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1 recommended time period may not exceed the time remaining on the bifurcated  
2 sentence, as calculated under par. (a).

3 **SECTION 145.** 302.113 (9) (d) of the statutes is created to read:

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

10 **SECTION 146.** 302.113 (9g) of the statutes is 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

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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

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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

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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

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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 **SECTION 147.** 302.114 (3) (a) (intro.) of the statutes is amended to read:

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

12 **SECTION 148.** 302.114 (5) (f) of the statutes is amended to read:

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

18 **SECTION 149.** 302.114 (6) (b) of the statutes is amended to read:

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

24 **SECTION 150.** 302.114 (6) (c) of the statutes is amended to read:

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1           302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she  
2 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,  
3 and shall inform the victim of the manner in which he or she may provide written  
4 statements concerning the inmate's petition for release to extended supervision.

5           **SECTION 151.** 302.114 (8m) of the statutes is created to read:

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

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

20           **SECTION 152.** 302.114 (9) of the statutes is amended to read:

21           302.114 (9) (a) If a person released to extended supervision under this section  
22 violates a condition of extended supervision, the division of hearings and appeals in  
23 the department of administration, upon proper notice and hearing, or the  
24 department of corrections, if the person on extended supervision waives a hearing,  
25 may revoke the extended supervision of the person and ~~return the person to prison.~~

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

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

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

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1 The procedures specified in sub. (5) (am) to (f) apply to a petition filed under this  
2 paragraph.

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

6 **SECTION 153.** 302.114 (9) (d) of the statutes is created to read:

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

13 **SECTION 154.** 302.33 (1) of the statutes is amended to read:

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

22 **SECTION 155.** 302.43 of the statutes is amended to read:

23 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
24 in the amount of one-fourth of his or her term for good behavior if sentenced to at  
25 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit



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1 for time served prior to sentencing under s. 973.155, including good time under s.  
2 973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her  
3 to participate in a drug treatment program, violates any law or any regulation of the  
4 jail, or neglects or refuses to perform any duty lawfully required of him or her, may  
5 be deprived by the sheriff of good time under this section, except that the sheriff shall  
6 not deprive the inmate of more than 2 days good time for any one offense without the  
7 approval of the court. An inmate who files an action or special proceeding, including  
8 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be  
9 deprived of the number of days of good time specified in the court order prepared  
10 under s. 807.15 (3).

11 **SECTION 156.** 303.065 (1) (b) 1. of the statutes is amended to read:

12 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
13 specified in subd. 2., may be considered for work release only after he or she has  
14 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever  
15 is applicable, or he or she has reached his or her extended supervision eligibility date  
16 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

17 **SECTION 157.** 303.08 (1) (intro.) of the statutes is amended to read:

18 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
19 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
20 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
21 necessary and reasonable hours for any of the following purposes:

22 **SECTION 158.** 303.08 (2) of the statutes is amended to read:

23 303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
24 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
25 the department, the ~~prisoner~~ person is sentenced to ordinary confinement. The A

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1 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
2 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
3 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
4 court may withdraw the privilege at any time by order entered with or without notice.

5 **SECTION 159.** 303.08 (5) (intro.) of the statutes is amended to read:

6 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
7 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the  
8 wages, salary and unemployment insurance and employment training benefits  
9 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
10 the order stated:

11 **SECTION 160.** 303.08 (6) of the statutes is amended to read:

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

18 **SECTION 161.** 303.08 (12) of the statutes is amended to read:

19 303.08 (12) In counties having a house of correction, any person violating the  
20 privilege granted under sub. (1) may be transferred by the county jailer to the house  
21 of correction for the remainder of the term of the person's sentence or, if applicable,  
22 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
23 (8m).

24 **SECTION 162.** 304.06 (1) (b) of the statutes is amended to read:

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

16          **SECTION 163.** 304.071 (2) of the statutes is amended to read:

17                304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1997 stats.  
18                or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
19                or she is not eligible for parole under this section.

20          **SECTION 164.** 341.605 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
21          is amended to read:

22                341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
23                ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
24                guilty of a Class H felony

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1           **SECTION 165.** 342.06 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           342.06 (2) Any person who knowingly makes a false statement in an  
4 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
5 ~~not more than 7 years and 6 months or both~~ is guilty of a Class II felony.

6           **SECTION 166.** 342.065 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
7 283, is amended to read:

8           342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
9 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
10 ~~or both~~ is guilty of a Class H felony.

11           **SECTION 167.** 342.155 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
12 283, is amended to read:

13           342.155 (4) (b) Any person who violates this section with intent to defraud may  
14 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
15 or both is guilty of Class H felony.

16           **SECTION 168.** 342.156 (6) (b) of the statutes, as affected by 1997 Wisconsin Act  
17 283, is amended to read:

18           342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
19 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
20 ~~or both~~ is guilty of a Class H felony.

21           **SECTION 169.** 342.30 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
22 283, is amended to read:

23           342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~  
24 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
25 Class H felony.

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1           **SECTION 170.** 342.32 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

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

6           **SECTION 171.** 343.31 (1) (i) of the statutes is amended to read:

7           343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under  
8 s. 346.04 (3).

9           **SECTION 172.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

10          343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting  
11 to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege  
12 revoked as follows:

13          **SECTION 173.** 343.44 (2) (b) (intro.) of the statutes is amended to read:

14          343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates  
15 sub. (1) (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more  
16 than one year in the county jail or both. In imposing a sentence under this  
17 paragraph, or a local ordinance in conformity with this paragraph, the court shall  
18 review the record and consider the following:

19          **SECTION 174.** 344.48 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21          344.48 (2) Any person violating this section may be fined not more than \$1,000  
22 \$10,000 or imprisoned for not more than 2 years 9 months or both.

23          **SECTION 175.** 346.04 (2t) of the statutes is created to read:

24          346.04 (2t) No operator of a vehicle, after having received a visible or audible  
25 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall

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1 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as  
2 safety reasonably permits.

3 **SECTION 176.** 346.04 (4) of the statutes is created to read:

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

7 **SECTION 177.** 346.17 (2t) of the statutes is created to read:

8 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
9 \$10,000 or imprisoned for not more than 9 months or both.

10 **SECTION 178.** 346.17 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
13 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~  
14 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

15 **SECTION 179.** 346.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act  
16 283, is amended to read:

17 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
18 to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
19 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~  
20 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

21 **SECTION 180.** 346.17 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
22 283, is amended to read:

23 346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
24 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~  
25 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

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1           **SECTION 181.** 346.17 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
2 283, is amended to read:

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

6           **SECTION 182.** 346.175 (1) (a) of the statutes is amended to read:

7           346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
8 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
9 the violation as provided in this section.

