

1 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following  
2 penalties:

3 1. For the first offense, the person is guilty of a Class I felony, except that,  
4 notwithstanding the maximum fine specified in s. <sup>✓</sup>939.50 (3) (i), the person may be  
5 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3  
6 years or both.

7 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,  
8 except that, notwithstanding the maximum fine specified in s. <sup>✓</sup>939.50 (3) (i), the  
9 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not  
10 more than 3 years or both.

11 **SECTION 107.** 167.10 (9) (g) of the statutes, as affected by 1997 Wisconsin Act  
12 283 is amended to read:

13 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
14 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned for not more  
15 than 15 years or both is guilty of a Class G felony.

16 **SECTION 108.** 175.20 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
17 is amended to read:

18 175.20 (3) Any person who violates any of the provisions of this section shall  
19 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be  
20 imprisoned for not less than 30 days nor more than 2-years 9 months or both. In  
21 addition, the court may revoke the license or licenses of the person or persons  
22 convicted.

23 **SECTION 109.** 180.0129 (2) of the statutes, as affected by 1997 Wisconsin Act  
24 283 is amended to read:

1 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~  
2 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

3 SECTION 110. 181.0129 (2) of the statutes, as affected by 1997 Wisconsin Act  
4 283, is amended to read:

5 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~  
6 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
7 felony.

8 SECTION 111. 185.825 of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

10 **185.825 Penalty for false document.** Whoever causes a document to be  
11 filed, knowing it to be false in any material respect, ~~may be fined not more than~~  
12 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a  
13 Class I felony.

14 SECTION 112. 200.09 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
15 is amended to read:

16 200.09 (2) Every director, president, secretary or other official or agent of any  
17 public service corporation, who shall practice fraud or knowingly make any false  
18 statement to secure a certificate of authority to issue any security, or issue under a  
19 certificate so obtained and with knowledge of such fraud, or false statement, or  
20 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~  
21 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~  
22 ~~15 years or both~~ is guilty of a Class I felony.

23 SECTION 113. 214.93 of the statutes, as affected by 1997 Wisconsin Act 283, is  
24 amended to read:

1           **214.93 False statements.** A person may not knowingly make, cause, or allow  
2 another person to make or cause to be made, a false statement, under oath if required  
3 by this chapter or on any report or statement required by the division or by this  
4 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
5 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

6           **SECTION 114.** 215.02 (6) (b) of the statutes, as affected by 1997 Wisconsin Act

7           283 is amended to read:

8           215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
9 debtor of any association or any information about the private account or  
10 transactions of such association, discloses any fact obtained in the course of any  
11 examination of any association, or discloses examination or other confidential  
12 information obtained from any state or federal regulatory authority, including an  
13 authority of this state or another state, for financial institutions, mortgage bankers,  
14 insurance or securities, except as provided in par. (a), he or she is guilty of a Class  
15 I felony and shall forfeit his or her office or position and may be fined not less than  
16 \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than  
17 3 years or both.

18           **SECTION 115.** 215.12 of the statutes, as affected by 1997 Wisconsin Act 283 is  
19 amended to read:

20           **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
21 director, employe or agent of any association who steals, abstracts, or wilfully  
22 misapplies any property of the association, whether owned by it or held in trust, or  
23 who, without authority, issues or puts forth any certificate of savings accounts,  
24 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
25 in any book, record, report or statement of the association with intent to injure or

1 defraud the association or any person or corporation, or to deceive any officer or  
2 director of the association, or any other person, or any agent appointed to examine  
3 the affairs of such association, or any person who, with like intent, aids or abets any  
4 officer, director, employe or agent in the violation of this section, shall be imprisoned  
5 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

6 SECTION 116. 215.21 (21) of the statutes, as affected by 1997 Wisconsin Act 283,  
7 is amended to read:

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

19 SECTION 117. 218.21 (7) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21 218.21 (7) Any person who knowingly makes a false statement in an  
22 application for a motor vehicle salvage dealer license ~~may be fined not more than~~  
23 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
24 Class II felony.

1           **SECTION 118.** 220.06 (2) of the statutes as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

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

11           **SECTION 119.** 221.0625 (2) (intro.) of the statutes as affected by 1997 Wisconsin  
12 Act 283, is amended to read:

13           221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
14 of this section, directly or indirectly does any of the following may be imprisoned for  
15 not more than 15 years is guilty of a Class F felony:

16           **SECTION 120.** 221.0636 (2) of the statutes as affected by 1997 Wisconsin Act  
17 283, is amended to read:

18           221.0636 (2) PENALTY. Any person who violates sub. (1) may be imprisoned for  
19 not more than 30 years is guilty of a Class H felony.

20           **SECTION 121.** 221.0637 (2) of the statutes as affected by 1997 Wisconsin Act  
21 283, is amended to read:

22           221.0637 (2) PENALTIES. Any person who violates sub. (1) may be fined not more  
23 than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I  
24 felony.

1 SECTION 122. 221.1004 (2) of the statutes, as affected by 1997 Wisconsin Act

2 283, is amended to read:

3 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~  
4 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~  
5 ~~than 15 years or both~~ is guilty of a Class F felony.

6 SECTION 123. 227.01 (13) (sm) of the statutes is created to read:

7 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

8 SECTION 124. 230.08 (2) (L) 6. of the statutes is created to read:

9 230.08 (2) (L) 6. Sentencing commission.

10 SECTION 125. 230.08 (2) (of) of the statutes is created to read:

11 230.08 (2) (of) The executive director of the sentencing commission.

12 SECTION 126. 253.06 (4) (b) of the statutes is amended to read:

13 253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~  
14 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~  
15 ~~of a Class I felony~~ for the first offense and ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~  
17 ~~felony~~ for the 2nd or subsequent offense.

18 SECTION 127. 285.87 (2) (b) of the statutes, as affected by 1997 Wisconsin Act

19 283, is amended to read:

20 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
21 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except  
22 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may  
23 be fined not more than \$50,000 per day of violation ~~or imprisoned for not more than~~  
24 ~~3 years or both.~~

1 SECTION 128. 291.97 (2) (b) (intro.) of the statutes as affected by 1997

2 Wisconsin Act 283 is amended to read:

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

7 SECTION 129. 291.97 (2) (c) 1. and 2. of the statutes, as affected by 1997

8 Wisconsin Act 283 are amended to read:

9 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall  
10 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified  
11 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000  
12 or imprisoned for not more than 2 years or both.

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

17 SECTION 130. 299.53 (4) (c) 2. of the statutes, as affected by 1997 Wisconsin Act

18 283 is amended to read:

19 299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
20 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
21 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
22 subsequent violation, the person shall is guilty of a Class I felony, except that,  
23 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
24 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

25 SECTION 131. 301.035 (2) of the statutes is amended to read:

**SECTION 131**

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

4           **SECTION 132.** 301.035 (4) of the statutes is amended to read:

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

9           **SECTION 133.** 301.26 (4) (cm) 1. of the statutes, as affected by 1999 Wisconsin

10 Act 9 is amended to read:

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

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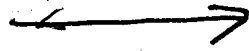
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1 SECTION 134. 302.095 (2) of the statutes, as affected by 1997 Wisconsin Act 283,

2 is amended to read:

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

14 SECTION 135. 302.11 (1g) (a) 2. of the statutes is amended to read:

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

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21 SECTION 136. 302.11 (1p) of the statutes is amended to read:

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22 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1997 stats., for  
23 a crime committed before December 31, 1999, is entitled to mandatory release,  
24 except the inmate may not be released before he or she has complied with s. 961.49

25 (2), 1997 stats.

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1 SECTION 137. 302.113 (2) of the statutes is amended to read:

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

7 SECTION 138. 302.113 (7) of the statutes is amended to read:

8 302.113 (7) Any person released to extended supervision under this section is  
9 subject to all conditions and rules of extended supervision until the expiration of the  
10 term of extended supervision portion of the bifurcated sentence. The department  
11 may set conditions of extended supervision in addition to any conditions of extended  
12 supervision set by the court under sub. (7m) or s. 973.01 (5) if the conditions set by  
13 the department do not conflict with the court's conditions.

14 SECTION 139. 302.113 (7m) of the statutes is created to read:

15 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section  
16 or the department may petition the sentencing court to modify any conditions of  
17 extended supervision set by the court.

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

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

5 (d) A person subject to this section<sup>✓</sup> or the department may appeal an order  
6 entered by the court under this subsection. The appellate court may reverse the  
7 order only if it determines that the sentencing court erroneously exercised its  
8 discretion in granting or denying the petition.

9 (e) 1. An inmate may not petition the court to modify the conditions of extended  
10 supervision earlier than one year before the date of the inmate's scheduled date of  
11 release to extended supervision or more than once before the inmate's release to  
12 extended supervision.

13 2. A person subject to this section may not petition the court to modify the  
14 conditions of extended supervision within one year after the inmate's release to  
15 extended supervision. If a person subject to this section files a petition authorized  
16 by this subsection<sup>✓</sup> after his or her release from confinement, the person may not file  
17 another petition until one year after the date of filing the former petition.

18 **SECTION 140.** 302.113 (8m) of the statutes is created to read:

19 302.113 (8m) (a) Every person released to extended supervision under this  
20 section remains in the legal custody of the department. If the department alleges  
21 that any condition or rule of extended supervision has been violated by the person,  
22 the department may take physical custody of the person for the investigation of the  
23 alleged violation.

24 (b) If a person released to extended supervision under this section signs a  
25 statement admitting a violation of a condition or rule of extended supervision, the

1 department may, as a sanction for the violation, confine the person for up to 90 days  
 2 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
 3 If the department confines the person in a county jail under this <sup>✓</sup> paragraph, the  
 4 department shall reimburse the county for its actual costs in confining the person  
 5 from the appropriations under s. 20.410 (1) (ab) and (b). <sup>✓</sup> Notwithstanding s. <sup>✓</sup>302.43,  
 6 the person is not eligible to earn good time credit on any period of confinement  
 7 imposed under this subsection.

8 *Fix component* SECTION 141. 302.113 (9) <sup>(a)</sup> *renumbered 302.113 (9) (am) and* of the statutes is <sup>✓</sup> amended to read:

9 302.113 (9) <sup>(a)</sup> If a person released to extended supervision under this section  
 10 violates a condition of extended supervision, the ~~division of hearings and appeals in~~  
 11 ~~the department of administration, upon proper notice and hearing, or the~~  
 12 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
 13 *reviewing authority* may revoke the extended supervision of the person and return the person to prison.

14 If the extended supervision of the person is revoked, the person shall be returned to  
 15 the circuit court for the county in which the person was convicted of the offense for  
 16 which he or she was on extended supervision, and the court shall order the person  
 17 to be returned to prison, he or she shall be returned to prison for any specified period  
 18 of time that does not exceed the time remaining on the bifurcated sentence. The time  
 19 remaining on the bifurcated sentence is the total length of the bifurcated sentence,  
 20 less time served by the person in custody <sup>confinement</sup> under the sentence before release to  
 21 extended supervision under sub. (2) <sup>✓</sup> and less all time served in <sup>confinement</sup> custody for previous  
 22 revocations of extended supervision under the sentence. The ~~revocation court~~ order  
 23 returning a person to prison under this paragraph shall provide the person on whose  
 24 extended supervision was revoked with credit in accordance with ss. 304.072 and  
 25 973.155.

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SECTION #  
AM 302.113(9)(b) (3)  
302.113(9)

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(b) A person who is returned to prison after revocation of extended supervision shall be incarcerated for the entire period of time specified by the department of corrections in the case of a waiver or by the division of hearings and appeals in the department of administration in the case of a hearing court under par. (a). <sup>(am)</sup> The period of time specified under par. (a) <sup>(am)</sup> may be extended in accordance with sub. (3). If a person is returned to prison under par. (a) <sup>am</sup> for a period of time that is less than the time remaining on the bifurcated sentence, the person shall be released to extended supervision after he or she has served the period of time specified by the court under par. (a) and any periods of extension imposed in accordance with sub. (3).

SECTION #  
AM 302.113 (9)(c)

302.113(9) (3)

(c) A person who is subsequently released to extended supervision after service of the period of time specified by the department of corrections in the case of a waiver or by the division of hearings and appeals in the department of administration in the case of a hearing court under par. (a) <sup>(am)</sup> is subject to all conditions and rules under sub. subs. (7) and, if applicable, (7m) <sup>(am)</sup> until the expiration of the term of remaining extended supervision portion of the bifurcated sentence. The remaining extended supervision portion of the bifurcated sentence is the total length of the bifurcated sentence, less the time served by the person in confinement under the bifurcated sentence before release to extended supervision under sub. (2) <sup>(t)</sup> and less all time served in confinement for previous revocations of extended supervision under the bifurcated sentence.

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SECTION 142. 302.113 (9) (am) of the statutes is created to read:

302.113 (9) (am) <sup>(t)</sup> When a person is returned to court under par. (a) <sup>(m)</sup> after revocation of extended supervision, the division of hearings and appeals in the department of administration, in the case of a hearing, or the department of corrections, in the case of a waiver, shall make a recommendation to the court

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1 concerning the period of time for which the person should be returned to prison. The  
2 recommended time period may not exceed the time remaining on the bifurcated  
3 sentence, as calculated under par. (a).

4 SECTION 143. 302.113 (9) (c) of the statutes is created to read:

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

11 SECTION 144. 302.113 (9g) of the statutes is created to read:

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

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

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

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

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

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

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

21 (e) At a hearing scheduled under par. (d),<sup>✓</sup> the inmate has the burden of proving  
22 by the greater weight of the credible evidence that a modification of the bifurcated  
23 sentence in the manner specified in par. (f)<sup>✓</sup> would serve the public interest. If the  
24 inmate proves that a modification of the bifurcated sentence in the manner specified  
25 in par. (f) would serve the public interest, the court shall modify the inmate's

1 bifurcated sentence in that manner. If the inmate does not prove that a modification  
2 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
3 interest, the court shall deny the inmate's petition for modification of the bifurcated  
4 sentence.

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

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

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

13 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).<sup>✓</sup>

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

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



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

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

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

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

1 committee under par. (c). If an inmate whose petition has been referred to the court  
2 under par. (c) is without counsel, the court shall refer the matter to the state public  
3 defender for determination of indigency and appointment of counsel under s. 977.05  
4 (4) (jm).

5 **SECTION 145.** 302.114 (5) (f) of the statutes is amended to read:

6 302.114 (5) (f) An inmate may appeal an order denying his or her petition for  
7 release to extended supervision. In an appeal under this paragraph, the appellate  
8 court may reverse an order denying a petition for release to extended supervision  
9 only if it determines that the sentencing court ~~improperly~~ <sup>✓</sup> erroneously exercised its  
10 discretion in denying the petition for release to extended supervision.

11 **SECTION 146.** 302.114 (6) (b) of the statutes is amended to read:

12 302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ <sup>✓</sup> (bm) for  
13 release to extended supervision under this section, the clerk of the circuit court in  
14 which the petition is filed shall send a copy of the petition and, if a hearing is  
15 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
16 the victim has submitted a card under par. (e) requesting notification.

17 **SECTION 147.** 302.114 (6) (c) of the statutes is amended to read:

18 302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she  
19 may appear at the hearing under sub. (5) or (9) ~~(b)~~ <sup>✓</sup> (bm), if a hearing is scheduled,  
20 and shall inform the victim of the manner in which he or she may provide written  
21 statements concerning the inmate's petition for release to extended supervision.

22 **SECTION 148.** 302.114 (8m) of the statutes is created to read:

23 302.114 (8m) (a) Every person released to extended supervision under this  
24 section remains in the legal custody of the department. If the department alleges  
25 that any condition or rule of extended supervision has been violated by the person,

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1 the department may take physical custody of the person for the investigation of the  
2 alleged violation.

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

*renumbered 302.114(9)(am) and*

*Fix component*

12

SECTION 149. 302.114 (9)<sup>(a)</sup> of the statutes is amended to read:

13 302.114 (9)<sup>m</sup> (a) If a person released to extended supervision under this section  
14 violates a condition of extended supervision, the ~~division of hearings and appeals in~~  
15 ~~the department of administration, upon proper notice and hearing, or the~~  
16 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
17 ~~may revoke the extended supervision of the person and return the person to prison.~~  
18 If the extended supervision of the person is revoked, the person shall be returned to  
19 the circuit court for the county in which the person was convicted of the offense for  
20 which he or she was on extended supervision, and the court shall order the person  
21 to be returned to prison, he or she shall be returned to prison for a specified period  
22 of time, as provided under par. (b) before he or she is eligible for being released again  
23 to extended supervision. The period of time specified under this paragraph may not  
24 be less than 5 years and may be extended in accordance with sub. (3).

*strike* (with arrows pointing to the crossed-out text)

*reviewing authority*

SECTION 149

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SECTION #  
Am 302.114 (9) (b)

(am) ✓

1 302.114 (9)(b) If When a person is returned to prison court under par. (a) after revocation  
 2 of extended supervision, the department of corrections, in the case of a waiver, or the  
 3 ~~division of hearings and appeals in the department of administration~~ in the case of  
 4 ~~a hearing under par. (a)~~ <sup>reviewing authority</sup> (shall specify a make a recommendation to the court  
 5 concerning the period of time for which the person shall be incarcerated should be  
 6 returned to prison before being eligible for release to extended supervision. The  
 7 period of time specified recommended under this paragraph may not be less than 5  
 8 years and may be extended in accordance with sub. (3).

SECTION # AM 302.114 (9) (bm)

(am)

302.114 (9)

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

SECTION # Am 302.114 (9) (c)

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

SECTION 150. 302.114 (9) (d) of the statutes is created to read:

23 302.114 (9) (d) In any case in which there is a hearing before the division of  
 24 hearings and appeals in the department of administration concerning whether to  
 25

1 revoke a person's extended supervision, the person on extended supervision may  
2 seek review of a decision to revoke extended supervision and the department of  
3 corrections may seek review of a decision to not revoke extended supervision. Review  
4 of a decision under this paragraph may be sought only by an action for certiorari.

5 **SECTION 151.** 302.33 (1) of the statutes is amended to read:

6 302.33 (1) The maintenance of persons who have been sentenced to the state  
7 penal institutions; persons in the custody of the department, except as provided in  
8 sub. (2) and s. ss. 301.048 (7), 302.113 (8m), and 302.114 (8m); persons accused of  
9 crime and committed for trial; persons committed for the nonpayment of fines and  
10 expenses; and persons sentenced to imprisonment therein, while in the county jail,  
11 shall be paid out of the county treasury. No claim may be allowed to any sheriff for  
12 keeping or boarding any person in the county jail unless the person was lawfully  
13 detained therein.

14 **SECTION 152.** 303.065 (1) (b) 1. of the statutes is amended to read:

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

20 **SECTION 153.** 303.08 (1) (intro.) of the statutes is amended to read:

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

25 **SECTION 154.** 303.08 (2) of the statutes is amended to read:

1           303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
2 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
3 the department, the ~~prisoner~~ person is sentenced to ordinary confinement. The A  
4 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
5 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
6 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
7 court may withdraw the privilege at any time by order entered with or without notice.

8           **SECTION 155.** 303.08 (5) (intro.) of the statutes is amended to read:

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

14           **SECTION 156.** 303.08 (6) of the statutes is amended to read:

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

21           **SECTION 157.** 303.08 (12) of the statutes is amended to read:

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

1 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
2 (8m).

3 **SECTION 158.** 304.06 (1) (b) of the statutes is amended to read:

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

19 **SECTION 159.** 304.071 (2) of the statutes is amended to read:

20 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1997 stats.,  
21 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
22 or she is not eligible for parole under this section.

23 **SECTION 160.** 341.605 (3) of the statutes, as affected by 1997 Wisconsin Act 283,

24 is amended to read:

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as affected by 1997 Wisconsin Act 283,

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

4           **SECTION 161.** 342.06 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
5 is amended to read:

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

9           **SECTION 162.** 342.065 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
10 283 is amended to read:

11           342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
12 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
13 ~~or both~~ is guilty of a Class H felony.

14           **SECTION 163.** 342.155 (4) (b) of the statutes, as affected by 1997 Wisconsin Act  
15 283 is amended to read:

16           342.155 (4) (b) Any person who violates this section with intent to defraud may  
17 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
18 or both is guilty of Class H felony.

19           **SECTION 164.** 342.156 (6) (b) of the statutes, as affected by 1997 Wisconsin Act  
20 283 is amended to read:

21           342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
22 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
23 ~~or both~~ is guilty of a Class H felony.

24           **SECTION 165.** 342.30 (3) (a) of the statutes is amended to read:



1           342.30 (3) (a) Any person who violates sub. (1g) <sup>✓</sup> ~~may be fined not more than~~  
2           ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ <sup>✓</sup> is guilty of a  
3           Class H felony.

4           **SECTION 166.** 342.32 (3) of the statutes as affected by 1997 Wisconsin Act 283,  
5           is amended to read:

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

9           **SECTION 167.** 343.31 (1) (i) of the statutes is amended to read:

10          343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under  
11          s. 346.04 (3). <sup>✓</sup>

12          **SECTION 168.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

13          343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting  
14          to elude a traffic officer under s. 346.04 (3) <sup>✓</sup> shall have his or her operating privilege  
15          revoked as follows:

16          **SECTION 169.** 343.44 (2) (b) (intro.) <sup>✓</sup> of the statutes, as affected by 1997  
17          Wisconsin Act 84, is amended to read:

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

23          **SECTION 170.** 344.48 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
24          is amended to read:

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

3 SECTION 171. 346.04 (2t) of the statutes is created to read:

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

8 SECTION 172. 346.04 (4) of the statutes is created to read:

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

12 SECTION 173. 346.17 (2t) of the statutes is created to read:

13 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
14 \$10,000 or imprisoned for not more than 9 months or both.

15 SECTION 174. 346.17 (3) (a) of the statutes, as affected by 1997 Wisconsin Act

16 283 is amended to read:

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

20 SECTION 175. 346.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act

21 283 is amended to read:

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

1           **SECTION 176.** 346.17 (3) (c) of the statutes, as affected by 1997 Wisconsin Act  
2           283, is amended to read:

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

6           **SECTION 177.** 346.17 (3) (d) of the statutes, as affected by 1997 Wisconsin Act  
7           283, is amended to read:

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

11          **SECTION 178.** 346.175 (1) (a) of the statutes is amended to read:

12          346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
13          violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
14          the violation as provided in this section.

15          **SECTION 179.** 346.175 (1) (b) of the statutes is amended to read:

16          346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
17          violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
18          section if the person operating the vehicle or having the vehicle under his or her  
19          control at the time of the violation has been convicted for the violation under this  
20          section or under s. 346.04 (2t) or (3).

21          **SECTION 180.** 346.175 (4) (b) of the statutes is amended to read:

22          346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by  
23          the authority issuing the citation with the name and address of the person operating  
24          the vehicle or having the vehicle under his or her control at the time of the violation  
25          and sufficient information for the officer to determine that probable cause does not

1 exist to believe that the owner of the vehicle was operating the vehicle at the time  
2 of the violation, then the owner of the vehicle shall not be liable under this section  
3 or under s. 346.04 (2t) or (3).

4 **SECTION 181.** 346.175 (4) (c) of the statutes is amended to read:

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

10 **SECTION 182.** 346.175 (4) (d) of the statutes is amended to read:

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

18 **SECTION 183.** 346.175 (5) (intro.) of the statutes is amended to read:

19 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
20 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

21 **SECTION 184.** 346.175 (5) (a) of the statutes is amended to read:

22 346.175 (5) (a) A vehicle owner or other person found liable under this section  
23 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
24 more than \$1,000.

25 **SECTION 185.** 346.65 (2) (e) of the statutes is amended to read:

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number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the

PLAIN

5

9 and (5)

PLAIN

other

← plain

1 346.65 (2) (e) Except as provided in par (f), is guilty of a Class H felony and shall

2 be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not less than

3 6 months ~~nor more than 5 years~~ if the total number of suspensions, revocations and <sup>other</sup>

4 convictions counted under s. 343.307 (1) equals 5 or more, except that suspensions,

5 revocations or convictions arising out of the same incident or occurrence shall be

6 counted as one.

7 SECTION 186. 346.65 (5) of the statutes, as affected by 1997 Wisconsin Act 283,

8 is amended to read:

9 346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)

10 ~~shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for~~

11 ~~not less than 90 days nor more than 2 years and 3 months~~ is guilty of a Class I felony.

12 SECTION 187. 346.74 (5) (b) of the statutes, as affected by 1997 Wisconsin Act

13 283, is amended to read:

14 346.74 (5) (b) ~~Shall~~ May be fined not less than ~~\$300~~ nor more than \$5,000

15 \$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or

16 both if the accident involved injury to a person but the person did not suffer great

17 bodily harm.

18 SECTION 188. 346.74 (5) (c) of the statutes, as affected by 1997 Wisconsin Act

19 283, is amended to read:

20 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~

21 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person

22 and the person suffered great bodily harm.

23 SECTION 189. 346.74 (5) (d) of the statutes, as affected by 1997 Wisconsin Act

24 283, is amended to read:

1           346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
2 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
3 death to a person.

4           **SECTION 190.** 350.11 (2m) of the statutes, as affected by 1997 Wisconsin Act  
5 283, is amended to read:

6           350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~  
7 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
8 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
9 person.

10          **SECTION 191.** 351.07 (2) (a) <sup>✓</sup> of the statutes is renumbered 351.07 (2).

11          **SECTION 192.** 351.07 (2) (b) <sup>✓</sup> of the statutes is repealed.

12          **SECTION 193.** 446.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
13 amended to read:

14          **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100  
15 ~~nor~~ more than \$500 <sup>✓</sup> \$10,000 or imprisoned for not more than 2 years 9 months or  
16 both.

17          **SECTION 194.** 447.09 of the statutes, as affected by 1997 Wisconsin Act 283, is  
18 amended to read:

19          **447.09 Penalties.** Any person who violates this chapter may be fined not more  
20 than \$1,000 or imprisoned for not more than one year in the county jail or both for  
21 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~  
22 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction  
23 within 5 years.

24          **SECTION 195.** 450.11 (9) (b) of the statutes, as affected by 1997 Wisconsin Act  
25 283, is amended to read:

1           450.11 (9) (b) Any person who delivers, or who possesses with intent to  
2 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~  
3 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
4 is guilty of a Class H felony.

5           **SECTION 196.** 450.14 (5) of the statutes, as affected by 1997 Wisconsin Act 283,  
6 is amended to read:

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

10           **SECTION 197.** 450.15 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
11 is amended to read:

12           450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~  
13 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
14 ~~and 6 months or both~~ is guilty of a Class H felony.

15           **SECTION 198.** 551.58 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
16 is amended to read:

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

1           **SECTION 199.** 552.19 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
2 is amended to read:

3           552.19 (1) Any person, including a controlling person of an offeror or target  
4 company, who wilfully violates this chapter or any rule under this chapter, or any  
5 order of which the person has notice, ~~may be fined not more than \$5,000 or~~  
6 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
7 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
8 conviction for any one of the offenses does not bar prosecution or conviction for any  
9 other offense.

10           **SECTION 200.** 553.52 (1) of the statutes, as affected by 1997 Wisconsin Act 283,  
11 is amended to read:

12           553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
13 which the person has notice, or who violates s. 553.41 (1) knowing or having  
14 reasonable cause to believe either that the statement made was false or misleading  
15 in any material respect or that the failure to report a material event under s. 553.31  
16 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
17 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
18 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
19 conviction for any one of those offenses does not bar prosecution or conviction for any  
20 other offense.

21           **SECTION 201.** 553.52 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
22 is amended to read:

23           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
24 or artifice to defraud in connection with the offer or sale of any franchise or engages,  
25 directly or indirectly, in any act, practice, or course of business which operates or



1 would operate as a fraud or deceit upon any person in connection with the offer or  
2 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
3 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

4 **SECTION 202.** 562.13 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
5 is amended to read:

6 562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
7 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

8 **SECTION 203.** 562.13 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
9 is amended to read:

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

13 **SECTION 204.** 565.50 (2) of the statutes, as affected by 1997 Wisconsin Act 283,  
14 is amended to read:

15 565.50 (2) Any person who alters or forges a lottery ticket or share or  
16 intentionally utters or transfers an altered or forged lottery ticket or share shall be  
17 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
18 ~~or both~~ is guilty of a Class I felony.

19 **SECTION 205.** 565.50 (3) of the statutes, as affected by 1997 Wisconsin Act 283,  
20 is amended to read:

21 565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
22 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
23 more than 3 years <sup>✓</sup> 9 months or both.

24 **SECTION 206.** 601.64 (4) of the statutes, as affected by 1997 Wisconsin Act 283,  
25 is amended to read:

1           601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
2 permits any person over whom he or she has authority to violate or intentionally aids  
3 any person in violating any insurance statute or rule of this state, s. 149.13 or  
4 149.144 or any effective order issued under s. 601.41 (4) may is guilty of a Class I  
5 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~  
6 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
7 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the  
8 meaning expressed under s. 939.23.

9           **SECTION 207.** 641.19 (4) (a) of the statutes, as affected by 1997 Wisconsin Act

10 283 is amended to read:

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

18           **SECTION 208.** 641.19 (4) (b) of the statutes, as affected by 1997 Wisconsin Act

19 283 is amended to read:

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

1 SECTION 209. 753.061 (2m) of the statutes is amended to read:

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

9 SECTION 210. 765.30 (1) (intro.) of the statutes, as affected by 1997 Wisconsin  
10 Act 283, is amended to read:

11 765.30 (1) (intro.) The following shall may be fined not less than ~~\$200~~ nor more  
12 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

13 SECTION 211. 765.30 (2) (intro.) of the statutes, as affected by 1997 Wisconsin  
14 Act 283, is amended to read:

15 765.30 (2) (intro.) The following shall may be fined not less than ~~\$100~~ nor more  
16 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

17 SECTION 212. 768.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
18 amended to read:

19 768.07 Penalty. Any person who violates any provision of this chapter may  
20 be fined not less than ~~\$100~~ nor more than ~~\$1,000~~ \$10,000 or imprisoned for not more  
21 than ~~2 years~~ 9 months or both.

22 SECTION 213. 783.07 of the statutes, as affected by 1997 Wisconsin Act 283, is  
23 amended to read:

24 783.07 Fine or imprisonment. Whenever a peremptory mandamus shall be  
25 is directed to any public officer, body, board or person, commanding the performance

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**SECTION 213**

1 of any duty specially enjoined by law, if it shall appear to the court that such and the  
 2 officer or person or any member of ~~such~~ the body or board has, without just excuse,  
 3 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
 4 ~~exceeding \$5,000, upon every such,~~ the officer, person or member of ~~such~~ the body or  
 5 board, or sentence the officer, person or member to imprisonment for not more than  
 6 7 years and 6 months is guilty of a Class H felony.

7 **SECTION 214.** 801.50 (5) of the statutes is amended to read:

8 801.50 (5) Venue of an action for certiorari to review a probation, extended  
 9 supervision or parole revocation, a denial by a program review committee under s.  
 10 302.113 (9g)✓ of a petition for modification of a bifurcated sentence, or a refusal of  
 11 parole by certiorari shall be the county in which the relator was last convicted of an  
 12 offense for which the relator was on probation, extended supervision or parole or for  
 13 which the relator is currently incarcerated.

14 **SECTION 215.** 801.50 (5c) of the statutes is created to read:

15 801.50 (5c) Venue of an action for certiorari<sup>✓</sup> brought by the department of  
 16 corrections under s. 302.113 (9) (d) or 302.114 (9) (d)<sup>✓</sup> to review a decision to not revoke  
 17 extended supervision shall be in the county in which the person on extended  
 18 supervision was convicted of the offense for which he or she is on extended  
 19 supervision.

20 **SECTION 216.** 911.01 (4) (c) of the statutes is amended to read:

21 911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
 22 rendition; sentencing, ~~or~~ granting or revoking probation, modification of a bifurcated  
 23 sentence under s. 302.113 (9g)✓, issuance of arrest warrants, criminal summonses and  
 24 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to

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1 pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
2 release on bail or as otherwise provided in ch. 969.

3 **SECTION 217.** 938.208 (1) (a) of the statutes is amended to read:

4 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
5 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
6 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), (1m)  
7 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
8 committed by an adult.

9 **SECTION 218.** 938.34 (4h) (a) of the statutes is amended to read:

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

17 **SECTION 219.** 938.34 (4m) (b) 1. of the statutes is amended to read:

18 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be  
19 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),  
20 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), (1m) <sup>✓</sup> or (1r), 943.32 (2), 947.013 (1t), (1v)  
21 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

22 **SECTION 220.** 938.355 (2d) (b) 3. of the statutes is amended to read:

23 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
24 1997 stats., or s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025  
25 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,

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

6 **SECTION 221.** 938.355 (4) (b) of the statutes is amended to read:

7 938.355 (4) (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
 8 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
 9 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th  
 10 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
 11 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation  
 12 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C  
 13 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the  
 14 juvenile is adjudicated delinquent for committing an act that would be punishable  
 15 as a Class A felony if committed by an adult.

16 **SECTION 222.** 938.78 (3) of the statutes, as affected by 1999 Wisconsin Act 9,  
 17 is amended to read:

18 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
 19 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
 20 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
 21 943.23 (1m) or (1r), 1990 stats. <sup>9</sup> or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
 22 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,  
 23 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02,  
 24 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in  
 25 ch. 940 has escaped from a secured correctional facility, child caring institution,

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

13 **SECTION 223.** 939.22 (21) (d) of the statutes is amended to read:

14 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
15 prohibited in s. 940.19 or 940.195.

16 **SECTION 224.** 939.30 (1) of the statutes is amended to read:

17 939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever,  
18 with intent that a felony be committed, advises another to commit that crime under  
19 circumstances that indicate unequivocally that he or she has the intent is guilty of  
20 a Class ~~D~~ H felony.

21 **SECTION 225.** 939.30 (2) of the statutes is amended to read:

22 939.30 (2) For a solicitation to commit a crime for which the penalty is life  
23 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
24 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

25 **SECTION 226.** 939.32 (1) (intro.) of the statutes is amended to read:

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

5 SECTION 227. 939.32 (1) (b) of the statutes is repealed.

6 SECTION 228. 939.32 (1) (bm) of the statutes is created to read:

7 939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
8 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
9 applied, is guilty of a Class A misdemeanor.

10 SECTION 229. 939.32 (1g) of the statutes is created to read:

11 939.32 (1g) MAXIMUM PENALTY. The maximum penalty for an attempt to commit  
12 a crime that is punishable under sub. (1) (intro.) is as follows:

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

14 (b) 1. If <sup>neither</sup> s. 939.62 ~~is~~ <sup>(i) nor 961.48</sup> being applied, the maximum term of imprisonment is  
15 one-half of the maximum <sup>plain</sup> term of imprisonment, as increased by any penalty  
16 enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the completed crime.

17 2. If <sup>either</sup> s. 939.62 ~~is~~ <sup>(i) or 961.48</sup> being applied, the maximum term of imprisonment is  
18 determined by the following method:

19 a. Multiplying by one-half the maximum term of imprisonment, as increased  
20 by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the  
21 completed crime. <sup>(i) or 961.48 obtained</sup>

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

23 SECTION 230. 939.32 (1m) of the statutes is created to read:



~~SECTION 230~~  
stet

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

4 (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
5 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
6 (d), if the crime is a classified felony and <sup>neither</sup> s. 939.62 <sup>(1) nor 961.48</sup> is not being applied, the maximum  
7 term of confinement in prison is one-half of the maximum term of confinement in  
8 prison specified in s. 973.01 (2) (b), as increased by any penalty enhancement statute  
9 listed in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

10 2. Subject to the minimum term of extended supervision required under s.  
11 973.01 (2) (d), if the crime is a classified felony and <sup>either</sup> s. 939.62 <sup>(1) or 961.48</sup> is being applied, the  
12 court shall determine the maximum term of confinement in prison by the following  
13 method:

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

17 b. Applying s. 939.62 <sup>(1) or 961.48</sup> to the product <sup>obtained</sup> under subd. 2. a.

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

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

1 s. 973.01 (2) (b) 10<sup>✓</sup> to the maximum term of imprisonment calculated under sub. (1g)  
2 (b).<sup>✓</sup>

3 SECTION 231. 939.32 (2) (title) of the statutes is created to read:

4 939.32 (2) (title) MISDEMEANORS <sup>Ⓢ</sup> Computer Crimes

5 SECTION 232. 939.32 (3) (title) of the statutes is created to read:

6 939.32 (3) (title) REQUIREMENTS.

7 SECTION 233. 939.50 (1) (intro.)<sup>✓</sup> of the statutes is amended to read:

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

10 SECTION 234. 939.50<sup>✓</sup> (1) (bc) of the statutes is repealed.

11 SECTION 235. 939.50 (1) (f) of the statutes is created to read:

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

13 SECTION 236. 939.50 (1) (g) of the statutes is created to read:

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

15 SECTION 237. 939.50 (1) (h) of the statutes is created to read:

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

17 SECTION 238. 939.50 (1) (i) of the statutes is created to read:

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

19 SECTION 239. 939.50 (2) of the statutes is amended to read:

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

22 SECTION 240. 939.50 (3) (bc)<sup>✓</sup> of the statutes as affected by 1997 Wisconsin Act

23 283 is repealed.

24 SECTION 241. 939.50 (3) (c) of the statutes as affected by 1997 Wisconsin Act

25 283 is amended to read:

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

3 SECTION 242. 939.50 (3) (d) of the statutes, as affected by 1997 Wisconsin Act

4 283 is amended to read:

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

7 SECTION 243. 939.50 (3) (e) of the statutes, as affected by 1997 Wisconsin Act

8 283 is amended to read:

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

11 SECTION 244. 939.50 (3) (f) of the statutes is created to read:

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

14 SECTION 245. 939.50 (3) (g) of the statutes is created to read:

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

17 SECTION 246. 939.50 (3) (h) of the statutes is created to read:

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

20 SECTION 247. 939.50 (3) (i) of the statutes is created to read:

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

23 SECTION 248. 939.615 (7) (b) 2. of the statutes is amended to read:

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

1 SECTION 249. 939.615 (7) (c) of the statutes is repealed.

2 SECTION 250. 939.62 (1) (a) of the statutes is amended to read:

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

5 SECTION 251. 939.62 (1) (b) of the statutes is amended to read:

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

10 SECTION 252. 939.62 (1) (c) of the statutes is amended to read:

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

14 SECTION 253. 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

15 939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony  
16 is that is a Class A, B, or C felony or, if the felony was committed before December 31,  
17 1999, that was punishable by a maximum prison term of 30 years or more.

18 SECTION 254. 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

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

25 SECTION 255. 939.622 of the statutes is repealed.

1           **SECTION 256.** 939.623 (2) of the statutes is amended to read:

2           939.623 (2) If a person has one or more prior convictions for a serious sex crime  
3 and subsequently commits a serious sex crime, the court shall impose a bifurcated  
4 sentence ~~the person to~~ under s. 973.01. <sup>✓</sup> The term of confinement in prison portion  
5 of a bifurcated sentence imposed under this subsection <sup>✓</sup> may not be less than 5 years'  
6 imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply,  
7 subject to any applicable penalty enhancement. The court shall not place the  
8 defendant on probation.

9           **SECTION 257.** 939.624 (2) of the statutes is amended to read:

10          939.624 (2) If a person has one or more prior convictions for a serious violent  
11 crime or a crime punishable by life imprisonment and subsequently commits a  
12 serious violent crime, the court shall impose a bifurcated sentence ~~the person to~~  
13 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence  
14 imposed under this subsection may not be less than 5 years' imprisonment 3 years  
15 and 6 months, <sup>✓</sup> but otherwise the penalties for the crime apply, subject to any  
16 applicable penalty enhancement. The court shall not place the defendant on  
17 probation.

18          **SECTION 258.** 939.625 <sup>✓</sup> of the statutes is repealed.

19          **SECTION 259.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)  
20 (d), (2) and (3), as renumbered, are amended to read:

21          939.63 (1) (d) The maximum term of imprisonment for a felony not specified  
22 in ~~subd. 2. or 3. par (b) or (c)~~ <sup>✓</sup> may be increased by not more than 3 years.

23          (2) The increased penalty provided in this ~~subsection~~ <sup>✓</sup> section does not apply if  
24 possessing, using or threatening to use a dangerous weapon is an essential element  
25 of the crime charged.

1 (3) This subsection ~~section~~ <sup>✓</sup> section applies only to crimes specified under chs. 939 to  
2 951 and 961.

3 SECTION 260. 939.63 (2) <sup>✓</sup> of the statutes is repealed.

4 SECTION 261. 939.632 (1) (e) 1. of the statutes is amended to read:

5 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1)  
6 <sup>✓</sup> (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
7 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or  
8 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08 <sup>plan</sup> or 948.30 (2), ~~948.35~~  
9 ~~(1) (b) or (e) or 948.36.~~

10 SECTION 262. 939.632 (2) of the statutes is amended to read:

11 939.632 (2) If a person commits a violent crime in a school zone, the maximum  
12 ~~period term~~ of imprisonment is increased as follows:

13 (a) If the violent crime is a felony, the maximum ~~period term~~ <sup>✓</sup> of imprisonment  
14 is increased by 5 years.

15 (b) If the violent crime is a misdemeanor, the maximum ~~period term~~ <sup>✓</sup> of  
16 imprisonment is increased by 3 months and the place of imprisonment is the county  
17 jail.

18 SECTION 263. 939.635 of the statutes, as affected by 1999 Wisconsin Act 9, is  
19 repealed.

20 SECTION 264. 939.64 <sup>✓</sup> of the statutes is repealed.

21 SECTION 265. 939.641 <sup>✓</sup> of the statutes is repealed.

22 SECTION 266. 939.645 (2) of the statutes is amended to read:

23 939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
24 misdemeanor other than a Class A misdemeanor, the revised maximum fine is

1 \$10,000 and the revised maximum period term of imprisonment is one year in the  
2 county jail.

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

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

11 SECTION 267. 939.646 of the statutes is repealed.

12 SECTION 268. 939.647 of the statutes is repealed.

13 SECTION 269. 939.648 of the statutes is repealed.

14 SECTION 270. 939.72 (1) of the statutes is amended to read:

15 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
16 party to a crime which is the objective of the solicitation; or

17 SECTION 271. 939.75 (1) of the statutes is amended to read:

18 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02  
19 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)  
20 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to  
21 (e) and ~~(1b)~~, "unborn child" means any individual of the human species from  
22 fertilization until birth that is gestating inside a woman.

23 SECTION 272. 940.02 (2) (intro.) of the statutes is amended to read:

24 940.02 (2) (intro.) Whoever causes the death of another human being under any  
25 of the following circumstances is guilty of a Class B C felony:

1           **SECTION 273.** 940.03 of the statutes is amended to read:

2           **940.03 Felony murder.** Whoever causes the death of another human being  
3 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
4 (a), 943.02, 943.10 (2), 943.23 (1g) or 943.32 (2) may be imprisoned for not more than  
5 20 15 years in excess of the maximum period term of imprisonment provided by law  
6 for that crime or attempt.

7           **SECTION 274.** 940.04 (1) of the statutes is amended to read:

8           940.04 (1) Any person, other than the mother, who intentionally destroys the  
9 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~  
10 ~~than 3 years or both~~ is guilty of a Class H felony.

11           **SECTION 275.** 940.04 (2) (intro.) of the statutes is amended to read:

12           940.04 (2) (intro.) Any person, other than the mother, who docs either of the  
13 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

14           **SECTION 276.** 940.04 (4) of the statutes is amended to read:

15           940.04 (4) Any pregnant woman who intentionally destroys the life of her  
16 unborn quick child or who consents to such destruction by another ~~may be~~  
17 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

18           **SECTION 277.** 940.06 (1) of the statutes is amended to read:

19           940.06 (1) Whoever recklessly causes the death of another human being is  
20 guilty of a Class ~~C~~ D felony.

21           **SECTION 278.** 940.06 (2) of the statutes is amended to read:

22           940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
23 a Class ~~C~~ D felony.

24           **SECTION 279.** 940.07 of the statutes is amended to read:



1           **940.07 Homicide resulting from negligent control of vicious animal.**

2           Whoever knowing the vicious propensities of any animal intentionally allows it to go  
3           at large or keeps it without ordinary care, if such animal, while so at large or not  
4           confined, kills any human being who has taken all the precautions which the  
5           circumstances may permit to avoid such animal, is guilty of a Class ~~C~~<sup>G</sup> felony.

6           **SECTION 280.** 940.08 (1) of the statutes is amended to read:

7           940.08 (1) Whoever causes the death of another human being by the negligent  
8           operation or handling of a dangerous weapon, explosives or fire is guilty of a Class  
9           ~~D~~<sup>G</sup> felony.

10          **SECTION 281.** 940.08 (2) of the statutes is amended to read:

11          940.08 (2) Whoever causes the death of an unborn child by the negligent  
12          operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~D~~<sup>G</sup>  
13          ~~G~~<sup>G</sup> felony.

14          **SECTION 282.** 940.09 (1) (intro.) of the statutes is amended to read:

15          940.09 (1) (intro.) Any person who does any of the following is guilty of a Class  
16          ~~B~~ felony may be penalized as provided in sub. (1c).

17          **SECTION 283.** 940.09 (1b) of the statutes is repealed.

18          **SECTION 284.** 940.09 (1c) of the statutes is created to read:

19          940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
20          guilty of a Class D felony.

21          (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
22          one or more prior convictions, suspensions, or revocations, as counted under s.  
23          343.307 (2).

24          **SECTION 285.** 940.10 (1) of the statutes is amended to read:

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

3           **SECTION 286.** 940.10 (2) of the statutes is amended to read:

4           940.10 (2) Whoever causes the death of an unborn child by the negligent  
5 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

6           **SECTION 287.** 940.11 (1) of the statutes is amended to read:

7           940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent  
8 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is  
9 guilty of a Class ~~C~~ F felony.

10          **SECTION 288.** 940.11 (2) of the statutes is amended to read:

11          940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
12 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G  
13 felony.

14          **SECTION 289.** 940.12 of the statutes is amended to read:

15          **940.12 Assisting suicide.** Whoever with intent that another take his or her  
16 own life assists such person to commit suicide is guilty of a Class ~~D~~ H felony.

17          **SECTION 290.** 940.15 (2) of the statutes is amended to read:

18          940.15 (2) Whoever intentionally performs an abortion after the fetus or  
19 unborn child reaches viability, as determined by reasonable medical judgment of the  
20 woman's attending physician, is guilty of a Class ~~E~~ I felony.

21          **SECTION 291.** 940.15 (5) of the statutes is amended to read:

22          940.15 (5) Whoever intentionally performs an abortion and who is not a  
23 physician is guilty of a Class ~~E~~ I felony.

24          **SECTION 292.** 940.15 (6) of the statutes is amended to read: