

1 **SECTION 590.** 948.605 (3) (a) of the statutes is amended to read:

2 948.605 (3) (a) Any individual who knowingly, or with reckless disregard for
3 the safety of another, discharges or attempts to discharge a firearm at a place the
4 individual knows is a school zone is guilty of a Class ~~D~~ G felony.

5 **SECTION 591.** 948.605 (4) [✓] of the statutes is repealed.

6 **SECTION 592.** 948.61 (2) (b) of the statutes is amended to read:

7 948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or
8 subsequent violation of this section within a 5-year period, as measured from the
9 dates the violations occurred.

10 **SECTION 593.** 948.62 (1) (a) of the statutes is amended to read:

11 948.62 (1) (a) A Class ~~E~~ A misdemeanor, if the value of the property does
12 not exceed \$500.

13 **SECTION 594.** 948.62 (1) (b) of the statutes is amended to read:

14 948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but
15 does not exceed \$2,500.

16 **SECTION 595.** 948.62 (1) (bm) of the statutes is created to read:

17 948.62 (1) (bm) A Class H felony, if the value of the property exceeds [✓] \$2,500 but
18 does not exceed \$5,000.

19 **SECTION 596.** 948.62 (1) (c) of the statutes is amended to read:

20 948.62 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds \$2,500
21 \$5,000. [✓]

22 **SECTION 597.** 949.03 (1) (b) of the statutes is amended to read:

23 949.03 (1) (b) The commission or the attempt to commit any crime specified in
24 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
25 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,

1 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,
2 943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,
3 948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

4 **SECTION 598.** 950.04 (1v) (g) of the statutes is amended to read:

5 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
6 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
7 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

8 **SECTION 599.** 950.04 (1v) (nt) of the statutes is created to read:

9 950.04 (1v) (nt) To attend a hearing on a petition for modification of a
10 bifurcated sentence and provide a statement concerning modification of the
11 bifurcated sentence, as provided under s. 302.113 (9g) (d).

12 **SECTION 600.** 951.18 (1) of the statutes, as affected by 1997 Wisconsin Act 192,
13 is amended to read:

14 951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,
15 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a
16 Class C forfeiture. Any person who violates any of these provisions within 3 years
17 after a humane officer issues an abatement order under s. 173.11 prohibiting the
18 violation of that provision is subject to a Class A forfeiture. Any person who
19 intentionally or negligently violates any of those sections is guilty of a Class A
20 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the
21 mutilation, disfigurement or death of an animal, is guilty of a Class E I felony. Any
22 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that
23 is the victim is used by a law enforcement agency to perform agency functions or
24 duties and causing injury to the animal, is guilty of a Class E I felony.

25 **SECTION 601.** 951.18 (2) of the statutes is amended to read:

1 951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A
2 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class E I
3 felony for the first violation and is guilty of a Class D H felony for the 2nd or
4 subsequent violation.

5 **SECTION 602.** 951.18 (2m) of the statutes is amended to read:

6 951.18 (2m) Any person who violates s. 951.095 is subject to a Class B
7 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing
8 that the animal that is the victim is used by a law enforcement agency or fire
9 department to perform agency or department functions or duties, is guilty of a Class
10 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the
11 animal that is the victim is used by a law enforcement agency or fire department to
12 perform agency or department functions or duties and causing injury to the animal,
13 is guilty of a Class E I felony. Any person who intentionally violates s. 951.095,
14 knowing that the animal that is the victim is used by a law enforcement agency or
15 fire department to perform agency or department functions or duties and causing
16 death to the animal, is guilty of a Class D H felony.

17 **SECTION 603.** 961.41 (1) (intro.) of the statutes is amended to read:

18 961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY. (intro.) Except as
19 authorized by this chapter, it is unlawful for any person to manufacture, distribute
20 or deliver a controlled substance or controlled substance analog. Any person who
21 violates this subsection ~~with respect to~~ is subject to the following penalties:

22 **SECTION 604.** 961.41 (1) (a) of the statutes, as affected by 1997 Wisconsin Act

23 283, is amended to read:

24 961.41 (1) (a) Schedule I and II narcotic drugs generally. Except as provided
25 in par. (d), if a person violates this subsection with respect to a controlled substance

1 included in schedule I or II which is a narcotic drug, or a controlled substance analog
2 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~
3 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~
4 ~~months or both~~ the person is guilty of a Class E felony.

5 SECTION 605. 961.41 (1) (b) of the statutes, as affected by 1997 Wisconsin Act

6 283, is amended to read:

7 961.41 (1) (b) Schedule I, II and III nonnarcotic drugs generally. Except as
8 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect
9 to any other controlled substance included in schedule I, II, or III, or a controlled
10 substance analog of any other controlled substance included in schedule I or II, may
11 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months
12 or both the person is guilty of a Class H felony.

13 SECTION 606. 961.41 (1) (cm) (intro.) of the statutes is amended to read:

14 961.41 (1) (cm) Cocaine and cocaine base. (intro.) Cocaine If the person violates
15 this subsection with respect to cocaine or cocaine base, or a controlled substance
16 analog of cocaine or cocaine base, is subject to the following penalties if and the
17 amount manufactured, distributed, or delivered is:

18 SECTION 607. 961.41 (1) (cm) 1. of the statutes, as affected by 1997 Wisconsin

19 Act 283, is renumbered 961.41 (1) (cm) 1r. and amended to read:

20 961.41 (1) (cm) 1r. Five grams or less More than one gram but not more than
21 5 grams, the person shall be ~~fined not more than \$500,000 and may be imprisoned~~
22 ~~for not more than 15 years~~ is guilty of a Class F felony.

23 SECTION 608. 961.41 (1) (cm) 1g. of the statutes is created to read:

24 961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

1 SECTION 609. 961.41 (1) (cm) 2. of the statutes, as affected by 1997 Wisconsin

2 Act 283, is amended to read:

3 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person
4 shall be fined not more than \$500,000 and shall be imprisoned for not less than one
5 year nor more than 22 years and 6 months is guilty of a Class E felony.

6 SECTION 610. 961.41 (1) (cm) 3. of the statutes, as affected by 1997 Wisconsin

7 Act 283, is amended to read:

8 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person
9 shall be fined not more than \$500,000 and shall be imprisoned for not less than 3
10 years nor more than 30 years is guilty of a Class D felony.

11 SECTION 611. 961.41 (1) (cm) 4. of the statutes, as affected by 1997 Wisconsin

12 Act 283, is amended to read:

13 961.41 (1) (cm) 4. More than 40 grams but not more than 100 grams, the person
14 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5
15 years nor more than 45 years is guilty of a Class C felony.

16 SECTION 612. 961.41 (1) (cm) 5. of the statutes, as affected by 1997 Wisconsin

17 Act 283, is repealed.

18 SECTION 613. 961.41 (1) (d) (intro.) of the statutes is amended to read:

19 961.41 (1) (d) Heroin. (intro.) Heroin If the person violates this subsection with
20 respect to heroin or a controlled substance analog of heroin is subject to the following
21 penalties if and the amount manufactured, distributed or delivered is:

22 SECTION 614. 961.41 (1) (d) 1. of the statutes, as affected by 1997 Wisconsin Act

23 283 is amended to read:

1 961.41 (1) (d) 1. Three grams or less, the person shall be fined not less than
2 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~
3 ~~and 6 months~~ is guilty of a Class F felony.

4 **SECTION 615.** 961.41 (1) (d) 2. of the statutes, as affected by 1997 Wisconsin Act
5 283, is amended to read:

6 961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person
7 shall be fined not less than ~~\$1,000 nor more than \$250,000~~ and shall be imprisoned
8 for not less than ~~6 months nor more than 22 years and 6 months~~ is guilty of a Class
9 E felony.

10 **SECTION 616.** 961.41 (1) (d) 3. of the statutes, as affected by 1997 Wisconsin Act
11 283, is amended to read:

12 961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person
13 shall be fined not less than ~~\$1,000 nor more than \$500,000~~ and shall be imprisoned
14 for not less than ~~one year nor more than 22 years and 6 months~~ is guilty of a Class
15 D felony.

16 **SECTION 617.** 961.41 (1) (d) 4. of the statutes, as affected by 1997 Wisconsin Act
17 283, is amended to read:

18 961.41 (1) (d) 4. More than 50 grams but not more than ~~200 grams~~, the person
19 shall be fined not less than ~~\$1,000 nor more than \$500,000~~ and shall be imprisoned
20 for not less than ~~3 years nor more than 22 years and 6 months~~ is guilty of a Class C
21 felony.

22 **SECTION 618.** 961.41 (1) (d) 5. of the statutes, as affected by 1997 Wisconsin Act
23 283 is repealed.

24 **SECTION 619.** 961.41 (1) (d) 6. of the statutes, as affected by 1997 Wisconsin Act
25 283 is repealed.

1 SECTION 620. 961.41 (1) (e) (intro.) of the statutes is amended to read:

2 961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and ← keep

3 methcathinone. (intro.) Phenylelidine If the person violates this subsection with

4 respect to phencyclidine, amphetamine, methamphetamine or methcathinone, or a

5 controlled substance analog of phencyclidine, amphetamine, methamphetamine or

6 methcathinone, is subject to the following penalties if and the amount

7 manufactured, distributed or delivered is:

8 SECTION 621. 961.41 (1) (e) 1. of the statutes, as affected by 1997 Wisconsin Act

9 283, is amended to read:

10 961.41 (1) (e) 1. Three grams or less, the person shall be fined not less than

11 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and

12 6 months is guilty of a Class F felony.

13 SECTION 622. 961.41 (1) (e) 2. of the statutes, as affected by 1997 Wisconsin Act

14 283, is amended to read:

15 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person

16 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned

17 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class

18 E felony.

19 SECTION 623. 961.41 (1) (e) 3. of the statutes, as affected by 1997 Wisconsin Act

20 283, is amended to read:

21 961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person

22 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned

23 for not less than one year nor more than 22 years and 6 months is guilty of a Class

24 D felony.

1 SECTION 624. 961.41 (1) (e) 4. of the statutes, as affected by 1997 Wisconsin Act

2 283, is amended to read:

3 961.41 (1) (e) 4. More than 50 grams but not more than 200 grams, the person
4 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
5 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
6 felony.

7 SECTION 625. 961.41 (1) (e) 5. of the statutes, as affected by 1997 Wisconsin Act

8 283 is repealed.

9 SECTION 626. 961.41 (1) (e) 6. of the statutes, as affected by 1997 Wisconsin Act

10 283 is repealed.

11 SECTION 627. 961.41 (1) (f) (intro.) of the statutes is amended to read:

12 961.41 (1) (f) Lysergic acid diethylamide. (intro.) Lysergie If the person violates
13 this subsection with respect to lysergic acid diethylamide or a controlled substance
14 analog of lysergic acid diethylamide is subject to the following penalties if and the
15 amount manufactured, distributed or delivered is:

16 SECTION 628. 961.41 (1) (f) 1. of the statutes, as affected by 1997 Wisconsin Act

17 283 is amended to read:

18 961.41 (1) (f) 1. One gram or less, the person shall be fined not less than \$1,000
19 nor more than \$200,000 and may be imprisoned for not more than 7 years and 6
20 months is guilty of a Class G felony.

21 SECTION 629. 961.41 (1) (f) 2. of the statutes, as affected by 1997 Wisconsin Act

22 283 is amended to read:

23 961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person shall
24 be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not
25 less than 6 months nor more than 7 years and 6 months is guilty of a Class F felony.

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1 SECTION 630. 961.41 (1) (f) 3. of the statutes, as affected by 1997 Wisconsin Act

2 283, is amended to read:

3 961.41 (1) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~
4 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
5 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

6 SECTION 631. 961.41 (1) (g) (intro.) of the statutes is amended to read:

7 961.41 (1) (g) Psilocin and psilocybin.[✓] (intro.) ~~Psilocin~~ If the person violates
8 this subsection with respect to psilocin or psilocybin, or a controlled substance analog
9 of psilocin or psilocybin, is subject to the following penalties if and the amount
10 manufactured, distributed or delivered is:

11 SECTION 632. 961.41 (1) (g) 1. of the statutes, as affected by 1997 Wisconsin Act

12 283, is amended to read:

13 961.41 (1) (g) 1. One hundred grams or less, the person ~~shall be fined not less~~
14 ~~than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~
15 ~~years and 6 months~~ is guilty of a Class G felony.[✓]

16 SECTION 633. 961.41 (1) (g) 2. of the statutes, as affected by 1997 Wisconsin Act

17 283, is amended to read:

18 961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person
19 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
20 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
21 F felony.[✓]

22 SECTION 634. 961.41 (1) (g) 3. of the statutes, as affected by 1997 Wisconsin Act

23 283, is amended to read:

1 961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than
2 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
3 nor more than 22 years and 6 months is guilty of a Class E felony.

4 **SECTION 635.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

5 961.41 (1) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If the
6 person violates this subsection with respect to tetrahydrocannabinols, included
7 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is
8 subject to the following penalties if and the amount manufactured, distributed or
9 delivered is:

10 **SECTION 636.** 961.41 (1) (h) 1. of the statutes, as affected by 1997 Wisconsin Act

11 283 is amended to read:

12 961.41 (1) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants
13 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor
14 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months
15 is guilty of a Class I felony.

16 **SECTION 637.** 961.41 (1) (h) 2. of the statutes, as affected by 1997 Wisconsin Act

17 283 is amended to read:

18 961.41 (1) (h) 2. More than 500 200 grams but not more than ~~2,500~~ 1,000 grams,
19 or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than ~~50~~ 20
20 plants containing tetrahydrocannabinols, the person shall be fined not less than
21 \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor
22 more than 7 years and 6 months is guilty of a Class H felony.

23 **SECTION 638.** 961.41 (1) (h) 3. of the statutes, as affected by 1997 Wisconsin Act

24 283 is amended to read:

1 961.41 (1) (h) 3. More than 2,500 [✓]1,000 grams but not more than 2,500 grams,
 2 or more than 50 20 plants containing tetrahydrocannabinols but not more than 50
 3 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~
 4 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~
 5 ~~nor more than 15 years~~ is guilty of a Class G felony.

6 SECTION 639. 961.41 (1) (h) 4. of the statutes is created to read:

7 961.41 (1) (h) 4. More than 2,500 [✓]grams but not more than 10,000 grams, or
 8 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
 9 containing tetrahydrocannabinols, the person is guilty of a Class F felony. [✓]

10 SECTION 640. 961.41 (1) (h) 5. of the statutes is created to read:

11 961.41 (1) (h) 5. More than 10,000 grams, or more than 200 plants containing
 12 tetrahydrocannabinols, the person is guilty of a Class E felony. [✓]

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13 SECTION 641. 961.41 (1) (i) of the statutes, as affected by 1997 Wisconsin Act
 14 283, is amended to read:
 15 961.41 (1) (i) Schedule IV drugs. - A If a person violates this subsection with
 16 respect to a substance included in schedule IV, may be fined not more than \$10,000
 17 or imprisoned for not more than 4 years and 6 months or both the person is guilty
 18 of a Class H felony.

19 SECTION 642. 961.41 (1) (j) of the statutes, as affected by 1997 Wisconsin Act

20 283, is amended to read:

21 961.41 (1) (j) Schedule V drugs. [✓] - A If a person violates this subsection with
 22 respect to a substance included in schedule V, may be fined not more than \$5,000 or
 23 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

24 SECTION 643. 961.41 (1m) (intro.) of the statutes is amended to read:

1 961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.
2 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,
3 with intent to manufacture, distribute or deliver, a controlled substance or a
4 controlled substance analog. Intent under this subsection may be demonstrated by,
5 without limitation because of enumeration, evidence of the quantity and monetary
6 value of the substances possessed, the possession of manufacturing implements or
7 paraphernalia, and the activities or statements of the person in possession of the
8 controlled substance or a controlled substance analog prior to and after the alleged
9 violation. Any person who violates this subsection ~~with respect to~~ is subject to the
10 following penalties:

11 **SECTION 644.** 961.41 (1m) (a) of the statutes, as affected by 1997 Wisconsin Act

12 283, is amended to read:

13 961.41 (1m) (a) Schedule I and II narcotic drugs generally. Except as provided
14 in par. (d), if a person violates this subsection with respect to a controlled substance
15 included in schedule I or II which is a narcotic drug or a controlled substance analog
16 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~
17 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~
18 ~~months or both~~ the person is guilty of a Class E felony. ✓

19 **SECTION 645.** 961.41 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act

20 283, is amended to read:

21 961.41 (1m) (b) Schedule I, II and III nonnarcotic drugs generally. Except as
22 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect
23 to any other controlled substance included in schedule I, II or III, or a controlled
24 substance analog of any other controlled substance included in schedule I or II, may

1 ~~be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months~~
2 ~~or both the person is guilty of a Class H felony.~~

3 SECTION 646. 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

4 961.41 (1m) (cm) Cocaine and cocaine base (intro.) ~~Cocaine~~ If a person violates
5 this subsection with respect to cocaine or cocaine base, or a controlled substance
6 analog of cocaine or cocaine base, ~~is subject to the following penalties if and the~~
7 amount possessed, with intent to manufacture, distribute or deliver, is: 6

8 SECTION 647. 961.41 (1m) (cm) 1. of the statutes, as affected by 1997 Wisconsin

9 Act 283, is renumbered 961.41 (1m) (cm) 1r. and amended to read:

10 961.41 (1m) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than
11 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned
12 ~~for not more than 15 years~~ is guilty of a Class F felony.

13 SECTION 648. 961.41 (1m) (cm) 1g. of the statutes is created to read:

14 961.41 (1m) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

15 SECTION 649. 961.41 (1m) (cm) 2. of the statutes, as affected by 1997 Wisconsin

16 Act 283, is amended to read:

17 961.41 (1m) (cm) 2. More than 5 grams but not more than 15 grams, the person
18 shall be fined not more than \$500,000 and shall be imprisoned for not less than one
19 year nor more than 22 years and 6 months is guilty of a Class E felony.

20 SECTION 650. 961.41 (1m) (cm) 3. of the statutes, as affected by 1997 Wisconsin

21 Act 283, is amended to read:

22 961.41 (1m) (cm) 3. More than 15 grams but not more than 40 grams, the
23 person shall be fined not more than \$500,000 and shall be imprisoned for not less
24 than 3 years nor more than 30 years is guilty of a Class D felony.

1 SECTION 651. 961.41 (1m) (cm) 4. of the statutes, as affected by 1997 Wisconsin

2 Act 283, is amended to read:

3 961.41 (1m) (cm) 4. More than 40 grams but not more than 100 grams, the
4 person shall be fined not more than \$500,000 and shall be imprisoned for not less
5 than 5 years nor more than 45 years is guilty of a Class C felony.

6 SECTION 652. 961.41 (1m) (cm) 5. of the statutes, as affected by 1997 Wisconsin

7 Act 283, is repealed.

8 SECTION 653. 961.41 (1m) (d) (intro.) of the statutes is amended to read:

9 961.41 (1m) (d) Heroin (intro.) Herein If a person violates this subsection with
10 respect to heroin or a controlled substance analog of heroin is subject to the following
11 penalties if and the amount possessed, with intent to manufacture, distribute or
12 deliver, is:

13 SECTION 654. 961.41 (1m) (d) 1. of the statutes, as affected by 1997 Wisconsin

14 Act 283, is amended to read:

15 961.41 (1m) (d) 1. Three grams or less, the person shall be fined not less than
16 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years
17 and 6 months is guilty of a Class F felony.

18 SECTION 655. 961.41 (1m) (d) 2. of the statutes, as affected by 1997 Wisconsin

19 Act 283, is amended to read:

20 961.41 (1m) (d) 2. More than 3 grams but not more than 10 grams, the person
21 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
22 for not less than 6 months nor more than 22 years and 6 months is guilty of a Class
23 E felony.

24 SECTION 656. 961.41 (1m) (d) 3. of the statutes, as affected by 1997 Wisconsin

25 Act 283, is amended to read:

1 961.41 (1m) (d) 3. More than 10 grams but not more than 50 grams, the person
2 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
3 for not less than one year nor more than 22 years and 6 months is guilty of a Class
4 D felony.

5 SECTION 657. 961.41 (1m) (d) 4. of the statutes, as affected by 1997 Wisconsin
6 Act 283 is amended to read:

7 961.41 (1m) (d) 4. More than 50 grams but not more than 200 grams, the person
8 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
9 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
10 felony.

11 SECTION 658. 961.41 (1m) (d) 5. of the statutes, as affected by 1997 Wisconsin
12 Act 283, is repealed.

13 SECTION 659. 961.41 (1m) (d) 6. of the statutes, as affected by 1997 Wisconsin
14 Act 283, is repealed.

15 SECTION 660. 961.41 (1m) (e) (intro.) of the statutes is amended to read:

16 961.41 (1m) (e) Phencyclidine, amphetamine, methamphetamine and
17 methcathinone. (intro.) Phencyclidine If a person violates this subsection with
18 respect to phencyclidine, amphetamine, methamphetamine or methcathinone, or a
19 controlled substance analog of phencyclidine, amphetamine, methamphetamine or
20 methcathinone, is subject to the following penalties if and the amount possessed,
21 with intent to manufacture, distribute, or deliver, is:

22 SECTION 661. 961.41 (1m) (e) 1. of the statutes, as affected by 1997 Wisconsin
23 Act 283, is amended to read:

1 961.41 (1m) (e) 1. Three grams or less, the person shall be fined not less than
2 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and
3 6 months is guilty of a Class F felony.

4 SECTION 662. 961.41 (1m) (e) 2. of the statutes, as affected by 1997 Wisconsin
5 Act 283, is amended to read:

6 961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person
7 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
8 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
9 E felony.

10 SECTION 663. 961.41 (1m) (e) 3. of the statutes, as affected by 1997 Wisconsin
11 Act 283, is amended to read:

12 961.41 (1m) (e) 3. More than 10 grams but not more than 50 grams, the person
13 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
14 for not less than one year nor more than 22 years and 6 months is guilty of a Class
15 D felony.

16 SECTION 664. 961.41 (1m) (e) 4. of the statutes, as affected by 1997 Wisconsin
17 Act 283, is amended to read:

18 961.41 (1m) (e) 4. More than 50 grams but not more than 200 grams, the person
19 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
20 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
21 felony.

22 SECTION 665. 961.41 (1m) (e) 5. of the statutes, as affected by 1997 Wisconsin
23 Act 283, is repealed.

24 SECTION 666. 961.41 (1m) (e) 6. of the statutes, as affected by 1997 Wisconsin
25 Act 283, is repealed.

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1 SECTION 667. 961.41 (1m) (f) (intro.) of the statutes is amended to read:

2 961.41 (1m) (f) Lysergic acid diethylamide. (intro.) Lysergie If a person violates
3 this subsection with respect to lysergic acid diethylamide or a controlled substance
4 analog of lysergic acid diethylamide is subject to the following penalties if and the
5 amount possessed, with intent to manufacture, distribute or deliver, is:

6 SECTION 668. 961.41 (1m) (f) 1. of the statutes, as affected by 1997 Wisconsin
7 Act 283, is amended to read:

8 961.41 (1m) (f) 1. One gram or less, the person shall be fined not less than
9 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and
10 6 months is guilty of a Class G felony.

11 SECTION 669. 961.41 (1m) (f) 2. of the statutes, as affected by 1997 Wisconsin
12 Act 283, is amended to read:

13 961.41 (1m) (f) 2. More than one gram but not more than 5 grams, the person
14 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
15 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
16 F felony.

17 SECTION 670. 961.41 (1m) (f) 3. of the statutes, as affected by 1997 Wisconsin
18 Act 283, is amended to read:

19 961.41 (1m) (f) 3. More than 5 grams, the person shall be fined not less than
20 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
21 nor more than 22 years and 6 months is guilty of a Class E felony.

22 SECTION 671. 961.41 (1m) (g) (intro.) of the statutes is amended to read:

23 961.41 (1m) (g) Psilocin and psilocybin. (intro.) Psilocin If a person violates
24 this subsection with respect to psilocin or psilocybin, or a controlled substance analog

1 of psilocin or psilocybin, ~~is subject to the following penalties if and~~ the amount
2 possessed, with intent to manufacture, distribute or deliver, is:

3 SECTION 672. 961.41 (1m) (g) 1. of the statutes, as affected by 1997 Wisconsin

4 Act 283, is amended to read:

5 961.41 (1m) (g) 1. One hundred grams or less, the person shall be fined not less
6 than ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7~~
7 ~~years and 6 months~~ is guilty of a Class G felony.

8 SECTION 673. 961.41 (1m) (g) 2. of the statutes, as affected by 1997 Wisconsin

9 Act 283, is amended to read:

10 961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the
11 person shall be ~~fined not less than \$1,000 nor more than \$200,000 and shall be~~
12 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months~~ is guilty
13 of a Class F[✓] felony.

14 SECTION 674. 961.41 (1m) (g) 3. of the statutes, as affected by 1997 Wisconsin

15 Act 283, is amended to read:

16 961.41 (1m) (g) 3. More than 500 grams, the person shall be ~~fined not less than~~
17 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
18 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

19 SECTION 675. 961.41 (1m) (h) (intro.) of the statutes is amended to read:

20 961.41 (1m) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If a
21 person violates this subsection with respect to tetrahydrocannabinols,[✓] included
22 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is
23 ~~subject to the following penalties if and~~ the amount possessed, with intent to
24 manufacture, distribute, or deliver, is:

1 SECTION 676. 961.41 (1m) (h) 1. of the statutes, as affected by 1997 Wisconsin
2 Act 283, is amended to read:

3 961.41 (1m) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants
4 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor
5 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months
6 is guilty of a Class I felony.

7 SECTION 677. 961.41 (1m) (h) 2. of the statutes, as affected by 1997 Wisconsin
8 Act 283, is amended to read:

9 961.41 (1m) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000
10 grams, or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than
11 ~~50~~ 20 plants containing tetrahydrocannabinols, the person shall be fined not less
12 than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3
13 months nor more than 7 years and 6 months is guilty of a Class H felony.

14 SECTION 678. 961.41 (1m) (h) 3. of the statutes, as affected by 1997 Wisconsin
15 Act 283, is amended to read:

16 961.41 (1m) (h) 3. More than ~~2,500~~ 1,000 grams but not more than ~~2,500~~ 2,500 grams,
17 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50
18 plants containing tetrahydrocannabinols, the person shall be fined not less than
19 \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year
20 nor more than 15 years is guilty of a Class G felony.

21 SECTION 679. 961.41 (1m) (h) 4. of the statutes is created to read:

22 961.41 (1m) (h) 4. More than ~~2,500~~ 2,500 grams but not more than 10,000 grams, or
23 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
24 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

25 SECTION 680. 961.41 (1m) (h) 5. of the statutes is created to read:

1 961.41 (1m) (h) 5. More than 10,000 grams, or more than 200 plants containing
2 tetrahydrocannabinols, the person is guilty of a Class E felony. ✓

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3 SECTION 681. 961.41 (1m) (i) of the statutes, as affected by 1997 Wisconsin Act
4 283, is amended to read:
5 961.41 (1m) (i) Schedule IV drugs. ~~A If a person violates this subsection with~~
6 ~~respect to a substance included in schedule IV, may be fined not more than \$10,000~~
7 ~~or imprisoned for not more than 4 years and 6 months or both the person is guilty~~
8 ~~of a Class H felony.~~

9 SECTION 682. 961.41 (1m) (j) of the statutes, as affected by 1997 Wisconsin Act
10 283, is amended to read:
11 961.41 (1m) (j) Schedule V drugs. ~~A If a person violates this subsection with~~
12 ~~respect to a substance included in schedule V, may be fined not more than \$5,000 or~~
13 ~~imprisoned for not more than 2 years or both the person is guilty of a Class I felony.~~

14 SECTION 683. 961.41 (1n) (c) of the statutes, as affected by 1997 Wisconsin Act
15 283, is amended to read:
16 961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~
17 ~~\$250,000 or imprisoned for not more than 15 years or both is guilty of a Class F felony.~~ ✓

18 SECTION 684. 961.41 (1q) of the statutes is amended to read:
19 961.41 (1q) PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.
20 Under s. 961.49 (2), 1997 stats., and subs. (1) (h) and (1m) (h) and s. 961.49 (2), if
21 different penalty provisions apply to a person depending on whether the weight of
22 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is
23 considered, the greater penalty provision applies.

24 SECTION 685. 961.41 (1r) of the statutes is amended to read:

1 961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under
 2 s. 961.49 (2) (b), 1997 stats., and subs. (1) and (1m) and s. 961.49 (2) (b), an amount
 3 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid
 4 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
 5 methcathinone or tetrahydrocannabinols or any controlled substance analog of any
 6 of these substances together with any compound, mixture, diluent, plant material
 7 or other substance mixed or combined with the controlled substance or controlled
 8 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)
 9 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14
 10 (4) (t) and includes the weight of any marijuana.

11 SECTION 686. 961.41 (2) (intro.) of the statutes is amended to read:

12 961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this
 13 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or
 14 possess with intent to distribute or deliver, a counterfeit substance. Any person who
 15 violates this subsection with respect to is subject to the following penalties:

16 SECTION 687. 961.41 (2) (a) of the statutes, as affected by 1997 Wisconsin Act

17 283, is amended to read:

18 961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. -A- If a person
 19 violates this subsection with respect to a counterfeit substance included in schedule
 20 I or II which is a narcotic drug, may be fined not more than \$25,000 or imprisoned
 21 for not more than 22 years and 6 months or both the person is guilty of a Class E
 22 felony.

23 SECTION 688. 961.41 (2) (b) of the statutes, as affected by 1997 Wisconsin Act

24 283, is amended to read:

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1 961.41 (2) (b) Counterfeit schedule I, II, III and IV drugs. Any If a person
2 violates this subsection with respect to any other counterfeit substance included in
3 schedule I, II or, III or IV, may be fined not more than \$15,000 or imprisoned for not
4 more than 7 years and 6 months or both the person is guilty of a Class II felony.

5 SECTION 689. 961.41 (2) (c) of the statutes, as affected by 1997 Wisconsin Act

6 (283) is repealed.

7 SECTION 690. 961.41 (2) (d) of the statutes, as affected by 1997 Wisconsin Act

8 (283) is amended to read:

9 961.41 (2) (d) Counterfeit schedule V drugs. -A- If a person violates this
10 subsection with respect to a counterfeit substance included in schedule V, may be
11 fined not more than \$5,000 or imprisoned for not more than 2 years or both the person
12 is guilty of a Class I felony.

13 SECTION 691. 961.41 (3g) (a) 1. of the statutes, as affected by 1999 Wisconsin

14 (Act 283), is renumbered 961.41 (3g) (am) and amended to read:

15 961.41 (3g) (am) Schedule I and II narcotic drugs. Except as provided in subd.
16 2., if the If a person possesses a controlled substance included in schedule I or II
17 which is a narcotic drug, or possesses a controlled substance analog of a controlled
18 substance included in schedule I or II which is a narcotic drug, the person may, upon
19 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2
20 or both, and for a 2nd or subsequent offense, the person may be fined not more than
21 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I felony.

22 SECTION 692. 961.41 (3g) (a) 2. of the statutes, as affected by 1997 Wisconsin

23 (Act 283) is repealed.

24 SECTION 693. 961.41 (3g) (a) 3. of the statutes is repealed.

25 SECTION 694. 961.41 (3g) (b) (title) of the statutes is created to read:

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1 ~~961.41 (3g) (b) (title) Other drugs generally.~~

2 SECTION 695. 961.41 (3g) (c) of the statutes is amended to read:

3 961.41 (3g) (c) Cocaine and cocaine base. If a person possess or attempts to
4 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
5 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
6 more than one year in the county jail upon a first conviction and is guilty of a Class
7 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense
8 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
9 offense, the offender has at any time been convicted of any felony or misdemeanor
10 under this chapter or under any statute of the United States or of any state relating
11 to controlled substances, controlled substance analogs, narcotic drugs, marijuana or
12 depressant, stimulant or hallucinogenic drugs.

13 SECTION 696. 961.41 (3g) (d) of the statutes is amended to read:

14 961.41 (3g) (d) Certain hallucinogenic and stimulant drugs. If a person
15 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
16 amphetamine, ~~methamphetamine~~^{methamphetamine,} methcathinone, psilocin or psilocybin, or a
17 controlled substance analog of lysergic acid diethylamide, phencyclidine,
18 amphetamine, ~~methamphetamine~~^{methamphetamine,} methcathinone, psilocin or psilocybin, the person
19 may be fined not more than \$5,000 or imprisoned for not more than one year in the
20 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd
21 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd
22 or subsequent offense if, prior to the offender's conviction of the offense, the offender
23 has at any time been convicted of any felony or misdemeanor under this chapter or
24 under any statute of the United States or of any state relating to controlled

1 substances, controlled substance analogs, narcotic drugs, marijuana or depressant,
2 stimulant or hallucinogenic drugs.

3 SECTION 697. 961.41 (3g) (e) of the statutes is amended to read:

4 961.41 (3g) (e) Tetrahydrocannabinols. If a person possesses or attempts to
5 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled
6 substance analog of tetrahydrocannabinols, the person may be fined not more than
7 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and
8 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this
9 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the
10 offender's conviction of the offense, the offender has at any time been convicted of any
11 felony or misdemeanor under this chapter or under any statute of the United States
12 or of any state relating to controlled substances, controlled substance analogs,
13 narcotic drugs, marijuana or depressant, stimulant or hallucinogenic drugs.

14 SECTION 698. 961.41 (3g) (f) of the statutes, as affected by 1999 Wisconsin Act

15 21, is amended to read:

16 961.41 (3g) (f) Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,
17 or flunitrazepam. If a person possesses or attempts to possess
18 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,
19 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years
20 or both is guilty of a Class H felony.

21 SECTION 699. 961.41 (4) (am) 3. of the statutes, as affected by 1997 Wisconsin

22 Act 283, is amended to read:

23 961.41 (4) (am) 3. A person convicted of violating who violates this paragraph
24 may be fined not more than \$5,000 or imprisoned for not more than 2 years or both
25 is guilty of a Class I felony.

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1 **SECTION 700.** 961.42 (2) of the statutes, as affected by 1997 Wisconsin Act 283,
2 is amended to read:

3 961.42 (2) Any person who violates this section ~~may be fined not more than~~
4 ~~\$25,000 or imprisoned not more than 2 years or both~~ is guilty of a Class I felony.

5 **SECTION 701.** 961.43 (2) of the statutes, as affected by 1997 Wisconsin Act 283,
6 is amended to read:

7 961.43 (2) Any person who violates this section ~~may be fined not more than~~
8 ~~\$30,000 or imprisoned not more than 6 years or both~~ is guilty of a Class H felony.

9 **SECTION 702.** 961.438[✓] of the statutes is repealed.

10 **SECTION 703.** 961.455 (1) of the statutes, as affected by 1997 Wisconsin Act 283,
11 is amended to read:

12 961.455 (1) Any person who has attained the age of 17 years who knowingly
13 solicits, hires, directs, employs or uses a person who is under the age of 17 years of
14 ~~age or under~~ for the purpose of violating s. 961.41 (1) ~~may be fined not more than~~
15 ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

16 **SECTION 704.** 961.455 (3) of the statutes is amended to read:

17 961.455 (3) Solicitation under sub. (1) occurs in the manner described under
18 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.
19 939.30[✓] ~~or 948.35.~~

20 **SECTION 705.** 961.46 (1) of the statutes is renumbered 961.46 and amended to
21 read:

22 **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~
23 ~~(3), any~~ [✓] If a person 17 years of age or over who violates s. 961.41 (1) by distributing
24 or delivering a controlled substance included in schedule I or II which is a narcotic
25 drug or a controlled substance analog of a controlled substance included in schedule

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1 ~~I or II which is a narcotic drug to a person 17 years of age or under who is at least~~
 2 ~~3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or~~
 3 ~~a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the~~
 4 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the
 5 offense may be increased by not more than 5 years.

6 **SECTION 706.** 961.46 (2) of the statutes is repealed.

7 **SECTION 707.** 961.46 (3) of the statutes is repealed.

8 **SECTION 708.** 961.465 of the statutes is repealed.

9 **SECTION 709.** 961.472 (2) of the statutes is amended to read:

10 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found
 11 guilty of possession or attempted possession of a controlled substance or controlled
 12 substance analog under s. 961.41 (3g) (a) ~~2.~~ [✓] (am), (c) ~~2.~~ ^{per or (d)} (d), the court shall order the
 13 person to comply with an assessment of the person's use of controlled substances.
 14 The court's order shall designate a facility that is operated by or pursuant to a
 15 contract with the county department established under s. 51.42 and that is certified
 16 by the department of health and family services to provide assessment services to
 17 perform the assessment and, if appropriate, to develop a proposed treatment plan.
 18 The court shall notify the person that noncompliance with the order limits the court's
 19 ability to determine whether the treatment option under s. 961.475 is appropriate.
 20 The court shall also notify the person of the fee provisions under s. 46.03 (18) (fm).

21 **SECTION 710.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and
 22 amended to read:

23 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ [✓] If a person who
 24 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or
 25 subsequent offense as provided under this chapter sub. (3) and the person is

1 convicted of that 2nd or subsequent offense ~~may be fined an amount up to twice that~~
2 ~~otherwise authorized or imprisoned for a term up to twice the term otherwise~~
3 ~~authorized or both.~~ the maximum term of imprisonment for the offense may be
4 increased as follows:

5 SECTION 711. 961.48 (1) (a) and (b) of the statutes are created to read:

6 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

7 (b) By not more than 4 years, if the offense is a Class E, F, G, H or I felony.

8 SECTION 712. 961.48 (2) of the statutes is repealed.

9 SECTION 713. 961.48 (2m) (a) of the statutes is amended to read:

10 961.48 (2m) (a) Whenever a person charged with ~~an~~ a felony offense under this
11 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is
12 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior
13 convictions are alleged in the complaint, indictment or information or in an amended
14 complaint, indictment or information that is filed under par. (b) 1. A person is not
15 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of
16 applicable prior convictions is withdrawn by an amended complaint filed under par.
17 (b) 2.

18 SECTION 714. 961.48 (3) of the statutes is amended to read:

19 961.48 (3) For purposes of this section, ~~an~~ a felony offense under this chapter
20 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
21 offense, the offender has at any time been convicted of any felony or misdemeanor
22 offense under this chapter or under any statute of the United States or of any state
23 relating to controlled substances or controlled substance analogs, narcotic drugs,
24 marijuana or depressant, stimulant or hallucinogenic drugs.

25 SECTION 715. 961.48 (4) of the statutes is repealed.

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SECTION 716. 961.49 (1) of the statutes is renumbered 961.49

SECTION 717. 961.49 (2) of the statutes is repealed.

SECTION 718. 961.49 (3) of the statutes is repealed.

SECTION 719. 961.492 of the statutes is repealed.

SECTION 720. 968.255 (1) (a) 2. of the statutes is amended to read:

968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20
(1), 941.23, 941.237, 941.24, 948.60, ^{plain} 948.605 (2) (a) or 948.61.

SECTION 721. 968.31 (1) (intro.) of the statutes, as affected by 1997 Wisconsin

Act 283, is amended to read:

968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~
~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
~~or both~~ is guilty of a Class H felony.

SECTION 722. 968.34 (3) of the statutes, as affected by 1997 Wisconsin Act 283,
is amended to read:

968.34 (3) Whoever knowingly violates sub. (1) shall ~~may~~ be fined not more
than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

SECTION 723. 968.43 (3) of the statutes, as affected by 1997 Wisconsin Act 283,
is amended to read:

968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H
felony.

SECTION 724. 969.08 (10) (a) of the statutes is amended to read:

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1 969.08 (10) (a) "Commission of a serious crime" includes a solicitation,
 2 conspiracy or attempt, under s. 939.30, 939.31^{plain} or 939.32 or 948.35, to commit a
 3 serious crime.

4 SECTION 725. 969.08 (10) (b) of the statutes is amended to read:

5 969.08 (10) (b) "Serious crime" means any crime specified in s. 346.62 (4),
 6 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195
 7 (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25,
 8 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30,
 9 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10,
 10 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1)
 11 or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07 or 948.30.

12 SECTION 726. 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and
 13 amended to read:

14 971.17 (1) (a) Felonies committed before December 31, 1999. When Except as
 15 provided in par. (c), when a defendant is found not guilty by reason of mental disease
 16 or mental defect of a felony committed before December 31, 1999, the court shall
 17 commit the person to the department of health and family services for a specified
 18 period not exceeding two-thirds of the maximum term of imprisonment that could
 19 be imposed under s. 973.15 (2) (a) against an offender convicted of the same crime
 20 or crimes felony or felonies, including imprisonment authorized by ss. 346.65 (2) (f),
 21 (2j) (d) or (3m), 939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09
 22 (1b), 940.25 (1b) and 961.48 and other any applicable penalty enhancement statutes,
 23 as applicable, subject to the credit provisions of s. 973.155.

24 (c) Felonies punishable by life imprisonment. If the maximum term of
 25 imprisonment is a defendant is found not guilty by reason of mental disease or

the effective date of this paragraph... [revision inserts date]

1 mental defect of a felony that is punishable by life imprisonment, the commitment
2 period specified by the court may be life, subject to termination under sub. (5).

3 SECTION 727. 971.17 (1) (b) of the statutes is created to read:

4 971.17 (1) (b) *Felonies committed on or after* December 31, 1999. Except as
5 provided in par. (c), when a defendant is found not guilty by reason of mental disease
6 or mental defect of a felony committed on or after December 31, 1999, the court shall
7 commit the person to the department of health and family services for a specified
8 period not exceeding the maximum term of confinement in prison that could be
9 imposed on an offender convicted of the same felony ~~or felonies under~~ s. 973.01(2)
10 (b) and 973.15(2)(a), plus imprisonment authorized by any applicable penalty
11 enhancement statutes, subject to the credit provisions of s. 973.155.

12 SECTION 728. 971.17 (1) (d) of the statutes is created to read:

13 971.17 (1) (d) *Misdemeanors*. When a defendant is found not guilty by reason
14 of mental disease or mental defect of a misdemeanor, the court shall commit the
15 person to the department of health and family services for a specified period not
16 exceeding two-thirds of the maximum term of imprisonment that could be imposed
17 under s. 973.15 (2) (a) against an offender convicted of the same misdemeanor ~~or~~
18 ~~misdemeanors~~, including imprisonment authorized by any applicable penalty
19 enhancement statutes, subject to the credit provisions of s. 973.155.

Insert
Red
(80/19)

20 SECTION 729. 971.365 (1) (c) of the statutes is amended to read:

21 971.365 (1) (c) In any case under s. 961.41 (3g) ~~(a) 2.~~ (am), (c), (d) or (e) involving
22 more than one violation, all violations may be prosecuted as a single crime if the
23 violations were pursuant to a single intent and design.

24 SECTION 730. 971.365 (2) of the statutes is amended to read:

the effective date of this subsection

misdemeanor

1 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
2 prosecution for any acts in violation of s. 961.41 (1) (cm), (d), (e), (f), (g) or (h), (1m)
3 (cm), (d), (e), (f), (g) or (h) or (3g) (a) 2. (am), (c), (d) or (e) on which no evidence was
4 received at the trial on the original charge.

✓ Base
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(cm)
(cm)
or affy ~~crime~~ committed on or after...
[revisor inserts date],

5 SECTION 731. 973.01 (1) of the statutes is amended to read:

6 973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),
7 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
8 for a ~~felony crime~~ felony committed on or after December 31, 1999, the court shall impose
9 a bifurcated sentence that consists of a term of confinement in prison followed by a
10 term of extended supervision under s. 302.113 this section.

Plain

11 SECTION 732. 973.01 (2) (intro.) of the statutes is amended to read:

12 973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) The court shall ensure
13 that a A bifurcated sentence is a sentence that consists of a term of confinement in
14 prison followed by a term of extended supervision under s. 302.113. The total length
15 of a bifurcated sentence equals the length of the term of confinement in prison plus
16 the length of the term of extended supervision. An order imposing A bifurcated sentence imposed under
17 sub. (1) complies this section shall comply with all of the following:

18 SECTION 733. 973.01 (2) (a) of the statutes is amended to read:

19 973.01 (2) (a) Total length of bifurcated sentence. Except as provided in par. (c),
20 the total length of the bifurcated sentence may not exceed the maximum period of
21 imprisonment for the specified in s. 939.50 (3), if the crime is a classified felony, or
22 the maximum term of imprisonment provided by statute for the crime, if the crime
23 is not a classified felony, plus additional imprisonment authorized by any applicable
24 penalty enhancement statutes.

25 SECTION 734. 973.01 (2) (b) (intro.) of the statutes is amended to read:

Confinement (I)

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973.01 (2) (b) ~~Imprisonment~~ portion of bifurcated sentence. (intro.) The portion of the bifurcated sentence that imposes a term of confinement in prison may not be less than one year, ~~subject to any minimum sentence prescribed for the felony, and,~~ except as provided in par. (c), ~~may not exceed~~ ^{is subject to} ~~whichever of the following~~ ^{limits} is applicable:

SECTION 735. 973.01 (2) (b) 2. of the statutes is repealed.

SECTION 736. 973.01 (2) (b) 3. of the statutes is amended to read:

973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may not exceed ~~10~~ 25 years.

SECTION 737. 973.01 (2) (b) 4. of the statutes is amended to read:

973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may not exceed ~~5~~ 15 years.

SECTION 738. 973.01 (2) (b) 5. of the statutes is amended to read:

973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may not exceed ~~2~~ 10 years.

SECTION 739. 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10. (intro.)

and amended to read:

973.01 (2) (b) 10. (intro.) ~~For any felony crime other than a felony specified in subs. 1. to 5.~~ ^{one of the following} the term of confinement in prison may not exceed 75% of the total length of the bifurcated sentence.

SECTION 740. 973.01 (2) (b) 6m. of the statutes is created to read:

973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may not exceed 7 years and 6 months.

SECTION 741. 973.01 (2) (b) 7. of the statutes is created to read:

973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may not exceed 5 years.

Blue
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1 SECTION 742. 973.01 (2) (b) 8. of the statutes is created to read:

2 973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may
3 not exceed 3 years.

4 SECTION 743. 973.01 (2) (b) 9. of the statutes is created to read:

5 973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not
6 exceed one year and 6 months.

Blue
insult
183/6

7 SECTION 744. 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and
8 amended to read:

9 973.01 (2) (c) 1. The Subject to the minimum period of extended supervision
10 required under par. (d), the maximum term of confinement in prison specified in par.
11 (b) may be increased by any applicable penalty enhancement statute. If the
12 maximum term of confinement in prison specified in par. (b) is increased under this
13 paragraph, the total length of the bifurcated sentence that may be imposed is
14 increased by the same amount.

15 SECTION 745. 973.01 (2) (c) 2. of the statutes is created to read:

16 973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes
17 apply to a crime, the court shall apply them in the order listed in calculating the
18 maximum term of imprisonment for that crime:

- 19 a. Sections 939.621[✓], 939.632[✓], 939.645[✓], 961.46[✓] and 961.49[✓].
- 20 b. Section 939.63[✓].
- 21 c. Section 939.62[✓] or 961.48[✓].

22 SECTION 746. 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)
23 and amended to read:

24 973.01 (2) (d) Minimum and maximum term of extended supervision. (intro.)

25 The term of extended supervision [✓] that follows the term of confinement in prison may

1 not be less than 25% of the length of the term of confinement in prison imposed under
2 par. (b) ~~and, for a classified felony, may not exceed~~ ^{is subject to} ~~whichever of the following is~~ ^{limits}
3 applicable:

4 SECTION 747. 973.01 (2) (d) 1. to 6. of the statutes are created to read:

5 973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not
6 exceed 20 years.

7 2. For a Class C felony, the term of extended supervision may not exceed 15
8 years.

9 3. For a Class D felony, the term of extended supervision may not exceed 10
10 years.

11 4. For a Class E, ³F or G felony, the term of extended supervision may not exceed
12 5 years.

13 5. For a Class H felony, the term of extended supervision may not exceed 3
14 years.

15 6. For a Class I felony, the term of extended supervision may not exceed 2 years.

16 SECTION 748. 973.01 (4) of the statutes is amended to read:

17 973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
18 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
19 confinement in prison portion of the sentence without reduction for good behavior.
20 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
21 and, if applicable, to reduction under s. 302.045 (3m) ³ or 302.113 (9g). ✓

22 SECTION 749. 973.0135 (1) (b) 2. of the statutes is amended to read:

23 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m)
24 or (1r), 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., ⁹ or s. 948.36, 1997 stats., s.
25 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,

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1 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
 2 ~~(1m) or (1r)~~, 943.32 (2), 946.43, ^(1m) 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,
 3 948.06, 948.07, 948.08 ^{plain} or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

4 SECTION 750. 973.017 of the statutes is created to read:

5 **973.017 Bifurcated sentences; use of guidelines; consideration of**
 6 **aggravating and mitigating factors.** (1) DEFINITION. In this section, "sentencing
 7 decision" means a decision as to whether to impose a bifurcated sentence under s.
 8 973.01 or place a person on probation and a decision as to the length of a bifurcated
 9 sentence, including the length of each component of the bifurcated sentence, the
 10 amount of a fine and the length of a term of probation.

11 (2) GENERAL REQUIREMENT. When a court makes a sentencing decision
 12 concerning a person convicted of a criminal offense committed on or after December
 13 31, 1999, the court shall consider all of the following:

14 (a) If the offense is a felony, the sentencing guidelines adopted by the
 15 sentencing commission under s. 973.30 or, if the sentencing commission has not
 16 adopted a guideline for the offense, any applicable temporary sentencing guideline
 17 adopted by the criminal penalties study committee created under 1997 Wisconsin
 18 Act 283.

19 (b) Any applicable mitigating factors and any applicable aggravating factors,
 20 including the aggravating factors specified in subs. (3) to (8).

21 (3) AGGRAVATING FACTORS; GENERALLY. When making a sentencing decision for
 22 any crime, the court shall consider all of the following as aggravating factors:

23 (a) The fact that the person committed the crime while his or her usual
 24 appearance was concealed, disguised, or altered, with the intent to make it less likely
 25 that he or she would be identified with the crime.

the effective date of this subsection ... [revisor inserts date]

1 (b) The fact that the person committed the crime using information that was
2 disclosed to him or her under s. 301.46. ✓

3 (c) The fact that the person committed the crime for the benefit of, at the
4 direction of, or in association with any criminal gang, as defined in s. 939.22 (9), with
5 the specific intent to promote, further, or assist in any criminal conduct by criminal
6 gang members, as defined in s. 939.22 (9g). ✓

7 (d) The fact that the person committed the felony while wearing a vest or other
8 garment designed, redesigned, or adapted to prevent bullets from penetrating the
9 garment.

10 (e) 1. Subject to subd. 2., the fact that the person committed the felony with the
11 intent to influence the policy of a governmental unit or to punish a governmental unit
12 for a prior policy decision, if any of the following circumstances also applies to the
13 felony committed by the person:

14 a. The person caused bodily harm, great bodily harm, or death to another.

15 b. The person caused damage to the property of another and the total property
16 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.
17 b., ✓ property is reduced in value by the amount that it would cost either to repair or
18 to replace it, whichever is less.

19 c. The person used force or violence or the threat of force or violence.

20 2. a. In this subdivision, "labor dispute" includes any controversy concerning
21 terms, tenure, or conditions of employment, or concerning the association or
22 representation of persons in negotiating, fixing, maintaining, changing, or seeking
23 to arrange terms or conditions of employment, regardless of whether the disputants
24 stand in the proximate relation of employer and employee. ✓

1 b. Subdivision 1. does not apply to conduct arising out of or in connection with
2 a labor dispute.

3 (4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH
4 CERTAIN DISEASES. (a) In this subsection:

5 1. "HIV" means any strain of human immunodeficiency virus, which causes
6 acquired immunodeficiency syndrome.

7 2. "Serious sex crime" means a violation of s. 940.225 (1), or (2), 948.02 (1) or (2),
8 or 948.025.

9 3. "Sexually transmitted disease" means syphilis, gonorrhea, hepatitis B,
10 hepatitis C, or chlamydia.

11 4. "Significantly exposed" means sustaining a contact which carries a potential
12 for transmission of a sexually transmitted disease or HIV by one or more of the
13 following:

14 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;
15 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
16 amniotic fluid; or other body fluid that is visibly contaminated with blood.

17 b. Exchange, during the accidental or intentional infliction of a penetrating
18 wound, including a needle puncture, of blood; semen; vaginal secretions;
19 cerebrospinal, synovial, pleural, peritoneal, pericardial, or amniotic fluid; or other
20 body fluid that is visibly contaminated with blood.

21 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where
22 a significant breakdown in the epidermal barrier has occurred, of blood; semen;
23 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
24 amniotic fluid; or other body fluid that is visibly contaminated with blood.

1 (b) When making a sentencing decision concerning a person convicted of a
2 serious sex crime, the court shall consider as an aggravating factor the fact that the
3 serious sex crime was committed under all of the following circumstances:

4 1. At the time that he or she committed the serious sex crime, the person
5 convicted of committing the serious sex crime had a sexually transmitted disease or
6 acquired immunodeficiency syndrome or had had a positive test for the presence of
7 HIV, antigen, or nonantigenic products of HIV or an antibody to HIV.

8 2. At the time that he or she committed the serious sex crime, the person
9 convicted of committing the serious sex crime knew that he or she had a sexually
10 transmitted disease or acquired immunodeficiency syndrome or that he or she had
11 had a positive test for the presence of HIV, antigen, or nonantigenic products of HIV
12 or an antibody to HIV.

13 3. The victim of the serious sex crime was significantly exposed to HIV or to the
14 sexually transmitted disease, whichever is applicable, by the acts constituting the
15 serious sex crime.

16 (5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON. (a)

17 In this subsection:

18 1. "Elder person" means any individual who is 62 years of age or older.

19 2. "Violent felony" means any felony under s. 940.19 (2), (4), (5), or (6), 940.225
20 (1), (2) or (3), 940.23 or 943.32.

21 (b) When making a sentencing decision concerning a person convicted of a
22 violent felony, the court shall consider as an aggravating factor the fact that the
23 victim of the violent felony was an elder person. This paragraph applies even if the
24 person mistakenly believed that the victim had not attained the age of 62 years.

1 (6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN
2 PERSONS. (a) In this subsection, "person responsible for the welfare the child"
3 includes the child's parent, stepparent, guardian, foster parent, or treatment foster
4 parent; an employe^e of a public or private residential home, institution, or agency; any
5 other person legally responsible for the child's welfare in a residential setting; or a
6 person employed by one who is legally responsible for the child's welfare to exercise
7 temporary control or care for the child.

8 (b) When making a sentencing decision concerning a person convicted of a
9 violation of s. 948.02 (1) or (2), 948.025 (1) or 948.03 (2) or (3), the court shall consider
10 as an aggravating factor the fact that the person was a person responsible for the
11 welfare of the child who was the victim of the violation.

12 (7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.
13 When making a sentencing decision concerning a person convicted of a violation of
14 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact
15 that, at the time of the violation, there was a minor passenger under 16 years of age
16 or an unborn child in the person's motor vehicle.

17 (8) AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES. (a) *Distribution*
18 *or delivery to prisoners.* 1. In this paragraph, "precinct" means a place where any
19 activity is conducted by a prison, jail or house of correction.

20 2. When making a sentencing decision concerning a person convicted of
21 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the
22 fact that the violation involved delivering, distributing or possessing with intent to
23 deliver or distribute a controlled substance or controlled substance analog to a
24 prisoner within the precincts of any prison, jail or house of correction.

1 (b) *Distribution or delivery on public transit vehicles.* ✓ When making a
2 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m), ✓
3 the court shall consider as an aggravating factor the fact that the violation involved
4 delivering, distributing or possessing with intent to deliver or distribute a controlled
5 substance included in schedule I or II or a controlled substance analog of any
6 controlled substance included in schedule I or II and that the person knowingly used
7 a public transit vehicle during the violation.

8 (9) AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME. The aggravating factors
9 listed in this section are not elements of any crime. A prosecutor is not required to
10 charge any aggravating factor or otherwise allege the existence of an aggravating
11 factor in any pleading for a court to consider the aggravating factor when making a
12 sentencing decision.

13 (10) USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL. The requirement
14 under sub. (2) (a) ✓ that a court consider sentencing guidelines adopted by the
15 sentencing commission or the criminal penalties study committee does not require
16 a court to make a sentencing decision that is within any range or consistent with a
17 recommendation specified in the guidelines, and there is no right to appeal a court's
18 sentencing decision based on the court's decision to depart in any way from any
19 guideline. In any appeal from a court's sentencing decision, the appellate court may
20 reverse the sentencing decision only if it determines that the sentencing court
21 erroneously exercised its discretion in making the sentencing decision.

22 SECTION 751. 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

23 973.03 (3) (e) 1. A crime which is a Class A or, B or C ✓ felony.

24 2. A crime which is a Class C, D, E, F or G ✓ felony listed in s. 969.08 (10) (b), but
25 not including any crime specified in s. 943.10.

1 SECTION 752. 973.03 (3) (e) 3. of the statutes is repealed.

2 SECTION 753. 973.032 (4) (c) 2. of the statutes is amended to read:

3 973.032 (4) (c) 2. The person is sentenced for the escape under s. 946.42 (4) (b)
4 to a sentence of imprisonment concurrent with the sentence to the intensive
5 sanctions program.

6 SECTION 754. 973.09 (2) (b) 1. of the statutes is amended to read:

7 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one
8 year nor more than either the statutory maximum term of imprisonment
9 confinement in prison for the crime, as specified in s. 973.01 (2) (b), or 3 years,
10 whichever is greater.

11 SECTION 755. 973.15 (2) (am) of the statutes is created to read:

12 973.15 (2) (am) 1. If a court provides that a bifurcated sentence imposed under
13 s. 973.01 is to run concurrent with or consecutive to a sentence to the Wisconsin state
14 prisons other than another bifurcated sentence imposed under s. 973.01, the court
15 shall do all of the following:

16 a. Order the term of confinement in prison under the bifurcated sentence to be
17 concurrent with or consecutive to the term of confinement in prison required under
18 the nonbifurcated sentence.

19 b. Order the period of parole under the nonbifurcated sentence to be concurrent
20 with or consecutive to the term of extended supervision required under the
21 bifurcated sentence.

22 2. If a court imposes a sentence to the Wisconsin state prisons that is not a
23 bifurcated sentence imposed under s. 973.01 and provides that the nonbifurcated
24 sentence is to run concurrent with or consecutive to a bifurcated sentence under s.
25 973.01, the court shall do all of the following:

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1 a. Order the term of confinement in prison under the nonbifurcated sentence
2 to be concurrent with or consecutive to the term of confinement in prison required
3 under the bifurcated sentence.

4 b. Order the period of parole under the nonbifurcated sentence to be concurrent
5 with or consecutive to the term of extended supervision required under the
6 bifurcated sentence.

7 **SECTION 756.** 973.30[✓] of the statutes is created to read:

8 **973.30 Sentencing commission.** (1) DUTIES. The sentencing commission
9 shall do all of the following:

10 (a) Select an executive director having appropriate training and experience to
11 study sentencing practices and prepare proposed sentencing guidelines.

12 (b) Monitor and compile data regarding sentencing practices in the state.

13 (c) Adopt advisory sentencing guidelines for felonies committed on or after
14 December 31, 1999 to promote public safety, to reflect changes in sentencing
15 practices and to preserve the integrity of the criminal justice and correctional
16 systems.

17 (d) Provide information to the legislature, state agencies, and the public
18 regarding the costs to and other needs of the department which result from
19 sentencing practices.

20 (e) Provide information to judges and lawyers about the sentencing guidelines.

21 (f) Publish and distribute to all circuit judges hearing criminal cases an annual
22 report regarding its work, which shall include all sentencing guidelines and all
23 changes in existing sentencing guidelines adopted during the 12 months preceding
24 the report.

*the effective date of this paragraph
... [revision inserts date]*

1 (g) Study whether race is a basis for imposing sentences in criminal cases and
2 submit a report and recommendations on this issue to the governor, to each house
3 of the legislature under s. 13.172 (2) and to the supreme court.

4 (h) Assist the legislature in assessing the cost of enacting new or revising
5 existing statutes affecting criminal sentencing.

6 (i) At least semiannually, submit reports to all circuit judges, and to the chief
7 clerk of each house of the legislature for distribution to the appropriate standing
8 committees under s. 13.172 (3), containing statistics regarding criminal sentences
9 imposed in this state. Each report shall have a different focus and need not contain
10 statistics regarding every crime. Each report shall contain information regarding
11 sentences imposed statewide and in each of the following geographic areas:

12 1. Milwaukee County.

13 2. Dane and Rock counties.

14 3. Brown, Outagamie, Calumet and Winnebago counties.

15 4. Racine and Kenosha counties.

16 5. All other counties.

17 (j) Study how sentencing options affect various types of offenders and offenses.

18 (2) STAFF. Subject to authorization under s. 16.505, the sentencing commission
19 may hire staff to assist it in the performance of its duties.

20 (3) SUNSET. This section does not apply after December 31, 2004.

21 SECTION 757. 977.05 (4) (jm) of the statutes is created to read:

22 977.05 (4) (jm) At the request of an inmate determined by the state public
23 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent
24 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113

1 (9g) before a program review committee and the sentencing court, if the state public
2 defender determines the case should be pursued.

3 SECTION 758. 977.06 (2) (b) of the statutes, as affected by 1997 Wisconsin Act

4 283, is amended to read:

5 977.06 (2) (b) A person who makes a false representation that he or she does
6 not believe is true for purposes of qualifying for assignment of counsel shall be fined
7 not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both
8 is guilty of a Class I felony.

9 SECTION 759. 978.13 (1) (c) of the statutes, as affected by 1999 Wisconsin Act

10 9, is amended to read:

11 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
12 fringe benefit costs of clerk positions in the district attorney's office necessary for the
13 prosecution of violent crime cases primarily involving felony violations under s.
14 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
15 940.06, 940.225, 943.23 (1g), ^{Plain} (1m) and (1r) and 943.32 (2). The state treasurer shall
16 pay the amount authorized under this paragraph to the county treasurer pursuant
17 to a voucher submitted by the district attorney to the secretary of administration
18 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph
19 may not exceed \$94,400 in the 1999-2000 fiscal year and \$97,200 in the 2000-01
20 fiscal year.

21 SECTION 760. 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

22 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~
23 The committee shall submit a report of its findings and recommendations to the
24 legislature in the manner provided under section 13.172 (2) of the statutes and to the

1 governor. The report shall include any proposed legislation that is necessary to
2 implement the recommendations made by the committee in its report.

3 **SECTION 761.** 1997 Wisconsin Act 283, section 454 (2) is amended to read:

4 [1997 Wisconsin Act 283] Section 454 (2) ATTORNEY PROJECT POSITION. The
5 authorized FTE positions for the department of administration are increased by 1.0
6 GPR attorney project position, to be funded from the appropriation under section
7 20.505 (3) (c) of the statutes, for the purpose of providing legal services to the criminal
8 penalties study committee established under subsection (1), for the period ending on
9 April 30, 1999 June 30, 2000.

10 **SECTION 762. Nonstatutory provisions.** ; administration ← ③

11 (1) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (26)

12 (c) 1. of the statutes, as created by this act, the initial members of the sentencing
13 commission shall be appointed for the following terms:

14 (a) Two members appointed under section 15.105 (26) (a) 3. of the statutes, as
15 created by this act, one of whom is not employed by any unit of federal, state or local
16 government, one circuit judge, and one district attorney, for terms expiring on
17 January 1, 2001. ③

18 (b) Three members appointed under section 15.105 (26) (a) 3. of the statutes,
19 as created by this act, one of whom is not employed by any unit of federal, state or
20 local government, and one circuit judge, for terms expiring on January 1, 2002. ④

21 (c) Two members appointed under section 15.105 (26) (a) 3. of the statutes, as
22 created by this act, the member appointed under section 15.105 (26) (a) 5. of the
23 statutes, as created by this act, one representative of crime victims, and one attorney
24 in private practice, for terms expiring on January 1, 2003. ⑤

(2) POSITION AUTHORIZATION. There is authorized for the sentencing commission 1.0 FTE GPR executive director position, 1.0 FTE GPR deputy director position and 4.0 FTE GPR other positions to be funded from the appropriation under section 20.505 (4) (dr) of the statutes, as created by this act.

(3) CRIMINAL PENALTIES STUDY COMMITTEE. Until the members of the sentencing commission created under section 973.30 of the statutes, as created by this act, are appointed, the criminal penalties study committee shall provide information to lawyers, judges, the legislature and the public regarding this act.

SECTION 763. Appropriation changes.

(1) CRIMINAL PENALTIES STUDY COMMITTEE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (3) (c) of the statutes, as affected by the acts of 1999, the dollar amount is increased by \$112,500 for fiscal year 1999-00 to fund the activities of the criminal penalties study committee created under 1997 Wisconsin Act 283, section 454 (1).

SECTION 764. Initial applicability.

(1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492 and 973.03 (3) (e) 3. of the statutes; the renumbering of sections 351.07 (2) (a) and 961.49

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Fix component
9359
961.41 (1m) (cm) 5.
961.41 (1m) (d) 5.
961.41 (1m) (d) 6.
961.41 (1m) (e) 5.
961.41 (1m) (e) 6.

other
keep

22
23
24
25

- 1 ~~1~~ of the statutes; the renumbering and amendment of sections 49.95 (1), 125.075
2 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41
, and 961.49(1) ✓
3 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1) ~~49.141~~ 961.48 (1) of the statutes; the
4 amendment of sections 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69
5 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971
6 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03
7 (3) (d), 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b),
49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), ^{49.195(3n)(k); 49.195(3n)(r),} 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b),
8 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b),
9 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4),
10 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143
^{101.9204(a),}
11 (10) (b), ^{101.9204(a),} 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 108.225 (11), 108.225
12 (18), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b),
13 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05
14 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),
^{139.85(i),}
15 139.44 (8) (c), ^{139.85(i),} 139.95 (2) ✓, 139.95 (3) ✓, 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70
16 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2),
17 181.0129 (2), 185.825, ~~200.09~~ 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21
18 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06
19 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2.,
^{301.45(6)(a)2.,}
20 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b),
21 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17
22 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d),
23 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5)
24 (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2),
25

1 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50
2 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30
3 (2) (intro.), 767.242 (g), 768.07, 783.07, 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355
4 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1)
5 (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e),
6 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.623 (2), 939.624 (2),
7 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.),
8 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08
9 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12,
10 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.),
11 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2),
12 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7)
13 (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.),
14 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b),
15 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b)
16 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b)
17 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30,
18 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2)
19 (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45
20 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21,
21 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g),
22 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2)
23 (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3)
24 (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3.,
25 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38 (2),

943.208(2)(c), ✓

✓ 943.207(3m)(b)(intro.), ✓ (c)(intro.), ✓ 943.208

(2)(b), ✓ 943.209(2)(b), 943.209(2)(c), ✓

- 1 943.01 (2) (intro.), 943.01 (2g), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)
- 2 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.),
- 3 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.),
- 4 943.10 (2) (intro.), 943.12, 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20
- 5 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.21 (3) (b),
- 6 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25 (1),
- 7 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1),
- 8 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),
- 9 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2)
- 10 (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 ✓
- 11 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.50 ✓
943.49(2)(b) 2.,
- 12 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4)
- 13 (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b)
- 14 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m) ✓, 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.205 (2)
- 15 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (intro.),
- 16 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05
- 17 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14,
- 18 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.),
- 19 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b),
- 20 ✓ (1m) 946.43 (2m)(a)(intro.), ✓ 946.43 (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48
- 21 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65
- 22 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72
- 23 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v),
- 24 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b),
- 25 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b),

1 (2), 973.03 (3) (e) 1. and 2., 973.09 (2) (b) 1. and 977.06 (2) (b) of the statutes; and the
 2 creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17
 3 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1)
 4 (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c),
 5 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h),
 6 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm),
 7 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m)
 8 (h) 4., 961.41 (1m) (h) 5., 961.41 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes
 9 first apply to offenses committed on the effective date of this subsection.

Blue ✓
insert
201/9A

then
insert
201/9B

10 (2) OPERATING AFTER REVOCATION. The treatment of section 343.44 (2) (b) (intro.)
 11 of the statutes first applies to offenses committed on the effective date of this
 12 subsection.

13 *Fix component* SECTION 765. Effective dates. ~~This act takes effect on the day after~~
 14 ~~publication, except as follows~~ *9459* ; other

15 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32
 16 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),
 17 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195
 18 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),
 19 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605
 20 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1)
 21 (e) 6., ^{961.41 (1) (cm) 5.,} 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., ✓
 22 961.41 (1m) (e) 6., ^{961.41 (1m) (cm) 5.,} 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., ~~961.438, 961.46~~
 23 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492 and
 24 973.03 (3) (e) 3. of the statutes; the renumbering of sections 351.07 (2) (a) and ~~961.49~~

25 ~~of~~ of the statutes; the renumbering and amendment of sections 49.95 (1), 125.075

1 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41
 2 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1) ^{and} 961.48 (1) ^{and 961.49 (1) ✓} of the statutes; the
 3 amendment of sections 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06,
 4 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a),
 5 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d),
 6 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2.,
 7 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8)
 8 (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141
 9 (10) (b), ^{49-195(3n)(k), 49-195(3n)(r),} 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4)
 10 (b), 51.15 (12), 55.06 (11) (am), 66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47
 11 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d),
 12 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), ^{101.9204(2) ✓} 101.94 (8) (b), 102.835 (11), 102.835
 13 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c), 115.31 (2g),
 14 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12)
 15 (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205
 16 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), ^{139.85(1),} 139.95 (2), 139.95 (3),
 17 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20
 18 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 200.09 (2),
 19 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.),
 20 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b)
 21 (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.26 (4) (cm) 1., ^{301-45(6)(a) 2.,} 302.095 (2), 302.11
 22 (1g) (a) 2., 302.11 (1p), 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4)
 23 (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a),
 24 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175
 25 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2)

1 (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,
2 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),
3 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),
4 753.061 (2m); 765.30 (1) (intro.), 765.30 (2) (intro.), ^{(767.242 (8))} 768.07, 783.07, 938.208 (1) (a),
5 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3. and (4) (b), 938.78 (3), 939.22
6 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50
7 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b),
8 939.62 (1) (c), 939.62 (2m) (a) 2m. a. and b., 939.623 (2), 939.624 (2), 939.632 (1) (e)
9 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04
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11 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2),
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15 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.),
16 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b),
17 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b)
18 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b)
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 2 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38 (2),
 3 943.01 (2) (intro.), 943.01 (2g), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)
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 5 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.),
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 9 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1),
 10 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),
 11 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2)
 12 (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455
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 20 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.),
 21 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b),
 22 946.43 (1m), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48
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 25 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v),

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- 2 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b),
- 3 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a),
- 4 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2)
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- 7 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60
- 8 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b),
- 9 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.),
- 10 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm)
- 11 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41
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- 14 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1)
- 15 (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41
- 16 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m)
- 17 (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m)
- 18 (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d)
- 19 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3.,
- 20 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41
- 21 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m)
- 22 (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h)
- 23 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2)
- 24 (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (d), 961.41 (3g) (c), 961.41 (3g) (d),
- 25 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.455 (1),

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1 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3), 968.255 (1) (a) 2., 968.31 (1)
2 (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 971.365 (1) (c), 971.365
3 (2), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.09 (2) (b) 1.,
4 977.06 (2) (b) and 978.13 (1) (c) of the statutes; the creation of sections 49.95 (1) (e)
5 and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g),
6 939.32 (1m), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f),
7 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m),
8 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t),
9 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g.,
10 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m)

11 (h) 5., 961.41 (3g) (b) (title) and 961.48 (1) (a) and (b) of the statutes; and SECTION 764

12 (1) of this act take effect on the day after publication. of the 5th month beginning

Insert
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13 (2) OPERATING AFTER REVOCATION. The treatment of section 343.44 (2) (b) (intro.)
14 of the statutes and SECTION 764 (2) of this act take effect on whichever of the following
15 dates is later:

16 (a) The day after publication.

17 (b) May 1, 2000, or the date stated in the notice published by the secretary of
18 transportation in the Wisconsin Administrative Register under section 85.515 of the
19 statutes, whichever is earlier.

20 (3) CRIMINAL PENALTIES STUDY COMMITTEE APPROPRIATION. SECTION 763 (1) of this
21 act takes effect on the day after publication of this act or on the 2nd day after
22 publication of the 1999-2001 biennial budget act, whichever is later.

23 (END)