10           **SECTION 183.** 346.175 (1) (b) of the statutes is amended to read:

11           346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
12 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
13 section if the person operating the vehicle or having the vehicle under his or her  
14 control at the time of the violation has been convicted for the violation under this  
15 section or under s. 346.04 (2t) or (3).

16           **SECTION 184.** 346.175 (4) (b) of the statutes is amended to read:

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

24           **SECTION 185.** 346.175 (4) (c) of the statutes is amended to read:

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1           346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of  
2 the violation the vehicle was in the possession of a lessee, and the lessor provides a  
3 traffic officer employed by the authority issuing the citation with the information  
4 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under  
5 this section or under s. 346.04 (2t) or (3).

6           **SECTION 186.** 346.175 (4) (d) of the statutes is amended to read:

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

14           **SECTION 187.** 346.175 (5) (intro.) of the statutes is amended to read:

15           346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
16 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

17           **SECTION 188.** 346.175 (5) (a) of the statutes is amended to read:

18           346.175 (5) (a) A vehicle owner or other person found liable under this section  
19 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
20 more than \$1,000.

21           **SECTION 189.** 346.65 (2) (e) of the statutes is amended to read:

22           346.65 (2) (e) Except as provided in par. (f), is guilty of a Class H felony and shall  
23 be fined not less than \$600 ~~not more than \$2,000~~ and imprisoned for not less than  
24 6 months ~~not more than 5 years~~ if the total number of suspensions, revocations and  
25 convictions counted under s. 343.307 (1) equals 5 or more, except that suspensions,



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1 revocations or convictions arising out of the same incident or occurrence shall be  
2 counted as one.

3 **SECTION 190.** 346.65 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
4 is amended to read:

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

8 **SECTION 191.** 346.74 (5) (b) of the statutes, as affected by 1997 Wisconsin Act  
9 283, is amended to read:

10 346.74 (5) (b) ~~Shall~~ May be fined not less than ~~\$300~~ nor more than \$5,000  
11 \$10,000 or imprisoned for not less than ~~10 days~~ nor more than ~~2 years~~ 9 months or  
12 both if the accident involved injury to a person but the person did not suffer great  
13 bodily harm.

14 **SECTION 192.** 346.74 (5) (c) of the statutes, as affected by 1997 Wisconsin Act  
15 283, is amended to read:

16 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
17 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person  
18 and the person suffered great bodily harm.

19 **SECTION 193.** 346.74 (5) (d) of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21 346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
22 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
23 death to a person.

24 **SECTION 194.** 350.11 (2m) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

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

5           **SECTION 195.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

6           **SECTION 196.** 351.07 (2) (b) of the statutes is repealed.

7           **SECTION 197.** 446.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
8 amended to read:

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

12           **SECTION 198.** 447.09 of the statutes, as affected by 1997 Wisconsin Act 283, is  
13 amended to read:

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

19           **SECTION 199.** 450.11 (9) (b) of the statutes, as affected by 1997 Wisconsin Act  
20 283, is amended to read:

21           450.11 (9) (b) Any person who delivers, or who possesses with intent to  
22 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~  
23 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
24 is guilty of a Class H felony.

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1           **SECTION 200.** 450.14 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~  
4 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
5 ~~and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 201.** 450.15 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

8           450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~  
9 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
10 ~~and 6 months or both~~ is guilty of a Class H felony.

11           **SECTION 202.** 551.58 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
12 is amended to read:

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

21           **SECTION 203.** 552.19 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
22 is amended to read:

23           552.19 (1) Any person, including a controlling person of an offeror or target  
24 company, who wilfully violates this chapter or any rule under this chapter, or any  
25 order of which the person has notice, ~~may be fined not more than \$5,000 or~~

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1 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
2 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
3 conviction for any one of the offenses does not bar prosecution or conviction for any  
4 other offense.

5 **SECTION 204.** 553.52 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
6 is amended to read:

7 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
8 which the person has notice, or who violates s. 553.41 (1) knowing or having  
9 reasonable cause to believe either that the statement made was false or misleading  
10 in any material respect or that the failure to report a material event under s. 553.31  
11 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
12 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
13 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
14 conviction for any one of those offenses does not bar prosecution or conviction for any  
15 other offense.

16 **SECTION 205.** 553.52 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
17 is amended to read:

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

24 **SECTION 206.** 562.13 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
25 is amended to read:

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1           562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
2 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

3           **SECTION 207.** 562.13 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
4 is amended to read:

5           562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~  
6 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
7 ~~or both~~ is guilty of a Class H felony.

8           **SECTION 208.** 565.50 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

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

14          **SECTION 209.** 565.50 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
15 is amended to read:

16          565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
17 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
18 more than ~~3 years~~ 9 months or both.

19          **SECTION 210.** 601.64 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21          601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
22 permits any person over whom he or she has authority to violate or intentionally aids  
23 any person in violating any insurance statute or rule of this state, s. 149.13 or  
24 149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I  
25 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~

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1 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
2 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the  
3 meaning expressed under s. 939.23.

4 **SECTION 211.** 641.19 (4) (a) of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

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

13 **SECTION 212.** 641.19 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
14 283, is amended to read:

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

21 **SECTION 213.** 753.061 (2m) of the statutes is amended to read:

22 753.061 (2m) The chief judge of the 1st judicial administrative district is  
23 authorized to designate 4 circuit court branches to primarily handle violent crime  
24 cases that involve a violation of s. 939.63, if a felony is committed while armed, and  
25 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m)~~ and ~~(1r)~~ and 943.32

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1 (2). If the circuit court branches are designated under this subsection, 2 shall begin  
2 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
3 primarily handle violent crime cases on August 1, 1992.

4 **SECTION 214.** 758.19 (8) of the statutes is created to read:

5 758.19 (8) By July 1, 2000, the director of state courts shall promulgate rules  
6 that establish a procedure by which a sentencing court may modify a bifurcated  
7 sentence under s. 973.01 (7m) and that specify the factors that a court may consider  
8 when deciding whether to modify a bifurcated sentence. The rules shall provide that  
9 a court may modify a bifurcated sentence under s. 973.01 (7m) on its own motion, on  
10 a motion of the department of corrections or on a motion of the person serving the  
11 sentence. The rules shall also provide that a court and the department of corrections  
12 may make a motion to modify a bifurcated sentence at any time and that a person  
13 serving a bifurcated sentence may make a motion to modify the bifurcated sentence  
14 that he or she is serving if at least 12 months have elapsed since the bifurcated  
15 sentence was imposed or since the most recent motion to modify the person's  
16 bifurcated sentence was made.

17 **SECTION 215.** 765.30 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
18 Act 283, is amended to read:

19 765.30 (1) (intro.) The following ~~shall~~ may be fined not less than ~~\$200~~ nor more  
20 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

21 **SECTION 216.** 765.30 (2) (intro.) of the statutes, as affected by 1997 Wisconsin  
22 Act 283, is amended to read:

23 765.30 (2) (intro.) The following ~~shall~~ may be fined not less than ~~\$100~~ nor more  
24 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

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1           **SECTION 217.** 768.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
2 amended to read:

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

6           **SECTION 218.** 783.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
7 amended to read:

8           **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
9 is directed to any public officer, body, board or person, commanding the performance  
10 of any duty specially enjoined by law, ~~if it shall appear to the court that such and the~~  
11 officer or person or any member of such ~~the~~ body or board has, without just excuse,  
12 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
13 ~~exceeding \$5,000, upon every such, the~~ officer, person or member of such ~~the~~ body or  
14 board, ~~or sentence the officer, person or member to imprisonment for not more than~~  
15 ~~7 years and 6 months~~ is guilty of a Class H felony.

16           **SECTION 219.** 801.50 (5) of the statutes is amended to read:

17           801.50 (5) Venue of an action for certiorari to review a probation, extended  
18 supervision or parole revocation, a denial by a program review committee under s.  
19 302.113 (9g) of a petition for modification of a bifurcated sentence or a refusal of  
20 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an  
21 offense for which the relator was on probation, extended supervision or parole or for  
22 which the relator is currently incarcerated.

23           **SECTION 220.** 801.50 (5c) of the statutes is created to read:

24           801.50 (5c) Venue of an action for certiorari brought by the department of  
25 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke



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1 extended supervision shall be in the county in which the person on extended  
2 supervision was convicted of the offense for which he or she is on extended  
3 supervision.

4 **SECTION 221.** 911.01 (4) (c) of the statutes is amended to read:

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

11 **SECTION 222.** 938.208 (1) (a) of the statutes is amended to read:

12 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
13 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
14 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~  
15 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
16 committed by an adult.

17 **SECTION 223.** 938.34 (4h) (a) of the statutes is amended to read:

18 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated  
19 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
20 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~  
21 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1) or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or the  
22 juvenile is 10 years of age or over and has been adjudicated delinquent for attempting  
23 or committing a violation of s. 940.01 or for committing a violation of 940.02 or  
24 940.05.

25 **SECTION 224.** 938.34 (4m) (b) 1. of the statutes is amended to read:

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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           **SECTION 225.** 938.355 (2d) (b) 3. of the statutes is amended to read:

6           938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
7 1997 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025  
8 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,  
9 if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),  
10 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that  
11 the violation resulted in great bodily harm, as defined in s. ~~938.22~~ 939.22 (14), or in  
12 substantial bodily harm, as defined in s. ~~938.22~~ 939.22 (38), to the juvenile or another  
13 child of the parent.

14           **SECTION 226.** 938.355 (4) (b) of the statutes is amended to read:

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

24           **SECTION 227.** 938.78 (3) of the statutes, as affected by 1999 Wisconsin Act 9,  
25 is amended to read:

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

21           **SECTION 228.** 939.22 (21) (d) of the statutes is amended to read:

22           939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
23           prohibited in s. 940.19 or 940.195.

24           **SECTION 229.** 939.30 (1) of the statutes is amended to read:

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

5           **SECTION 230.** 939.30 (2) of the statutes is amended to read:

6           939.30 (2) For a solicitation to commit a crime for which the penalty is life  
7 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
8 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

9           **SECTION 231.** 939.32 (1) (intro.) of the statutes is amended to read:

10           939.32 (1) GENERALLY (intro.) Whoever attempts to commit a felony or a crime  
11 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~  
12 ~~exceed one-half the maximum penalty for the completed crime; as provided under~~  
13 sub. (1g), except:

14           **SECTION 232.** 939.32 (1) (b) of the statutes is repealed.

15           **SECTION 233.** 939.32 (1) (bm) of the statutes is created to read:

16           939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
17 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
18 applied, is guilty of a Class A misdemeanor.

19           **SECTION 234.** 939.32 (1g) of the statutes is created to read:

20           939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit  
21 a crime that is punishable under sub. (1) (intro.) is as follows:

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

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

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

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

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

7           **SECTION 235.** 939.32 (1m) of the statutes is created to read:

8           939.32 (1m) BIFURCATED SENTENCES. If the court imposes a bifurcated sentence  
9 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.  
10 (1) (intro.), the following requirements apply:

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

17           2. Subject to the minimum term of extended supervision required under s.  
18 973.01 (2) (d), if the crime is a classified felony and s. 939.62 is being applied, the  
19 court shall determine the maximum term of confinement in prison by the following  
20 method:

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

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

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

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

10           **SECTION 236.** 939.32 (2) (title) of the statutes is created to read:

11           939.32 (2) (title) MISDEMEANORS.

12           **SECTION 237.** 939.32 (3) (title) of the statutes is created to read:

13           939.32 (3) (title) REQUIREMENTS.

14           **SECTION 238.** 939.50 (1) (intro.) of the statutes is amended to read:

15           939.50 (1) (intro.) ~~Except as provided in ss. 946.83 and 946.85, felonies~~ Felonies  
16 in chs. 939 to 951 the statutes are classified as follows:

17           **SECTION 239.** 939.50 (1) (bc) of the statutes is repealed.

18           **SECTION 240.** 939.50 (1) (f) of the statutes is created to read:

19           939.50 (1) (f) Class F felony.

20           **SECTION 241.** 939.50 (1) (g) of the statutes is created to read:

21           939.50 (1) (g) Class G felony.

22           **SECTION 242.** 939.50 (1) (h) of the statutes is created to read:

23           939.50 (1) (h) Class H felony.

24           **SECTION 243.** 939.50 (1) (i) of the statutes is created to read:

25           939.50 (1) (i) Class I felony.

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1           **SECTION 244.** 939.50 (2) of the statutes is amended to read:

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

4           **SECTION 245.** 939.50 (3) (bc) of the statutes, as affected by 1997 Wisconsin Act  
5 283, is repealed.

6           **SECTION 246.** 939.50 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
7 283, is amended to read:

8           939.50 (3) (c) For a Class C felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
9 imprisonment not to exceed ~~15~~ 40 years, or both.

10           **SECTION 247.** 939.50 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
11 283, is amended to read:

12           939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
13 imprisonment not to exceed ~~10~~ 25 years, or both.

14           **SECTION 248.** 939.50 (3) (e) of the statutes, as affected by 1997 Wisconsin Act  
15 283, is amended to read:

16           939.50 (3) (e) For a Class E felony, a fine not to exceed ~~\$10,000~~ \$50,000 or  
17 imprisonment not to exceed ~~5~~ 15 years, or both.

18           **SECTION 249.** 939.50 (3) (f) of the statutes is created to read:

19           939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
20 not to exceed 12 years and 6 months, or both.

21           **SECTION 250.** 939.50 (3) (g) of the statutes is created to read:

22           939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
23 not to exceed 10 years, or both.

24           **SECTION 251.** 939.50 (3) (h) of the statutes is created to read:

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

3           **SECTION 252.** 939.50 (3) (i) of the statutes is created to read:

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

6           **SECTION 253.** 939.615 (7) (b) 2. of the statutes is amended to read:

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

9           **SECTION 254.** 939.615 (7) (c) of the statutes is repealed.

10          **SECTION 255.** 939.62 (1) (a) of the statutes is amended to read:

11          939.62 (1) (a) A maximum term of imprisonment of one year or less may be  
12 increased to not more than ~~3~~ 2 years.

13          **SECTION 256.** 939.62 (1) (b) of the statutes is amended to read:

14          939.62 (1) (b) A maximum term of imprisonment of more than one year but not  
15 more than 10 years may be increased by not more than 2 years if the prior convictions  
16 were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for  
17 a felony.

18          **SECTION 257.** 939.62 (1) (c) of the statutes is amended to read:

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

22          **SECTION 258.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

23          939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony  
24 is that is a Class A, B or C felony or, if the felony was committed before December 31,  
25 1999, that was punishable by a maximum prison term of 30 years or more.



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1           **SECTION 259.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

2           939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m)  
3 or (1r), 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., or s.  
4 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
5 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
6 (1m) or (1r), 943.32 (2), 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,  
7 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

8           **SECTION 260.** 939.622 of the statutes is repealed.

9           **SECTION 261.** 939.623 of the statutes is repealed.

10          **SECTION 262.** 939.624 of the statutes is repealed.

11          **SECTION 263.** 939.625 of the statutes is repealed.

12          **SECTION 264.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)  
13 (d), (2) and (3), as renumbered, are amended to read:

14           939.63 (1) (d) The maximum term of imprisonment for a felony not specified  
15 in ~~subd. 2. or 3.~~ par (b) or (c) may be increased by not more than 3 years.

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

19           (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to  
20 951 and 961.

21          **SECTION 265.** 939.63 (2) of the statutes is repealed.

22          **SECTION 266.** 939.632 (1) (e) 1. of the statutes is amended to read:

23           939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1)  
24 (1c), 940.19 (2), (3), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
25 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1) or

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1 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~  
2 ~~(1) (b) or (c) or 948.36.~~

3 **SECTION 267.** 939.632 (2) of the statutes is amended to read:

4 939.632 (2) If a person commits a violent crime in a school zone, the maximum  
5 period term of imprisonment is increased as follows:

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

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

11 **SECTION 268.** 939.635 of the statutes, as affected by 1999 Wisconsin Act 9, is  
12 repealed.

13 **SECTION 269.** 939.64 of the statutes is repealed.

14 **SECTION 270.** 939.641 of the statutes is repealed.

15 **SECTION 271.** 939.645 (2) of the statutes is amended to read:

16 939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
17 misdemeanor other than a Class A misdemeanor, the revised maximum fine is  
18 \$10,000 and the revised maximum period term of imprisonment is one year in the  
19 county jail.

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

24 (c) If the crime committed under sub. (1) is a felony, the maximum fine  
25 prescribed by law for the crime may be increased by not more than \$5,000 and the

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1 maximum period term of imprisonment prescribed by law for the crime may be  
2 increased by not more than 5 years.

3 **SECTION 272.** 939.646 of the statutes is repealed.

4 **SECTION 273.** 939.647 of the statutes is repealed.

5 **SECTION 274.** 939.648 of the statutes is repealed.

6 **SECTION 275.** 939.72 (1) of the statutes is amended to read:

7 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
8 party to a crime which is the objective of the solicitation; or

9 **SECTION 276.** 939.75 (1) of the statutes is amended to read:

10 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02  
11 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)  
12 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to  
13 (e) ~~and (1b)~~, "unborn child" means any individual of the human species from  
14 fertilization until birth that is gestating inside a woman.

15 **SECTION 277.** 940.02 (2) (intro.) of the statutes is amended to read:

16 940.02 (2) (intro.) Whoever causes the death of another human being under any  
17 of the following circumstances is guilty of a Class ~~B~~ C felony:

18 **SECTION 278.** 940.03 of the statutes is amended to read:

19 **940.03 Felony murder.** Whoever causes the death of another human being  
20 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
21 (a), 943.02, 943.10 (2), 943.23 (1g) or 943.32 (2) may be imprisoned for not more than  
22 20 15 years in excess of the maximum period term of imprisonment provided by law  
23 for that crime or attempt.

24 **SECTION 279.** 940.04 (1) of the statutes is amended to read:

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

4           **SECTION 280.** 940.04 (2) (intro.) of the statutes is amended to read:

5           940.04 (2) (intro.) Any person, other than the mother, who does either of the  
6 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

7           **SECTION 281.** 940.04 (4) of the statutes is amended to read:

8           940.04 (4) Any pregnant woman who intentionally destroys the life of her  
9 unborn quick child or who consents to such destruction by another ~~may be~~  
10 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

11           **SECTION 282.** 940.06 (1) of the statutes is amended to read:

12           940.06 (1) Whoever recklessly causes the death of another human being is  
13 guilty of a Class C D felony.

14           **SECTION 283.** 940.06 (2) of the statutes is amended to read:

15           940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
16 a Class C D felony.

17           **SECTION 284.** 940.07 of the statutes is amended to read:

18           **940.07 Homicide resulting from negligent control of vicious animal.**  
19 Whoever knowing the vicious propensities of any animal intentionally allows it to go  
20 at large or keeps it without ordinary care, if such animal, while so at large or not  
21 confined, kills any human being who has taken all the precautions which the  
22 circumstances may permit to avoid such animal, is guilty of a Class C G felony.

23           **SECTION 285.** 940.08 (1) of the statutes is amended to read:

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

4           **SECTION 286.** 940.08 (2) of the statutes is amended to read:

5           940.08 (2) Whoever causes the death of an unborn child by the negligent  
6 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D  
7 G felony.

8           **SECTION 287.** 940.09 (1) (intro.) of the statutes is amended to read:

9           940.09 (1) (intro.) Any person who does any of the following is ~~guilty of a Class~~  
10 B felony may be penalized as provided in sub. (1c):

11           **SECTION 288.** 940.09 (1b) of the statutes is repealed.

12           **SECTION 289.** 940.09 (1c) of the statutes is created to read:

13           940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
14 guilty of a Class D felony.

15           (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
16 one or more prior convictions, suspensions or revocations, as counted under s.  
17 343.307 (2).

18           **SECTION 290.** 940.10 (1) of the statutes is amended to read:

19           940.10 (1) Whoever causes the death of another human being by the negligent  
20 operation or handling of a vehicle is guilty of a Class E G felony.

21           **SECTION 291.** 940.10 (2) of the statutes is amended to read:

22           940.10 (2) Whoever causes the death of an unborn child by the negligent  
23 operation or handling of a vehicle is guilty of a Class E G felony.

24           **SECTION 292.** 940.11 (1) of the statutes is amended to read:

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

4           **SECTION 293.** 940.11 (2) of the statutes is amended to read:

5           940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
6 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class D G  
7 felony.

8           **SECTION 294.** 940.12 of the statutes is amended to read:

9           **940.12 Assisting suicide.** Whoever with intent that another take his or her  
10 own life assists such person to commit suicide is guilty of a Class D H felony.

11           **SECTION 295.** 940.15 (2) of the statutes is amended to read:

12           940.15 (2) Whoever intentionally performs an abortion after the fetus or  
13 unborn child reaches viability, as determined by reasonable medical judgment of the  
14 woman's attending physician, is guilty of a Class E I felony.

15           **SECTION 296.** 940.15 (5) of the statutes is amended to read:

16           940.15 (5) Whoever intentionally performs an abortion and who is not a  
17 physician is guilty of a Class E I felony.

18           **SECTION 297.** 940.15 (6) of the statutes is amended to read:

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

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1           **SECTION 298.** 940.19 (2) of the statutes is amended to read:

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

5           **SECTION 299.** 940.19 (3) of the statutes is repealed.

6           **SECTION 300.** 940.19 (4) of the statutes is amended to read:

7           940.19 (4) Whoever causes great bodily harm to another by an act done with  
8 intent to cause bodily harm to that person or another is guilty of a Class ~~D~~ H felony.

9           **SECTION 301.** 940.19 (5) of the statutes is amended to read:

10          940.19 (5) Whoever causes great bodily harm to another by an act done with  
11 intent to cause ~~either substantial bodily harm or great bodily harm~~ to that person  
12 or another is guilty of a Class ~~C~~ E felony.

13          **SECTION 302.** 940.19 (6) (intro.) of the statutes is amended to read:

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

18          **SECTION 303.** 940.195 (2) of the statutes is amended to read:

19          940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
20 act done with intent to cause bodily harm to that unborn child, to the woman who is  
21 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

22          **SECTION 304.** 940.195 (3) of the statutes is repealed.

23          **SECTION 305.** 940.195 (4) of the statutes is amended to read:

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

4           **SECTION 306.** 940.195 (5) of the statutes is amended to read:

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

9           **SECTION 307.** 940.195 (6) of the statutes is repealed.

10          **SECTION 308.** 940.20 (1) of the statutes is amended to read:

11          940.20 (1) **BATTERY BY PRISONERS.** Any prisoner confined to a state prison or  
12 other state, county or municipal detention facility who intentionally causes bodily  
13 harm to an officer, employe, visitor or another inmate of such prison or institution,  
14 without his or her consent, is guilty of a Class **D H** felony.

15          **SECTION 309.** 940.20 (1m) of the statutes is amended to read:

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

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

24          **SECTION 310.** 940.20 (2) of the statutes is amended to read:



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1           940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS. Whoever  
2 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those  
3 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the  
4 person knows or has reason to know that the victim is a law enforcement officer or  
5 fire fighter, by an act done without the consent of the person so injured, is guilty of  
6 a Class D H felony.

7           **SECTION 311.** 940.20 (2m) (b) of the statutes is amended to read:

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

13           **SECTION 312.** 940.20 (3) of the statutes is amended to read:

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

18           **SECTION 313.** 940.20 (4) of the statutes is amended to read:

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

23           **SECTION 314.** 940.20 (5) (b) of the statutes is amended to read:

24           940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
25 district or school district officer or employe acting in that capacity, and the person

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1 knows or has reason to know that the victim is a technical college district or school  
2 district officer or employe, without the consent of the person so injured, is guilty of  
3 a Class E I felony.

4 **SECTION 315.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

5 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
6 under any of the following circumstances is guilty of a Class E I felony:

7 **SECTION 316.** 940.20 (7) (b) of the statutes is amended to read:

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

14 **SECTION 317.** 940.201 (2) (intro.) of the statutes is amended to read:

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

17 **SECTION 318.** 940.203 (2) (intro.) of the statutes is amended to read:

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

21 **SECTION 319.** 940.205 (2) (intro.) of the statutes is amended to read:

22 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
23 cause bodily harm to the person or family member of any department of revenue  
24 official, employe or agent under all of the following circumstances is guilty of a Class  
25 D H felony:

**BILL**

1           **SECTION 320.** 940.207 (2) (intro.) of the statutes is amended to read:

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

6           **SECTION 321.** 940.21 of the statutes is amended to read:

7           **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
8 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
9 guilty of a Class **B C** felony.

10          **SECTION 322.** 940.22 (2) of the statutes is amended to read:

11          940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
12 or herself out to be a therapist and who intentionally has sexual contact with a  
13 patient or client during any ongoing therapist-patient or therapist-client  
14 relationship, regardless of whether it occurs during any treatment, consultation,  
15 interview or examination, is guilty of a Class **C F** felony. Consent is not an issue in  
16 an action under this subsection.

17          **SECTION 323.** 940.225 (2) (intro.) of the statutes is amended to read:

18          940.225 (2) **SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the  
19 following is guilty of a Class **BC C** felony:

20          **SECTION 324.** 940.225 (3) of the statutes is amended to read:

21          940.225 (3) **THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse  
22 with a person without the consent of that person is guilty of a Class **D G** felony.  
23 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
24 without the consent of that person is guilty of a Class **D G** felony.

25          **SECTION 325.** 940.23 (1) (a) of the statutes is amended to read:

**BILL**

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

4           **SECTION 326.** 940.23 (1) (b) of the statutes is amended to read:

5           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
6 under circumstances that show utter disregard for the life of that unborn child, the  
7 woman who is pregnant with that unborn child or another is guilty of a Class C D  
8 felony.

9           **SECTION 327.** 940.23 (2) (a) of the statutes is amended to read:

10          940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
11 being is guilty of a Class D F felony.

12          **SECTION 328.** 940.23 (2) (b) of the statutes is amended to read:

13          940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
14 is guilty of a Class D F felony.

15          **SECTION 329.** 940.24 (1) of the statutes is amended to read:

16          940.24 (1) Whoever causes bodily harm to another by the negligent operation  
17 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

18          **SECTION 330.** 940.24 (2) of the statutes is amended to read:

19          940.24 (2) Whoever causes bodily harm to an unborn child by the negligent  
20 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E  
21 I felony.

22          **SECTION 331.** 940.25 (1) (intro.) of the statutes is amended to read:

23          940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
24 D F felony:

25          **SECTION 332.** 940.25 (1b) of the statutes is repealed.

**BILL**

1           **SECTION 333.** 940.285 (2) (b) 1g. of the statutes is amended to read:

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

5           **SECTION 334.** 940.285 (2) (b) 1m. of the statutes is amended to read:

6           940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
7 cause great bodily harm is guilty of a Class ~~C~~ F felony.

8           **SECTION 335.** 940.285 (2) (b) 1r. of the statutes is amended to read:

9           940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are  
10 likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating  
11 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
12 guilty of a Class I felony.

13           **SECTION 336.** 940.285 (2) (b) 2. of the statutes is amended to read:

14           940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
15 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
16 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
17 of a Class I felony.

18           **SECTION 337.** 940.285 (2) (b) 3. of the statutes is repealed.

19           **SECTION 338.** 940.29 of the statutes is amended to read:

20           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
21 employed in a penal or correctional institution or other place of confinement who  
22 abuses, neglects or ill-treats any person confined in or a resident of any such  
23 institution or place or who knowingly permits another person to do so is guilty of a  
24 Class ~~E~~ I felony.

25           **SECTION 339.** 940.295 (3) (b) 1g. of the statutes is amended to read:

**BILL**

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

5           **SECTION 340.** 940.295 (3) (b) 1m. of the statutes is amended to read:

6           940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
7 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

8           **SECTION 341.** 940.295 (3) (b) 1r. of the statutes is amended to read:

9           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
10 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty  
11 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
12 likely to cause great bodily harm is guilty of a Class G felony.

13           **SECTION 342.** 940.295 (3) (b) 2. of the statutes is amended to read:

14           940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
15 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
16 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
17 of a Class I felony.

18           **SECTION 343.** 940.295 (3) (b) 3. of the statutes is amended to read:

19           940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)  
20 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is  
21 guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances  
22 that are likely to cause great bodily harm is guilty of a Class I felony.

23           **SECTION 344.** 940.30 of the statutes is amended to read:

**BILL**

1           **940.30 False imprisonment.** Whoever intentionally confines or restrains  
2 another without the person's consent and with knowledge that he or she has no  
3 lawful authority to do so is guilty of a Class ~~E~~ H felony.

4           **SECTION 345.** 940.305 (1) of the statutes is amended to read:

5           940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
6 imminent force seizes, confines or restrains a person without the person's consent  
7 and with the intent to use the person as a hostage in order to influence a person to  
8 perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~  
9 B felony.

10           **SECTION 346.** 940.305 (2) of the statutes is amended to read:

11           940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
12 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as  
13 a hostage is released without bodily harm.

14           **SECTION 347.** 940.31 (1) (intro.) of the statutes is amended to read:

15           940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
16 felony:

17           **SECTION 348.** 940.31 (2) (a) of the statutes is amended to read:

18           940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with  
19 intent to cause another to transfer property in order to obtain the release of the victim  
20 is guilty of a Class ~~A~~ B felony.

21           **SECTION 349.** 940.31 (2) (b) of the statutes is amended to read:

22           940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer  
23 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
24 the victim is released without permanent physical injury prior to the time the first  
25 witness is sworn at the trial.

**BILL**

1           **SECTION 350.** 940.32 (2) (intro.) of the statutes is amended to read:

2           940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class

3 ~~A misdemeanor~~ I felony:

4           **SECTION 351.** 940.32 (2m) of the statutes is amended to read:

5           940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
6 intentionally gains access to a record in electronic format that contains personally  
7 identifiable information regarding the victim in order to facilitate the violation  
8 under sub. (2).

9           **SECTION 352.** 940.32 (3) (intro.) of the statutes is amended to read:

10           940.32 (3) (intro.) Whoever violates sub. (2) under any of the following  
11 circumstances is guilty of a Class ~~E~~ H felony:

12           **SECTION 353.** 940.32 (3m) (intro.) of the statutes is amended to read:

13           940.32 (3m) (intro.) Whoever violates sub. (3) under all of the following  
14 circumstances is guilty of a Class ~~D~~ G felony:

15           **SECTION 354.** 940.43 (intro.) of the statutes is amended to read:

16           **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
17 940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

18           **SECTION 355.** 940.45 (intro.) of the statutes is amended to read:

19           **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
20 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

21           **SECTION 356.** 941.11 (intro.) of the statutes is amended to read:

22           **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
23 following is guilty of a Class ~~D~~ H felony:

24           **SECTION 357.** 941.12 (1) of the statutes is amended to read:



**BILL**

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

4           **SECTION 358.** 941.20 (2) (intro.) of the statutes is amended to read:

5           941.20 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ G  
6 felony:

7           **SECTION 359.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

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

12           **SECTION 360.** 941.21 of the statutes is amended to read:

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

20           **SECTION 361.** 941.235 (1) of the statutes is amended to read:

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

24           **SECTION 362.** 941.26 (2) (a) of the statutes is amended to read:

25           941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class ~~E~~ H felony.

**BILL**

1           **SECTION 363.** 941.26 (2) (b) of the statutes is amended to read:

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

3           **SECTION 364.** 941.26 (2) (e) of the statutes is amended to read:

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

7           **SECTION 365.** 941.26 (2) (f) of the statutes is amended to read:

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

12           **SECTION 366.** 941.26 (2) (g) of the statutes is amended to read:

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

19           **SECTION 367.** 941.26 (4) (d) of the statutes is amended to read:

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

24           **SECTION 368.** 941.26 (4) (e) of the statutes is amended to read:

**BILL**

1           941.26 (4) (e) Whoever uses a device or container described under par. (a)  
2 during his or her commission of another crime to cause bodily harm or bodily  
3 discomfort to another or who threatens to use the device or container during his or  
4 her commission of another crime to incapacitate another person is guilty of a Class  
5 E H felony.

6           **SECTION 369.** 941.28 (3) of the statutes is amended to read:

7           941.28 (3) Any person violating this section is guilty of a Class E H felony.

8           **SECTION 370.** 941.29 (2) (intro.) of the statutes is amended to read:

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

11           **SECTION 371.** 941.29 (2m) of the statutes is repealed.

12           **SECTION 372.** 941.295 (1) of the statutes is amended to read:

13           941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
14 with any electric weapon is guilty of a Class E H felony.

15           **SECTION 373.** 941.296 (2) (intro.) of the statutes is amended to read:

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

19           **SECTION 374.** 941.296 (3) of the statutes is repealed.

20           **SECTION 375.** 941.298 (2) of the statutes is amended to read:

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

23           **SECTION 376.** 941.30 (1) of the statutes is amended to read:

**BILL**

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

4           **SECTION 377.** 941.30 (2) of the statutes is amended to read:

5           941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
6 recklessly endangers another's safety is guilty of a Class **E G** felony.

7           **SECTION 378.** 941.31 (1) of the statutes is amended to read:

8           941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
9 explosive compound or offers to do the same, either with intent to use such explosive  
10 to commit a crime or knowing that another intends to use it to commit a crime, is  
11 guilty of a Class **C F** felony.

12           **SECTION 379.** 941.31 (2) (b) of the statutes is amended to read:

13           941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
14 transfers any improvised explosive device, or possesses materials or components  
15 with intent to assemble any improvised explosive device, is guilty of a Class **E H**  
16 felony.

17           **SECTION 380.** 941.315 (3) (intro.) of the statutes is amended to read:

18           941.315 (3) (intro.) Whoever does any of the following is guilty of a Class **D H**  
19 felony:

20           **SECTION 381.** 941.32 of the statutes is amended to read:

21           **941.32 Administering dangerous or stupefying drug.** Whoever  
22 administers to another or causes another to take any poisonous, stupefying,  
23 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
24 commission of a crime is guilty of a Class **C F** felony.

25           **SECTION 382.** 941.325 of the statutes is amended to read:

**BILL**

1           **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
2 or other substances in candy or other liquid or solid edibles with the intent to cause  
3 bodily harm to another person is guilty of a Class ~~E~~ I felony.

4           **SECTION 383.** 941.327 (2) (b) 1. of the statutes is amended to read:

5           941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.  
6 (a) is guilty of a Class ~~E~~ I felony.

7           **SECTION 384.** 941.327 (2) (b) 2. of the statutes is amended to read:

8           941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great  
9 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

10          **SECTION 385.** 941.327 (2) (b) 3. of the statutes is amended to read:

11          941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
12 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

13          **SECTION 386.** 941.327 (2) (b) 4. of the statutes is amended to read:

14          941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is  
15 guilty of a Class ~~A~~ C felony.

16          **SECTION 387.** 941.327 (3) of the statutes is amended to read:

17          941.327 (3) Whoever intentionally imparts or conveys false information,  
18 knowing the information to be false, concerning an act or attempted act which, if  
19 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

20          **SECTION 388.** 941.37 (3) of the statutes is amended to read:

21          941.37 (3) Any person who intentionally interferes with any emergency  
22 medical personnel in the performance of duties relating to an emergency or rescue  
23 and who has reasonable grounds to believe that the interference may endanger  
24 another's safety is guilty of a Class ~~E~~ I felony.

25          **SECTION 389.** 941.37 (4) of the statutes is amended to read:

**BILL**

1           941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
2 death of another is guilty of a Class ~~C~~ E felony.

3           **SECTION 390.** 941.38 (1) (b) 4. of the statutes is amended to read:

4           941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as  
5 prohibited in s. 940.19 or 940.195.

6           **SECTION 391.** 941.38 (2) of the statutes is amended to read:

7           941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
8 activity is guilty of a Class ~~E~~ I felony.

9           **SECTION 392.** 943.01 (2) (intro.) of the statutes is amended to read:

10           943.01 (2) (intro.) Any person violating sub. (1) under any of the following  
11 circumstances is guilty of a Class ~~D~~ I felony:

12           **SECTION 393.** 943.01 (2) (d) of the statutes is amended to read:

13           943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
14 in value by more than ~~\$1,000~~ \$2,000. For the purposes of this paragraph, property  
15 is reduced in value by the amount which it would cost either to repair or replace it,  
16 whichever is less.

17           **SECTION 394.** 943.01 (2g) of the statutes is repealed.

18           **SECTION 395.** 943.011 (2) (intro.) of the statutes is amended to read:

19           943.011 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ I  
20 felony:

21           **SECTION 396.** 943.012 (intro.) of the statutes is amended to read:

22           **943.012 Criminal damage to or graffiti on religious and other property.**  
23 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
24 writes with ink or another substance on or intentionally etches into any physical  
25 property of another, without the person's consent and with knowledge of the

**BILL**

1 character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one  
2 or more of the following:

3 **SECTION 397.** 943.013 (2) (intro.) of the statutes is amended to read:

4 943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
5 to any physical property that belongs to a judge or his or her family member under  
6 all of the following circumstances is guilty of a Class ~~D~~ I felony:

7 **SECTION 398.** 943.014 (2) of the statutes is amended to read:

8 943.014 (2) Whoever intentionally demolishes a historic building without a  
9 permit issued by a city, village, town or county or without an order issued under s.  
10 66.05 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~  
11 ~~building and the land upon which the building is located immediately prior to~~  
12 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A  
13 misdemeanor.

14 **SECTION 399.** 943.015 (2) (intro.) of the statutes is amended to read:

15 943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
16 to any physical property which belongs to a department of revenue official, employe  
17 or agent or his or her family member under all of the following circumstances is guilty  
18 of a Class ~~D~~ I felony:

19 **SECTION 400.** 943.017 (2) (intro.) of the statutes is amended to read:

20 943.017 (2) (intro.) Any person violating sub. (1) under any of the following  
21 circumstances is guilty of a Class ~~D~~ I felony:

22 **SECTION 401.** 943.017 (2) (d) of the statutes is amended to read:

23 943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced  
24 in value by more than ~~\$1,000~~ \$2,000. For the purposes of this paragraph, property

**BILL**

1 is reduced in value by the amount which it would cost to repair or replace it or to  
2 remove the marking, drawing, writing or etching, whichever is less.

3 **SECTION 402.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

4 943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~  
5 I felony:

6 **SECTION 403.** 943.02 (1) (intro.) of the statutes is amended to read:

7 943.02 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
8 felony:

9 **SECTION 404.** 943.03 of the statutes is amended to read:

10 **943.03 Arson of property other than building.** Whoever, by means of fire,  
11 intentionally damages any property (other than a building) of another without the  
12 person's consent, if the property is of the value of \$100 or more, is guilty of a Class  
13 ~~E~~ I felony.

14 **SECTION 405.** 943.04 of the statutes is amended to read:

15 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages  
16 any property (other than a building) with intent to defraud an insurer of that  
17 property is guilty of a Class ~~D~~ H felony. Proof that the actor recovered or attempted  
18 to recover on a policy of insurance by reason of the fire is relevant but not essential  
19 to establish the actor's intent to defraud the insurer.

20 **SECTION 406.** 943.06 (2) of the statutes is amended to read:

21 943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or  
22 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

23 **SECTION 407.** 943.07 (1) of the statutes is amended to read:

24 943.07 (1) Whoever intentionally causes damage or who causes another person  
25 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,



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1 tunnel or signal or any railroad property used in providing rail services, which could  
2 cause an injury, accident or derailment is guilty of a Class A ~~misdemeanor~~ I felony.

3 **SECTION 408.** 943.07 (2) of the statutes is amended to read:

4 943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
5 train, car, caboose or engine is guilty of a Class A ~~misdemeanor~~ I felony.

6 **SECTION 409.** 943.10 (1) (intro.) of the statutes is amended to read:

7 943.10 (1) (intro.) Whoever intentionally enters any of the following places  
8 without the consent of the person in lawful possession and with intent to steal or  
9 commit a felony in such place is guilty of a Class ~~C~~ F felony:

10 **SECTION 410.** 943.10 (2) (intro.) of the statutes is amended to read:

11 943.10 (2) (intro.) Whoever violates sub. (1) under any of the following  
12 circumstances is guilty of a Class ~~B~~ E felony:

13 **SECTION 411.** 943.12 of the statutes is amended to read:

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

19 **SECTION 412.** 943.20 (3) (a) of the statutes is amended to read:

20 943.20 (3) (a) If the value of the property does not exceed ~~\$1,000~~ \$2,000, is  
21 guilty of a Class A misdemeanor.

22 **SECTION 413.** 943.20 (3) (b) of the statutes is amended to read:

23 943.20 (3) (b) If the value of the property exceeds ~~\$1,000~~ \$2,000 but does not  
24 \$2,500 exceed \$5,000, is guilty of a Class ~~E~~ I felony.

25 **SECTION 414.** 943.20 (3) (bm) of the statutes is created to read:

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1           943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed  
2 \$10,000, is guilty of a Class H felony.

3           **SECTION 415.** 943.20 (3) (c) of the statutes is amended to read:

4           943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of  
5 a Class ~~C~~ G felony.

6           **SECTION 416.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

7           943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~  
8 any of the following circumstances ~~exist~~ exists, is guilty of a Class D H felony:

9           **SECTION 417.** 943.20 (3) (d) 1. of the statutes is amended to read:

10           943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

11           **SECTION 418.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
12 amended to read:

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

15           **SECTION 419.** 943.20 (3) (d) 3. of the statutes is amended to read:

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

19           **SECTION 420.** 943.20 (3) (d) 4. of the statutes is amended to read:

20           943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
21 the proximity of battle has necessitated its removal from a building; ~~or,~~

22           **SECTION 421.** 943.201 (2) of the statutes is amended to read:

23           943.201 (2) Whoever intentionally uses or attempts to use any personal  
24 identifying information or personal identification document of an individual to  
25 obtain credit, money, goods, services or anything else of value without the

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1 authorization or consent of the individual and by representing that he or she is the  
2 individual or is acting with the authorization or consent of the individual is guilty  
3 of a Class ~~D~~ H felony.

4 **SECTION 422.** 943.205 (3) of the statutes is amended to read:

5 943.205 (3) Anyone who violates this section is guilty of a Class ~~E~~ I felony.

6 **SECTION 423.** 943.21 (3) (a) of the statutes is amended to read:

7 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
8 beverage, food, lodging, accommodation, transportation or other service is \$1,000  
9 \$2,000 or less.

10 **SECTION 424.** 943.21 (3) (b) of the statutes is amended to read:

11 943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,  
12 food, lodging, accommodation, transportation or other service exceeds ~~\$1,000~~ \$2,000.

13 **SECTION 425.** 943.23 (1g) of the statutes is amended to read:

14 943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of,  
15 or the threat of the use of, force or the weapon against another, intentionally takes  
16 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

17 **SECTION 426.** 943.23 (1m) of the statutes is repealed.

18 **SECTION 427.** 943.23 (1r) of the statutes is repealed.

19 **SECTION 428.** 943.23 (2) of the statutes is amended to read:

20 943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
21 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
22 H felony.

23 **SECTION 429.** 943.23 (3) of the statutes is amended to read:

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

4           **SECTION 430.** 943.23 (3m) of the statutes is created to read:

5           943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.  
6 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
7 after the vehicle was taken from the possession of the owner. An affirmative defense  
8 under this subsection mitigates the offense to a Class A misdemeanor. A defendant  
9 who raises this affirmative defense has the burden of proving the defense by a  
10 preponderance of the evidence.

11           **SECTION 431.** 943.23 (4m) of the statutes is amended to read:

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

16           **SECTION 432.** 943.23 (5) of the statutes is amended to read:

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

21           **SECTION 433.** 943.24 (1) of the statutes is amended to read:

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

25           **SECTION 434.** 943.24 (2) of the statutes is amended to read: