions of use, and consists of or contains any
24 of the following:

1 a. Any roll of tobacco wrapped in paper or in any substance not containing
2 tobacco.

3 b. Tobacco, in any form, that is functional in the product, which, because of its
4 appearance, the type of tobacco used in the filler, or its packaging and labeling, is
5 likely to be offered to, or purchased by, consumers as a cigarette.

6 c. Any roll of tobacco wrapped in any substance containing tobacco which,
7 because of its appearance, the type of tobacco used in the filler, or its packaging and
8 labeling, is likely to be offered to, or purchased by, consumers as a cigarette described
9 in subd. 1. a.

10 2. The term “cigarette” includes “roll-your-own” tobacco, which is tobacco that,
11 because of its appearance, type, packaging or labeling, is suitable for use and likely
12 to be offered to, or purchased by, consumers as tobacco for making cigarettes.

13 3. For purposes of this definition of “cigarette”, 0.09 ounces of “roll-your-own”
14 tobacco constitutes one individual “cigarette”.

15 (e) “Master settlement agreement” means the settlement agreement and
16 related documents entered into on November 23, 1998, by this state and the leading
17 U.S. tobacco product manufacturers.

18 (f) “Qualified escrow fund” means an escrow arrangement with a federally or
19 state chartered financial institution having no affiliation with any tobacco product
20 manufacturer and having assets of at least \$1,000,000,000, which arrangement
21 requires that the financial institution hold the escrowed funds’ principal for the
22 benefit of releasing parties and prohibits the tobacco product manufacturer placing
23 the funds into escrow from using, accessing or directing the use of the funds’ principal
24 except as is consistent with sub. (2) (b) 2.

1 (g) “Released claims” means released claims as that term is defined in the
2 master settlement agreement.

3 (h) “Releasing parties” means releasing parties as that term is defined in the
4 master settlement agreement.

5 (i) 1. “Tobacco product manufacturer” means an entity that after the effective
6 date of this subdivision [revisor inserts date], directly, and not exclusively through
7 any affiliate:

8 a. Manufactures cigarettes anywhere, which the manufacturer intends to be
9 sold in the United States, including cigarettes intended to be sold in the United
10 States through an importer, except that “tobacco product manufacturer does not
11 include an entity that manufactures cigarettes that it intends to be sold in the United
12 States if those cigarettes are sold in the United States exclusively through an
13 importer that is an original participating manufacturer, as defined in the master
14 settlement agreement, that will be responsible for the payments under the master
15 settlement agreement with respect to those cigarettes as a result of the provisions
16 of subsection II (mm) of the master settlement agreement and that pays the taxes
17 specified in subsection II (z) of the master settlement agreement, and the
18 manufacturer of those cigarettes does not market or advertise those cigarettes in the
19 United States;

20 b. Is the first purchaser anywhere for resale in the United States, of cigarettes
21 manufactured anywhere that the manufacturer did not intend to be sold in the
22 United States; or

23 c. Becomes a successor of an entity described in subd. 1. a. or b.

24 2. “Tobacco product manufacturer” does not include an affiliate of a tobacco
25 product manufacturer unless the affiliate itself falls within subd. 1. a., b. or c.

1 (j) "Units sold" means the number of individual cigarettes sold in this state by
2 the applicable tobacco product manufacturer, whether directly or through a
3 distributor, retailer or similar intermediary, during the year in question, as
4 measured by the excise taxes collected by this state on containers of "roll-your-own"
5 tobacco and on packs of cigarettes bearing the excise tax stamp of this state.

6 (2) REQUIREMENTS. Any tobacco product manufacturer selling cigarettes to
7 consumers within this state, whether directly or through a distributor, retailer or
8 similar intermediary, after the effective date of this subsection [revisor inserts
9 date], shall do one of the following:

10 (a) Become a participating manufacturer, as that term is defined in section II
11 (jj) of the master settlement agreement, and generally perform its financial
12 obligations under the master settlement agreement; or

13 (b) 1. Place into a qualified escrow fund by April 15 of the year following the
14 listed year the following amounts, as those amounts are adjusted for inflation:

15 a. For 1999: \$.0094241 per unit sold after the effective date of this subdivision
16 paragraph [revisor inserts date].

17 b. For 2000: \$.0104712 per unit sold.

18 c. For each of 2001 and 2002: \$.0136125 per unit sold.

19 d. For each of 2003 to 2006: \$.0167539 per unit sold.

20 e. For each year after 2006: \$.0188482 per unit sold.

21 2. A tobacco product manufacturer that places money into escrow under subd.

22 1. shall receive the interest or other appreciation on that money as earned. The
23 money placed into escrow shall be released from escrow only under the following
24 circumstances:

1 a. To pay a judgment or settlement on any released claim brought against that
2 tobacco product manufacturer by this state or any releasing party located or residing
3 in this state. Moneys shall be released from escrow under this paragraph in the order
4 in which they were placed into escrow and only to the extent and at the time
5 necessary to make payments required under the judgment or settlement.

6 b. To the extent that a tobacco product manufacturer establishes that the
7 amount it was required to place into escrow in a particular year was greater than the
8 state's allocable share of the total payments that the manufacturer would have been
9 required to make in that year under the master settlement agreement had it been
10 a participating manufacturer, as those payments are determined under section IX
11 (i) (2) of the master settlement agreement and before any of the adjustments or
12 offsets described in section IX (i) (3) of that agreement other than the inflation
13 adjustment, the excess shall be released from escrow and revert to that tobacco
14 product manufacturer.

15 c. To the extent not released from escrow under subd. 2. a. or b., money shall
16 be released from escrow and revert to the tobacco product manufacturer twenty-five
17 years after the date on which the money was placed into escrow.

18 3. Each tobacco product manufacturer that elects to place money into escrow
19 under subd. 1. shall annually certify to the attorney general by each April 15 that the
20 tobacco product manufacturer is in compliance with subds. 1. and 2. The attorney
21 general may bring a civil action on behalf of the state against any tobacco product
22 manufacturer that fails to place into escrow the moneys required under this
23 subsection. Any tobacco product manufacturer that fails in any year to place into
24 escrow the money required under subd. 1. shall:

1 a. Be required within 15 days to place money into escrow as shall bring the
2 tobacco product manufacturer into compliance with this subsection. The court, upon
3 a finding of violation of this paragraph, may impose a civil penalty in an amount not
4 to exceed 5% of the amount improperly withheld from escrow per day of the violation
5 and in a total amount not to exceed 100% of the original amount improperly withheld
6 from escrow.

7 b. In the case of a knowing violation, be required within 15 days to place such
8 funds into escrow as shall bring it into compliance with this subsection. The court,
9 upon a finding of a knowing violation of this paragraph, may impose a civil penalty
10 in an amount not to exceed 15% of the amount improperly withheld from escrow per
11 day of the violation and in a total amount not to exceed 300% of the original amount
12 improperly withheld from escrow.

13 c. In the case of a second or subsequent knowing violation, be prohibited from
14 selling cigarettes to consumers within this state directly or through a distributor,
15 retailer or similar intermediary for a period not to exceed 2 years.

16 4. Each failure to make an annual deposit required under this subsection shall
17 constitute a separate violation.

18 **(3) AWARDS OF COSTS AND ATTORNEY FEES.** If the attorney general is the prevailing
19 party in an action under this section, the court shall award the attorney general costs
20 and, notwithstanding s. 814.04 (1), reasonable attorney fees.

21 **(4) PROMULGATION OF RULES.** The department of revenue shall promulgate the
22 rules necessary to ascertain the amount of Wisconsin excise tax paid on the cigarettes
23 of each tobacco product manufacturer for each year.

24 *~~4424/2.221~~* *~~3370/P2.5~~* **SECTION 387.** 911.01 (4) (c) of the statutes is
25 amended to read:

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

7 *~~4424/2.222~~* *~~0590/P5.29~~* SECTION 388. 938.208 (1) (a) of the statutes is
8 amended to read:

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

14 *~~4424/2.223~~* *~~0590/P5.30~~* SECTION 389. 938.34 (4h) (a) of the statutes is
15 amended to read:

16 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated
17 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,
18 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~
19 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1) or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or the
20 juvenile is 10 years of age or over and has been adjudicated delinquent for attempting
21 or committing a violation of s. 940.01 or for committing a violation of 940.02 or
22 940.05.

23 *~~4424/2.224~~* *~~0590/P5.31~~* SECTION 390. 938.34 (4m) (b) 1. of the statutes
24 is amended to read:

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

5 *~~4424/2.225~~* *~~0590/P5.32~~* SECTION 391. 938.355 (2d) (b) 3. of the statutes
6 is amended to read:

7 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),
8 1997 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025
9 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,
10 if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),
11 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that
12 the violation resulted in great bodily harm, as defined in s. ~~938.22~~ 939.22 (14), or in
13 substantial bodily harm, as defined in s. ~~938.22~~ 939.22 (38), to the juvenile or another
14 child of the parent.

15 *~~4424/2.226~~* *~~0590/P5.33~~* SECTION 392. 938.355 (4) (b) of the statutes is
16 amended to read:

17 938.355 (4) (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile
18 has been adjudicated delinquent is subject to par. (a), except that the judge may make
19 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th
20 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)
21 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation
22 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
23 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
24 juvenile is adjudicated delinquent for committing an act that would be punishable
25 as a Class A felony if committed by an adult.

1 *~~4424/2.227~~* *~~0590/P5.34~~* **SECTION 393.** 938.78 (3) of the statutes, as
2 affected by 1999 Wisconsin Act 9, is amended to read:

3 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.
4 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,
5 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.
6 943.23 (1m) or (1r), 1997 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,
7 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,
8 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r),~~ 943.32 (2), 948.02,
9 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in
10 ch. 940 has escaped from a secured correctional facility, child caring institution,
11 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention
12 facility or juvenile portion of a county jail, or from the custody of a peace officer or
13 a guard of such a facility, institution or jail, or has been allowed to leave a secured
14 correctional facility, child caring institution, secured group home, inpatient facility,
15 secure detention facility or juvenile portion of a county jail for a specified time period
16 and is absent from the facility, institution, home or jail for more than 12 hours after
17 the expiration of the specified period, the department or county department having
18 supervision over the juvenile may release the juvenile's name and any information
19 about the juvenile that is necessary for the protection of the public or to secure the
20 juvenile's return to the facility, institution, home or jail. The department of
21 corrections shall promulgate rules establishing guidelines for the release of the
22 juvenile's name or information about the juvenile to the public.

23 *~~4424/2.228~~* **SECTION 394.** 939.22 (21) (d) of the statutes is amended to read:

24 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery,~~ as
25 prohibited in s. 940.19 or 940.195.

1 *~~4424/2.229~~* *~~0590/P5.35~~* **SECTION 395.** 939.30 (1) of the statutes is
2 amended to read:

3 939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever,
4 with intent that a felony be committed, advises another to commit that crime under
5 circumstances that indicate unequivocally that he or she has the intent is guilty of
6 a Class ~~D~~ H felony.

7 *~~4424/2.230~~* *~~0590/P5.36~~* **SECTION 396.** 939.30 (2) of the statutes is
8 amended to read:

9 939.30 (2) For a solicitation to commit a crime for which the penalty is life
10 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit
11 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

12 *~~4424/2.231~~* **SECTION 397.** 939.32 (1) (intro.) of the statutes is amended to
13 read:

14 939.32 (1) GENERALLY. (intro.) Whoever attempts to commit a felony or a crime
15 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~
16 ~~exceed one-half the maximum penalty for the completed crime; as provided under~~
17 sub. (1g), except:

18 *~~4424/2.232~~* **SECTION 398.** 939.32 (1) (b) of the statutes is repealed.

19 *~~4424/2.233~~* **SECTION 399.** 939.32 (1) (bm) of the statutes is created to read:

20 939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one
21 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being
22 applied, is guilty of a Class A misdemeanor.

23 *~~4424/2.234~~* **SECTION 400.** 939.32 (1g) of the statutes is created to read:

24 939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit
25 a crime that is punishable under sub. (1) (intro.) is as follows:

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

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

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

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

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

11 *~~4424/2.235~~* SECTION 401. 939.32 (1m) of the statutes is created to read:

12 939.32 (1m) BIFURCATED SENTENCES. If the court imposes a bifurcated sentence
13 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.
14 (1) (intro.), the following requirements apply:

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

21 2. Subject to the minimum term of extended supervision required under s.
22 973.01 (2) (d), if the crime is a classified felony and s. 939.62 is being applied, the
23 court shall determine the maximum term of confinement in prison by the following
24 method:

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

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

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

9 (c) *Maximum term of confinement for attempt to commit unclassified felony or*
10 *misdemeanor.* The court shall determine the maximum term of confinement in
11 prison for an attempt to commit a crime other than a classified felony by applying
12 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)
13 (b).

14 *~~4424/2.236~~* SECTION 402. 939.32 (2) (title) of the statutes is created to read:
15 939.32 (2) (title) MISDEMEANORS.

16 *~~4424/2.237~~* SECTION 403. 939.32 (3) (title) of the statutes is created to read:
17 939.32 (3) (title) REQUIREMENTS.

18 *~~4424/2.238~~* *~~0590/P5.37~~* SECTION 404. 939.50 (1) (intro.) of the statutes
19 is amended to read:

20 939.50 (1) (intro.) ~~Except as provided in ss. 946.83 and 946.85, felonies~~ Felonies
21 ~~in chs. 939 to 951 the statutes~~ are classified as follows:

22 *~~4424/2.239~~* *~~0590/P5.38~~* SECTION 405. 939.50 (1) (bc) of the statutes is
23 repealed.

24 *~~4424/2.240~~* *~~0590/P5.39~~* SECTION 406. 939.50 (1) (f) of the statutes is
25 created to read: