

ASSEMBLY BILL 3

1 **SECTION 65.** 97.43 (4) of the statutes is amended to read:

2 97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~
3 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
4 guilty of a Class H felony.

5 **SECTION 66.** 97.45 (2) of the statutes is amended to read:

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

9 **SECTION 67.** 100.171 (7) (b) of the statutes is amended to read:

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

15 **SECTION 68.** 100.2095 (6) (d) of the statutes is amended to read:

16 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less
17 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
18 9 months or both. Each day of violation constitutes a separate offense.

19 **SECTION 69.** 100.26 (2) of the statutes is amended to read:

20 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~
21 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
22 ~~6 months or both is guilty of a Class I felony.~~

23 **SECTION 70.** 100.26 (5) of the statutes is amended to read:

24 100.26 (5) Any person violating s. 100.06 or any order or regulation of the
25 department thereunder, or s. 100.18 (9), shall may be fined not less than ~~\$100 nor~~

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1 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

2 Each day of violation constitutes a separate offense.

3 **SECTION 71.** 100.26 (7) of the statutes is amended to read:

4 100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than ~~\$500~~
5 ~~nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
6 both for each offense. Each unlawful advertisement published, printed or mailed on
7 separate days or in separate publications, hand bills or direct mailings is a separate
8 violation of this section.

9 **SECTION 72.** 101.143 (10) (b) of the statutes is amended to read:

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

14 **SECTION 73.** 101.9204 (2) of the statutes is amended to read:

15 101.9204 (2) Any person who knowingly makes a false statement in an
16 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
17 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

18 **SECTION 74.** 101.94 (8) (b) of the statutes is amended to read:

19 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
20 knowingly and wilfully violates this subchapter in a manner which threatens the
21 health or safety of a purchaser ~~shall~~ may be fined not more than ~~\$1,000~~ \$10,000 or
22 imprisoned for not more than ~~2 years~~ 9 months or both.

23 **SECTION 75.** 102.835 (11) of the statutes is amended to read:

24 102.835 (11) **EVASION.** Any person who removes, deposits or conceals or aids in
25 removing, depositing or concealing any property upon which a levy is authorized

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1 under this section with intent to evade or defeat the assessment or collection of any
2 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
3 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
4 costs of prosecution.

5 **SECTION 76.** 102.835 (18) of the statutes is amended to read:

6 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
7 employer may discharge or otherwise discriminate with respect to the terms and
8 conditions of employment against any employee by reason of the fact that his or her
9 earnings have been subject to levy for any one levy or because of compliance with any
10 provision of this section. Whoever wilfully violates this subsection may be fined not
11 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

12 **SECTION 77.** 102.85 (3) of the statutes is amended to read:

13 102.85 (3) An employer who violates an order to cease operations under s.
14 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
15 ~~years or both~~ is guilty of a Class I felony.

16 **SECTION 78.** 108.225 (11) of the statutes is amended to read:

17 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
18 removing, depositing or concealing any property upon which a levy is authorized
19 under this section with intent to evade or defeat the assessment or collection of any
20 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
21 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
22 costs of prosecution.

23 **SECTION 79.** 108.225 (18) of the statutes is amended to read:

24 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
25 employer may discharge or otherwise discriminate with respect to the terms and

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SECTION 79

1 conditions of employment against any employee by reason of the fact that his or her
2 earnings have been subject to levy for any one levy or because of compliance with any
3 provision of this section. Whoever wilfully violates this subsection may be fined not
4 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

5 **SECTION 80.** 110.07 (5) (a) of the statutes is amended to read:

6 110.07 (5) (a) In this subsection, “bulletproof garment” ~~has the meaning given~~
7 ~~in s. 939.64 (1) means a vest or other garment designed, redesigned, or adapted to~~
8 prevent bullets from penetrating through the garment.

9 **SECTION 81.** 114.20 (18) (c) of the statutes is amended to read:

10 114.20 (18) (c) Any person who knowingly makes a false statement in any
11 application or in any other document required to be filed with the department, ~~or who~~
12 knowingly foregoes the submission of any application, document, or any registration
13 certificate or transfer shall be fined not more than \$5,000 or imprisoned for not more
14 than 7 years and 6 months or both is guilty of a Class H felony.

15 **SECTION 82.** 115.31 (2g) of the statutes is amended to read:

16 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
17 revoke a license granted by the state superintendent, without a hearing, if the
18 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.
19 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, ~~or any~~
20 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
21 violation that occurs on or after the effective date of this subsection [revisor inserts
22 date].

23 **SECTION 83.** 118.19 (4) (a) of the statutes is amended to read:

24 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
25 may not grant a license, for 6 years following the date of the conviction, to any person

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1 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except
2 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a
3 violation that occurs on or after September 12, 1991, ~~for 6 years following the date~~
4 ~~of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except~~
5 ~~ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this~~
6 ~~paragraph [revisor inserts date]. The state superintendent may grant the license~~
7 only if the person establishes by clear and convincing evidence that he or she is
8 entitled to the license.

9 **SECTION 84.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and
10 amended to read:

11 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
12 ~~or imprisoned for not more than 7 years and 6 months or both is guilty of a Class H~~
13 ~~felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).~~

14 **SECTION 85.** 125.075 (2) (b) of the statutes is created to read:

15 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
16 underage person dies.

17 **SECTION 86.** 125.085 (3) (a) 2. of the statutes is amended to read:

18 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
19 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
20 ~~3 years or both is guilty of a Class I felony.~~

21 **SECTION 87.** 125.105 (2) (b) of the statutes is amended to read:

22 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
23 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
24 ~~and 6 months or both is guilty of a Class H felony.~~

25 **SECTION 88.** 125.66 (3) of the statutes is amended to read:

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SECTION 88

1 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
2 holding appropriate permits under this chapter, or any person who sells such liquor,
3 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~
4 ~~both. Second or subsequent convictions shall be punished by both the fine and~~
5 ~~imprisonment~~ is guilty of a Class F felony.

6 **SECTION 89.** 125.68 (12) (b) of the statutes is amended to read:

7 125.68 (12) (b) Whoever violates par. (a) ~~shall be fined not less than \$1,000 nor~~
8 ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~
9 ~~or both~~ is guilty of a Class F felony.

10 **SECTION 90.** 125.68 (12) (c) of the statutes is amended to read:

11 125.68 (12) (c) Any person causing the death of another human being through
12 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
13 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~
14 ~~for not more than 15 years~~ is guilty of a Class E felony.

15 **SECTION 91.** 132.20 (2) of the statutes is amended to read:

16 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
17 in this state in a counterfeit mark or in any goods or service bearing or provided
18 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,
19 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
20 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~
21 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
22 person may be fined not more than \$1,000,000.

23 **SECTION 92.** 133.03 (1) of the statutes is amended to read:

24 133.03 (1) Every contract, combination in the form of trust or otherwise, or
25 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any

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1 contract or engages in any combination or conspiracy in restraint of trade or
2 commerce is guilty of a Class H felony, except that, notwithstanding the maximum
3 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if
4 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~
5 ~~imprisoned for not more than 7 years and 6 months or both.~~

6 **SECTION 93.** 133.03 (2) of the statutes is amended to read:

7 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
8 combines or conspires with any other person or persons to monopolize any part of
9 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
10 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
11 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
12 ~~or imprisoned for not more than 7 years and 6 months or both.~~

13 **SECTION 94.** 134.05 (4) of the statutes is amended to read:

14 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
15 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
16 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
17 9 months or both.

18 **SECTION 95.** 134.16 of the statutes is amended to read:

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

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1 bills of exchange, bank checks or other commercial paper for safekeeping or for
2 collection, when he or she knows or has good reason to know that such bank, company
3 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
4 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
5 ~~not more than \$10,000~~ is guilty of a Class F felony.

6 **SECTION 96.** 134.20 (1) (intro.) of the statutes is amended to read:

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

10 **SECTION 97.** 134.205 (4) of the statutes is amended to read:

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

15 **SECTION 98.** 134.58 of the statutes is amended to read:

16 **134.58 Use of unauthorized persons as officers.** Any person who,
17 individually, in concert with another or as agent or officer of any firm, joint-stock
18 company or corporation, uses, employs, aids or assists in employing any body of
19 armed persons to act as militia, police or peace officers for the protection of persons
20 or property or for the suppression of strikes, not being authorized by the laws of this
21 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
22 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

23 **SECTION 99.** 139.44 (1) of the statutes is amended to read:

24 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
25 any stamp or procures or causes the same to be done, or who knowingly utters,

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1 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
2 affixes the same to any package or container of cigarettes, or who possesses with the
3 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
4 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
5 ~~years~~ is guilty of a Class G felony.

6 **SECTION 100.** 139.44 (1m) of the statutes is amended to read:

7 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
8 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
9 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

10 **SECTION 101.** 139.44 (2) of the statutes is amended to read:

11 139.44 (2) Any person who makes or signs any false or fraudulent report or who
12 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
13 evasion or attempted evasion of that tax ~~shall~~ may be fined not ~~less than \$1,000 nor~~
14 ~~more than \$5,000~~ \$10,000 or imprisoned for not less than 90 days nor more than 2
15 ~~years~~ 9 months or both.

16 **SECTION 102.** 139.44 (8) (c) of the statutes is amended to read:

17 139.44 (8) (c) If the number of cigarettes exceeds 36,000, a ~~fine of not more than~~
18 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
19 Class I felony.

20 **SECTION 103.** 139.85 (1) of the statutes is amended to read:

21 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
22 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may
23 be fined not ~~less than \$1,000 nor more than \$5,000~~ \$10,000 or imprisoned for not less
24 ~~than 90 days nor more than one year~~ 9 months or both.

25 **SECTION 104.** 139.95 (2) of the statutes is amended to read:

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SECTION 104

1 139.95 (2) A dealer who possesses a schedule I controlled substance, a schedule
2 II controlled substance or ketamine or flunitrazepam that does not bear evidence
3 that the tax under s. 139.88 has been paid ~~may be fined not more than \$10,000 or~~
4 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
5 felony.

6 **SECTION 105.** 139.95 (3) of the statutes is amended to read:

7 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
8 any stamp or procures or causes the same to be done or who knowingly utters,
9 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
10 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II
11 controlled substance or ketamine or flunitrazepam or who possesses a schedule I
12 controlled substance, a schedule II controlled substance or ketamine or
13 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~
14 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~
15 ~~years or both~~ is guilty of a Class F felony.

16 **SECTION 106.** 146.345 (3) of the statutes is amended to read:

17 146.345 (3) Any person who violates this section is guilty of a Class H felony,
18 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
19 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~
20 ~~and 6 months or both.~~

21 **SECTION 107.** 146.35 (5) of the statutes is amended to read:

22 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
23 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
24 felony.

25 **SECTION 108.** 146.60 (9) (am) of the statutes is amended to read:

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

4 **SECTION 109.** 146.70 (10) (a) of the statutes is amended to read:

5 146.70 (10) (a) Any person who intentionally dials the telephone number “911”
6 to report an emergency, knowing that the fact situation which he or she reports does
7 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
8 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~
9 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
10 felony for any other offense committed within 4 years after the first offense.

11 **SECTION 110.** 154.15 (2) of the statutes is amended to read:

12 154.15 (2) Any person who, with the intent to cause a withholding or
13 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
14 the declarant, illegally falsifies or forges the declaration of another or conceals a
15 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
16 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
17 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
18 felony.

19 **SECTION 111.** 154.29 (2) of the statutes is amended to read:

20 154.29 (2) Any person who, with the intent to cause the withholding or
21 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
22 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation
23 under s. 154.21 of a do-not-resuscitate order or any responsible person who
24 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~

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1 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
2 felony.

3 SECTION 112. 166.20 (11) (b) of the statutes is amended to read:

4 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
5 release of a hazardous substance covered under 42 USC 11004 as required under sub.
6 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following
7 penalties:

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

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

16 SECTION 113. 167.10 (9) (g) of the statutes is amended to read:

17 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
18 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~
19 ~~than 15 years or both~~ is guilty of a Class G felony.

20 SECTION 114. 175.20 (3) of the statutes is amended to read:

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

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1 **SECTION 115.** 180.0129 (2) of the statutes is amended to read:

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

4 **SECTION 116.** 181.0129 (2) of the statutes is amended to read:

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

8 **SECTION 117.** 185.825 of the statutes is amended to read:

9 **185.825 Penalty for false document.** Whoever causes a document to be
10 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
11 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
12 Class I felony.

13 **SECTION 118.** 201.09 (2) of the statutes is amended to read:

14 201.09 (2) Every director, president, secretary or other official or agent of any
15 public service corporation, who shall practice fraud or knowingly make any false
16 statement to secure a certificate of authority to issue any security, or issue under a
17 certificate so obtained and with knowledge of such fraud, or false statement, or
18 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall
19 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
20 ~~15 years or both~~ is guilty of a Class I felony.

21 **SECTION 119.** 214.93 of the statutes is amended to read:

22 **214.93 False statements.** A person may not knowingly make, cause, or allow
23 another person to make or cause to be made, a false statement, under oath if required
24 by this chapter or on any report or statement required by the division or by this

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1 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
2 section may be imprisoned for ~~not more than 30 years~~ is guilty of a Class F felony.

3 **SECTION 120.** 215.02 (6) (b) of the statutes is amended to read:

4 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any
5 debtor of any association or any information about the private account or
6 transactions of such association, discloses any fact obtained in the course of any
7 examination of any association, or discloses examination or other confidential
8 information obtained from any state or federal regulatory authority, including an
9 authority of this state or another state, for financial institutions, mortgage bankers,
10 insurance or securities, except as provided in par. (a), he or she is guilty of a Class
11 I felony and shall forfeit his or her office or position ~~and may be fined not less than~~
12 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~
13 ~~3 years or both.~~

14 **SECTION 121.** 215.12 of the statutes is amended to read:

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

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1 **SECTION 122.** 215.21 (21) of the statutes is amended to read:

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

13 **SECTION 123.** 218.21 (7) of the statutes is amended to read:

14 218.21 (7) Any person who knowingly makes a false statement in an
15 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
16 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
17 Class H felony.

18 **SECTION 124.** 220.06 (2) of the statutes is amended to read:

19 220.06 (2) If any employee in the division or any member of the banking review
20 board or any employee thereof discloses the name of any debtor of any bank or
21 licensee, or anything relative to the private account or transactions of such bank or
22 licensee, or any fact obtained in the course of any examination of any bank or
23 licensee, except as herein provided, that person is guilty of a Class I felony and shall
24 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~

ASSEMBLY BILL 3**SECTION 124**

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

3 **SECTION 125.** 221.0625 (2) (intro.) of the statutes is amended to read:

4 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
5 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
6 ~~not more than 15 years~~ is guilty of a Class F felony:

7 **SECTION 126.** 221.0636 (2) of the statutes is amended to read:

8 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
9 ~~not more than 30 years~~ is guilty of a Class H felony.

10 **SECTION 127.** 221.0637 (2) of the statutes is amended to read:

11 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~
12 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
13 felony.

14 **SECTION 128.** 221.1004 (2) of the statutes is amended to read:

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

18 **SECTION 129.** 227.01 (13) (sm) of the statutes is created to read:

19 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

20 **SECTION 130.** 230.08 (2) (L) 6. of the statutes is created to read:

21 230.08 (2) (L) 6. Sentencing commission.

22 **SECTION 131.** 230.08 (2) (of) of the statutes is created to read:

23 230.08 (2) (of) The executive director of the sentencing commission.

24 **SECTION 132.** 253.06 (4) (b) of the statutes is amended to read:

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1 253.06 (4) (b) A person who violates any provision of this subsection may be
2 fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty
3 of a Class I felony for the first offense and ~~may be fined not more than \$10,000 or~~
4 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~
5 felony for the 2nd or subsequent offense.

6 **SECTION 133.** 285.87 (2) (b) of the statutes is amended to read:

7 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
8 another conviction under par. (a), the person ~~shall is guilty of a Class I felony, except~~
9 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may
10 be fined not more than \$50,000 per day of violation or imprisoned for not more than
11 3 years or both.

12 **SECTION 134.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

13 291.97 (2) (b) (intro.) Any person who wilfully does any of the following shall
14 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
15 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than
16 \$100,000 or imprisoned for not more than 7 years and 6 months or both:

17 **SECTION 135.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

18 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall
19 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified
20 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000
21 or imprisoned for not more than 2 years or both.

22 2. For a 2nd or subsequent violation under par. (b), a person ~~shall is guilty of~~
23 a Class F felony, except that, notwithstanding the maximum fine specified in s.
24 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
25 or imprisoned for not more than 15 years or both.

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SECTION 136

1 **SECTION 136.** 299.53 (4) (c) 2. of the statutes is amended to read:

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

8 **SECTION 137.** 301.035 (2) of the statutes is amended to read:

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

12 **SECTION 138.** 301.035 (4) of the statutes is amended to read:

13 301.035 (4) Supervise employees in the conduct of the activities of the division
14 and be the administrative reviewing authority for decisions of the division under ss.
15 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
16 ch. 304.

17 **SECTION 139.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

18 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
19 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
20 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (3), (4) or (5), 940.195
21 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)
22 (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45
23 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,
24 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.30, 943.32, 946.43,

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1 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or
2 948.30.

3 **SECTION 140.** 301.26 (4) (cm) 1. of the statutes is amended to read:

4 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
5 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
6 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured
7 correctional facilities, secured child caring institutions, alternate care providers,
8 aftercare supervision providers and corrective sanctions supervision providers for
9 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age
10 or over who has been placed in a secured correctional facility based on a delinquent
11 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or
12 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,
13 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),
14 948.02 (1), 948.025, (1), or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any
15 juvenile 10 years of age or over who has been placed in a secured correctional facility
16 or secured child caring institution for attempting or committing a violation of s.
17 940.01 or for committing a violation of s. 940.02 or 940.05.

18 **SECTION 141.** 301.45 (6) (a) 2. of the statutes is amended to read:

19 301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~
20 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class
21 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense
22 if, prior to committing the offense, the person has at any time been convicted of
23 knowingly failing to comply with any requirement to provide information under
24 subs. (2) to (4).

25 **SECTION 142.** 302.045 (3) of the statutes is amended to read:

ASSEMBLY BILL 3**SECTION 142**

1 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
2 determines that an inmate servng a sentncc other than one imposed under s.
3 973.01 has successfully completed the challenge incarceration program, the parole
4 commission shall parole the inmate for that sentence under s. 304.06, regardless of
5 the time the inmate has served, ~~unless the person is serving a sentence imposed~~
6 ~~under s. 973.01.~~ When the parole commission grants parole under this subsection,
7 it must require the parolee to participate in an intensive supervision program for
8 drug abusers as a condition of parole.

9 **SECTION 143.** 302.095 (2) of the statutes is amended to read:

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

21 **SECTION 144.** 302.11 (1g) (a) 2. of the statutes is amended to read:

22 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
23 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
24 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
25 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),

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1 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,
2 948.08, or 948.30 (2), 948.35 (1) (b) or (e) or 948.36.

3 **SECTION 145.** 302.11 (1p) of the statutes is amended to read:

4 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1999 stats., for
5 a crime committed before December 31, 1999, is entitled to mandatory release,
6 except the inmate may not be released before he or she has complied with s. 961.49
7 (2), 1999 stats.

8 **SECTION 146.** 302.11 (1z) of the statutes is amended to read:

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

13 **SECTION 147.** 302.11 (3) of the statutes is amended to read:

14 302.11 (3) All consecutive sentences imposed for crimes committed before
15 December 31, 1999, shall be computed as one continuous sentence.

16 **SECTION 148.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and
17 amended to read:

18 302.11 (7) (am) ~~The division of hearings and appeals in the department of~~
19 ~~administration, upon proper notice and hearing, or the department of corrections, if~~
20 ~~the parolee waives a hearing,~~ reviewing authority may return a parolee released
21 under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the
22 remainder of the sentence for a violation of the conditions of parole. The remainder
23 of the sentence is the entire sentence, less time served in custody prior to parole. The
24 revocation order shall provide the parolee with credit in accordance with ss. 304.072
25 and 973.155.

ASSEMBLY BILL 3**SECTION 149**

1 **SECTION 149.** 302.11 (7) (ag) of the statutes is created to read:

2 302.11 (7) (ag) In this subsection “reviewing authority” means the division of
3 hearings and appeals in the department of administration, upon proper notice and
4 hearing, or the department of corrections, if the parolee waives a hearing.

5 **SECTION 150.** 302.11 (7) (b) of the statutes is amended to read:

6 302.11 (7) (b) A parolee returned to prison for violation of the conditions of
7 parole shall be incarcerated for the entire period of time determined by the
8 ~~department of corrections in the case of a waiver or the division of hearings and~~
9 ~~appeals in the department of administration in the case of a hearing under par. (a),~~
10 reviewing authority unless paroled earlier under par. (c). The parolee is not subject
11 to mandatory release under sub. (1) or presumptive mandatory release under sub.
12 (1g). The period of time determined under par. (a) (am) may be extended in
13 accordance with subs. (1q) and (2).

14 **SECTION 151.** 302.11 (7) (d) of the statutes is amended to read:

15 302.11 (7) (d) A parolee who is subsequently released either after service of the
16 period of time determined by the ~~department of corrections in the case of a waiver~~
17 ~~or the division of hearings and appeals in the department of administration in the~~
18 ~~case of a hearing under par. (a)~~ reviewing authority or by a grant of parole under par.
19 (c) is subject to all conditions and rules of parole until expiration of sentence or
20 discharge by the department.

21 **SECTION 152.** 302.11 (7) (e) of the statutes is created to read:

22 302.11 (7) (e) A reviewing authority may consolidate proceedings before it
23 under par. (am) with other proceedings before that reviewing authority under par.
24 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the
25 parole or extended supervision of the same person.

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1 **SECTION 153.** 302.113 (2) of the statutes is amended to read:

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

7 **SECTION 154.** 302.113 (4) of the statutes is amended to read:

8 302.113 (4) All consecutive sentences imposed for crimes committed on or after
9 December 31, 1999, shall be computed as one continuous sentence. The person shall
10 serve any term of extended supervision after serving all terms of confinement in
11 prison.

12 **SECTION 155.** 302.113 (7) of the statutes is amended to read:

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

19 **SECTION 156.** 302.113 (7m) of the statutes is created to read:

20 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
21 or the department may petition the sentencing court to modify any conditions of
22 extended supervision set by the court.

23 (b) If the department files a petition under this subsection, it shall serve a copy
24 of the petition on the person who is the subject of the petition and, if the person is
25 represented by an attorney, on the person's attorney. If a person who is subject to this

ASSEMBLY BILL 3**SECTION 156**

1 section or his or her attorney files a petition under this subsection, the person or his
2 or her attorney shall serve a copy of the petition on the department. The court shall
3 serve a copy of a petition filed under this section on the district attorney. The court
4 may direct the clerk of the court to provide notice of the petition to a victim of a crime
5 committed by the person who is the subject of the petition.

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

10 (d) A person subject to this section or the department may appeal an order
11 entered by the court under this subsection. The appellate court may reverse the
12 order only if it determines that the sentencing court erroneously exercised its
13 discretion in granting or denying the petition.

14 (e) 1. An inmate may not petition the court to modify the conditions of extended
15 supervision earlier than one year before the date of the inmate's scheduled date of
16 release to extended supervision or more than once before the inmate's release to
17 extended supervision.

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

23 **SECTION 157.** 302.113 (8m) of the statutes is created to read:

24 302.113 (8m) (a) Every person released to extended supervision under this
25 section remains in the legal custody of the department. If the department alleges

ASSEMBLY BILL 3

1 that any condition or rule of extended supervision has been violated by the person,
2 the department may take physical custody of the person for the investigation of the
3 alleged violation.

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

13 **SECTION 158.** 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and
14 amended to read:

15 302.113 (9) (am) If a person released to extended supervision under this section
16 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
17 ~~the department of administration, upon proper notice and hearing, or the~~
18 ~~department of corrections, if the person on extended supervision waives a hearing,~~
19 reviewing authority may revoke the extended supervision of the person and return
20 the person to prison. If the extended supervision of the person is revoked, the person
21 shall be returned to the circuit court for the county in which the person was convicted
22 of the offense for which he or she was on extended supervision, and the court shall
23 order the person to be returned to prison, he or she shall be returned to prison for any
24 specified period of time that does not exceed the time remaining on the bifurcated
25 sentence. The time remaining on the bifurcated sentence is the total length of the

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SECTION 158

1 bifurcated sentence, less time served by the person in ~~eustody~~ confinement under the
2 sentence before release to extended supervision under sub. (2) and less all time
3 served in confinement for previous revocations of extended supervision under the
4 sentence. The ~~revocation~~ court order returning a person to prison under this
5 paragraph shall provide the person on whose extended supervision was revoked with
6 credit in accordance with ss. 304.072 and 973.155.

7 **SECTION 159.** 302.113 (9) (ag) of the statutes is created to read:

8 302.113 (9) (ag) In this subsection “reviewing authority” means the division of
9 hearings and appeals in the department of administration, upon proper notice and
10 hearing, or the department of corrections, if the person on extended supervision
11 waives a hearing.

12 **SECTION 160.** 302.113 (9) (at) of the statutes is created to read:

13 302.113 (9) (at) When a person is returned to court under par. (am) after
14 revocation of extended supervision, the reviewing authority shall make a
15 recommendation to the court concerning the period of time for which the person
16 should be returned to prison. The recommended time period may not exceed the time
17 remaining on the bifurcated sentence, as calculated under par. (am).

18 **SECTION 161.** 302.113 (9) (b) of the statutes is amended to read:

19 302.113 (9) (b) A person who is returned to prison after revocation of extended
20 supervision shall be incarcerated for the entire period of time specified by the
21 ~~department of corrections in the case of a waiver or by the division of hearings and~~
22 ~~appeals in the department of administration in the case of a hearing~~ court under par.
23 (a) (am). The period of time specified under par. (a) (am) may be extended in
24 accordance with sub. (3). If a person is returned to prison under par. (am) for a period
25 of time that is less than the time remaining on the bifurcated sentence, the person

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1 shall be released to extended supervision after he or she has served the period of time
2 specified by the court under par. (am) and any periods of extension imposed in
3 accordance with sub. (3).

4 **SECTION 162.** 302.113 (9) (c) of the statutes is amended to read:

5 302.113 (9) (c) A person who is subsequently released to extended supervision
6 after service of the period of time specified by the ~~department of corrections in the~~
7 ~~case of a waiver or by the division of hearings and appeals in the department of~~
8 ~~administration in the case of a hearing~~ court under par. (a) (am) is subject to all
9 conditions and rules under ~~sub. subs. (7) and, if applicable, (7m)~~ until the expiration
10 of the ~~term of remaining~~ extended supervision portion of the bifurcated sentence.
11 The remaining extended supervision portion of the bifurcated sentence is the total
12 length of the bifurcated sentence, less the time served by the person in confinement
13 under the bifurcated sentence before release to extended supervision under sub. (2)
14 and less all time served in confinement for previous revocations of extended
15 supervision under the bifurcated sentence.

16 **SECTION 163.** 302.113 (9) (d) of the statutes is created to read:

17 302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a
18 person has served in confinement before release to extended supervision and the
19 amount of time a person has served in confinement for a revocation of extended
20 supervision includes any extensions imposed under sub. (3).

21 **SECTION 164.** 302.113 (9) (e) of the statutes is created to read:

22 302.113 (9) (e) If a hearing is to be held under par. (am) before the division of
23 hearings and appeals in the department of administration, the hearing examiner
24 may order the taking and allow the use of a videotaped deposition under s. 967.04
25 (7) to (10).

ASSEMBLY BILL 3**SECTION 165**

1 **SECTION 165.** 302.113 (9) (f) of the statutes is created to read:

2 302.113 (9) (f) A reviewing authority may consolidate proceedings before it
3 under par. (am) with other proceedings before that reviewing authority under par.
4 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the
5 parole or extended supervision of the same person.

6 **SECTION 166.** 302.113 (9) (g) of the statutes is created to read:

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

13 **SECTION 167.** 302.113 (9g) of the statutes is created to read:

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

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

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

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

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1 (c) An inmate who meets the criteria under par. (b) may submit a petition to
2 the program review committee at the correctional institution in which the inmate is
3 confined requesting a modification of the inmate's bifurcated sentence in the manner
4 specified in par. (f). If the program review committee determines that the public
5 interest would be served by a modification of the inmate's bifurcated sentence in the
6 manner provided under par. (f), the committee shall approve the petition for referral
7 to the sentencing court and notify the department of its approval. The department
8 shall then refer the inmate's petition to the sentencing court and request the court
9 to conduct a hearing on the petition. If the program review committee determines
10 that the public interest would not be served by a modification of the inmate's
11 bifurcated sentence in the manner specified in par. (f), the committee shall deny the
12 inmate's petition.

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

24 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
25 by the greater weight of the credible evidence that a modification of the bifurcated

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

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

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

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

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

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

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

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

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

24 (j) An inmate eligible to seek modification of his or her bifurcated sentence
25 under this subsection has a right to be represented by counsel in proceedings under

ASSEMBLY BILL 3**SECTION 167**

1 this subsection. An inmate, or the department on the inmate's behalf, may apply to
2 the state public defender for determination of indigency and appointment of counsel
3 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
4 committee under par. (c). If an inmate whose petition has been referred to the court
5 under par. (c) is without counsel, the court shall refer the matter to the state public
6 defender for determination of indigency and appointment of counsel under s. 977.05
7 (4) (jm).

8 **SECTION 168.** 302.114 (4) of the statutes is amended to read:

9 302.114 (4) All consecutive sentences imposed for crimes committed on or after
10 December 31, 1999, shall be computed as one continuous sentence. An inmate
11 subject to this section shall serve any term of extended supervision after serving all
12 terms of confinement in prison.

13 **SECTION 169.** 302.114 (5) (f) of the statutes is amended to read:

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

19 **SECTION 170.** 302.114 (6) (b) of the statutes is amended to read:

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

25 **SECTION 171.** 302.114 (6) (c) of the statutes is amended to read:

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

5 **SECTION 172.** 302.114 (8m) of the statutes is created to read:

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

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

20 **SECTION 173.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and
21 amended to read:

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

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SECTION 173

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

10 **SECTION 174.** 302.114 (9) (ag) of the statutes is created to read:

11 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
12 in s. 302.113 (9) (ag).

13 **SECTION 175.** 302.114 (9) (b) of the statutes is amended to read:

14 302.114 (9) (b) ~~If~~ When a person is returned to ~~prison court~~ under par. (a) (am)
15 after revocation of extended supervision, the ~~department of corrections in the case~~
16 ~~of a waiver or the division of hearings and appeals in the department of~~
17 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall
18 specify a make a recommendation to the court concerning the period of time for which
19 the person shall be incarcerated should be returned to prison before being eligible for
20 release to extended supervision. The period of time specified recommended under
21 this paragraph may not be less than 5 years and may be extended in accordance with
22 sub. (3).

23 **SECTION 176.** 302.114 (9) (bm) of the statutes is amended to read:

24 302.114 (9) (bm) A person who is returned to prison under par. (a) (am) after
25 revocation of extended supervision may, upon petition to the sentencing court, be

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1 released to extended supervision after he or she has served the entire period of time
2 specified in by the court under par. (b) (am), including any periods of extension
3 imposed under sub. (3). A person may not file a petition under this paragraph earlier
4 than 90 days before the date on which he or she is eligible to be released to extended
5 supervision. If a person files a petition for release to extended supervision under this
6 paragraph at any time earlier than 90 days before the date on which he or she is
7 eligible to be released to extended supervision, the court shall deny the petition
8 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition
9 filed under this paragraph.

10 **SECTION 177.** 302.114 (9) (c) of the statutes is amended to read:

11 302.114 (9) (c) A person who is subsequently released to extended supervision
12 under par. (b) (bm) is subject to all conditions and rules under sub. (8) until the
13 expiration of the sentence.

14 **SECTION 178.** 302.114 (9) (d) of the statutes is created to read:

15 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of
16 hearings and appeals in the department of administration, the hearing examiner
17 may order the taking and allow the use of a videotaped deposition under s. 967.04
18 (7) to (10).

19 **SECTION 179.** 302.114 (9) (e) of the statutes is created to read:

20 302.114 (9) (e) A reviewing authority may consolidate proceedings before it
21 under par. (am) with other proceedings before that reviewing authority under par.
22 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the
23 parole or extended supervision of the same person.

24 **SECTION 180.** 302.114 (9) (f) of the statutes is created to read:

ASSEMBLY BILL 3**SECTION 180**

1 302.114 (9) (f) In any case in which there is a hearing before the division of
2 hearings and appeals in the department of administration concerning whether to
3 revoke a person's extended supervision, the person on extended supervision may
4 seek review of a decision to revoke extended supervision and the department of
5 corrections may seek review of a decision to not revoke extended supervision. Review
6 of a decision under this paragraph may be sought only by an action for certiorari.

7 **SECTION 181.** 302.33 (1) of the statutes is amended to read:

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

16 **SECTION 182.** 303.065 (1) (b) 1. of the statutes is amended to read:

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

22 **SECTION 183.** 303.08 (1) (intro.) of the statutes is amended to read:

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

ASSEMBLY BILL 3

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

3 **SECTION 184.** 303.08 (2) of the statutes is amended to read:

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

11 **SECTION 185.** 303.08 (5) (intro.) of the statutes is amended to read:

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

17 **SECTION 186.** 303.08 (6) of the statutes is amended to read:

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

24 **SECTION 187.** 303.08 (12) of the statutes is amended to read:

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SECTION 187

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

6 **SECTION 188.** 304.06 (1) (b) of the statutes is amended to read:

7 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
 8 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an
 9 inmate of the Wisconsin state prisons or any felon or any person serving at least one
 10 year or more in a county house of correction or a county reforestation camp organized
 11 under s. 303.07, when he or she has served 25% of the sentence imposed for the
 12 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)
 13 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate
 14 serving a life term when he or she has served 20 years, as modified by the formula
 15 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.
 16 The person serving the life term shall be given credit for time served prior to
 17 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary
 18 may grant special action parole releases under s. 304.02. The department or the
 19 parole commission shall not provide any convicted offender or other person
 20 sentenced to the department’s custody any parole eligibility or evaluation until the
 21 person has been confined at least 60 days following sentencing.

22 **SECTION 189.** 304.071 (2) of the statutes is amended to read:

23 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,
 24 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he
 25 or she is not eligible for parole under this section.

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1 **SECTION 190.** 304.11 (3) of the statutes is amended to read:

2 304.11 (3) If upon inquiry it further appears to the governor that the convicted
3 person has violated or failed to comply with any of those conditions, the governor may
4 issue his or her warrant remanding the person to the institution from which
5 discharged, and the person shall be confined and treated as though no pardon had
6 been granted, except that the person loses any applicable good time which he or she
7 had earned. If the person is returned to prison, the person is subject to the same
8 limitations as a revoked parolee under s. 302.11 (7). The department shall determine
9 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines
10 the person has not violated or failed to comply with the conditions, the person shall
11 be discharged subject to the conditional pardon.

12 **SECTION 191.** 341.605 (3) of the statutes is amended to read:

13 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
14 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~
15 guilty of a Class H felony.

16 **SECTION 192.** 342.06 (2) of the statutes is amended to read:

17 342.06 (2) Any person who knowingly makes a false statement in an
18 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
19 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~
is guilty of a Class H felony.

20 **SECTION 193.** 342.065 (4) (b) of the statutes is amended to read:

21 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~
22 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
23 ~~or both is guilty of a Class H felony.~~
is guilty of a Class H felony.

24 **SECTION 194.** 342.155 (4) (b) of the statutes is amended to read:

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SECTION 194

1 342.155 (4) (b) Any person who violates this section with intent to defraud may
2 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
3 or both is guilty of Class H felony.

4 **SECTION 195.** 342.156 (6) (b) of the statutes is amended to read:

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

8 **SECTION 196.** 342.30 (3) (a) of the statutes is amended to read:

9 342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~
10 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of a~~
11 Class H felony.

12 **SECTION 197.** 342.32 (3) of the statutes is amended to read:

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

16 **SECTION 198.** 343.31 (1) (i) of the statutes is amended to read:

17 343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under
18 s. 346.04 (3).

19 **SECTION 199.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

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

23 **SECTION 200.** 344.48 (2) of the statutes is amended to read:

24 344.48 (2) Any person violating this section may be fined not more than \$1,000
25 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

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1 **SECTION 201.** 346.04 (2t) of the statutes is created to read:

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

6 **SECTION 202.** 346.04 (4) of the statutes is created to read:

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

10 **SECTION 203.** 346.17 (2t) of the statutes is created to read:

11 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than
12 \$10,000 or imprisoned for not more than 9 months or both.

13 **SECTION 204.** 346.17 (3) (a) of the statutes is amended to read:

14 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
15 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~
16 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

17 **SECTION 205.** 346.17 (3) (b) of the statutes is amended to read:

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

22 **SECTION 206.** 346.17 (3) (c) of the statutes is amended to read:

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

ASSEMBLY BILL 3**SECTION 207**

1 **SECTION 207.** 346.17 (3) (d) of the statutes is amended to read:

2 346.17 (3) (d) If the violation results in the death of another, the person shall
3 be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not
4 more than 7 years and 6 months is guilty of a Class E felony.

5 **SECTION 208.** 346.175 (1) (a) of the statutes is amended to read:

6 346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a
7 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for
8 the violation as provided in this section.

9 **SECTION 209.** 346.175 (1) (b) of the statutes is amended to read:

10 346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a
11 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this
12 section if the person operating the vehicle or having the vehicle under his or her
13 control at the time of the violation has been convicted for the violation under this
14 section or under s. 346.04 (2t) or (3).

15 **SECTION 210.** 346.175 (4) (b) of the statutes is amended to read:

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

23 **SECTION 211.** 346.175 (4) (c) of the statutes is amended to read:

24 346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of
25 the violation the vehicle was in the possession of a lessee, and the lessor provides a

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1 traffic officer employed by the authority issuing the citation with the information
2 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under
3 this section or under s. 346.04 (2t) or (3).

4 **SECTION 212.** 346.175 (4) (d) of the statutes is amended to read:

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

12 **SECTION 213.** 346.175 (5) (intro.) of the statutes is amended to read:

13 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.
14 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

15 **SECTION 214.** 346.175 (5) (a) of the statutes is amended to read:

16 346.175 (5) (a) A vehicle owner or other person found liable under this section
17 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor
18 more than \$1,000.

19 **SECTION 215.** 346.65 (2) (e) of the statutes is amended to read:

20 346.65 (2) (e) Except as provided in pars. (f) and (g), is guilty of a Class H felony
21 and shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not
22 less than 6 months nor more than 5 years if the number of convictions under ss.
23 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,
24 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,

ASSEMBLY BILL 3**SECTION 215**

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

3 **SECTION 216.** 346.65 (5) of the statutes is amended to read:

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

7 **SECTION 217.** 346.74 (5) (b) of the statutes is amended to read:

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

12 **SECTION 218.** 346.74 (5) (c) of the statutes is amended to read:

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

16 **SECTION 219.** 346.74 (5) (d) of the statutes is amended to read:

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

20 **SECTION 220.** 350.11 (2m) of the statutes is amended to read:

21 350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~
22 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class H felony
23 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
24 person.

25 **SECTION 221.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

ASSEMBLY BILL 3

1 **SECTION 222.** 351.07 (2) (b) of the statutes is repealed.

2 **SECTION 223.** 446.07 of the statutes is amended to read:

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

6 **SECTION 224.** 447.09 of the statutes is amended to read:

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

12 **SECTION 225.** 450.11 (9) (b) of the statutes is amended to read:

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

17 **SECTION 226.** 450.14 (5) of the statutes is amended to read:

18 450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~
19 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
20 ~~and 6 months or both~~ is guilty of a Class H felony.

21 **SECTION 227.** 450.15 (2) of the statutes is amended to read:

22 450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~
23 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
24 ~~and 6 months or both~~ is guilty of a Class H felony.

25 **SECTION 228.** 551.58 (1) of the statutes is amended to read:

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SECTION 228

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

9 **SECTION 229.** 552.19 (1) of the statutes is amended to read:

10 552.19 (1) Any person, including a controlling person of an offeror or target
11 company, who wilfully violates this chapter or any rule under this chapter, or any
12 order of which the person has notice, ~~may be fined not more than \$5,000 or~~
13 ~~imprisoned for not more than 7 years and 6 months or both is~~ guilty of a Class H
14 felony. Each of the acts specified constitutes a separate offense and a prosecution or
15 conviction for any one of the offenses does not bar prosecution or conviction for any
16 other offense.

17 **SECTION 230.** 553.52 (1) of the statutes is amended to read:

18 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of
19 which the person has notice, or who violates s. 553.41 (1) knowing or having
20 reasonable cause to believe either that the statement made was false or misleading
21 in any material respect or that the failure to report a material event under s. 553.31
22 (1) was false or misleading in any material respect, ~~may be fined not more than~~
23 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both is~~ guilty of a
24 Class G felony. Each of the acts specified is a separate offense, and a prosecution or

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1 conviction for any one of those offenses does not bar prosecution or conviction for any
2 other offense.

3 **SECTION 231.** 553.52 (2) of the statutes is amended to read:

4 553.52 (2) Any person who employs, directly or indirectly, any device, scheme
5 or artifice to defraud in connection with the offer or sale of any franchise or engages,
6 directly or indirectly, in any act, practice, or course of business which operates or
7 would operate as a fraud or deceit upon any person in connection with the offer or
8 sale of any franchise shall be ~~fined not more than \$5,000 or imprisoned for not more~~
9 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

10 **SECTION 232.** 562.13 (3) of the statutes is amended to read:

11 562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~
12 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

13 **SECTION 233.** 562.13 (4) of the statutes is amended to read:

14 562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~
15 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
16 ~~or both~~ is guilty of a Class H felony.

17 **SECTION 234.** 565.50 (2) of the statutes is amended to read:

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

22 **SECTION 235.** 565.50 (3) of the statutes is amended to read:

23 565.50 (3) Any person who possesses an altered or forged lottery ticket or share
24 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not
25 more than ~~3 years~~ 9 months or both.

ASSEMBLY BILL 3**SECTION 236**

1 **SECTION 236.** 601.64 (4) of the statutes is amended to read:

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

9
10 **SECTION 237.** 641.19 (4) (a) of the statutes is amended to read:

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

18 **SECTION 238.** 641.19 (4) (b) of the statutes is amended to read:

19 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully
20 abstracts or converts to his or her own use or to the use of another, any of the moneys,
21 funds, securities, premiums, credits, property, or other assets of any employee
22 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~
23 ~~\$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
24 Class H felony.

25 **SECTION 239.** 753.061 (2m) of the statutes is amended to read:

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

8 **SECTION 240.** 765.30 (1) (intro.) of the statutes is amended to read:

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

11 **SECTION 241.** 765.30 (2) (intro.) of the statutes is amended to read:

12 765.30 (2) (intro.) The following shall may be fined not less than \$100 nor more
13 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

14 **SECTION 242.** 767.242 (8) of the statutes is amended to read:

15 767.242 (8) PENALTY. Whoever intentionally violates an injunction issued
16 under sub. (5) (b) 2. c. ~~may be fined not more than \$10,000 or imprisoned for not more~~
17 ~~than 2 years or both~~ is guilty of a Class I felony.

18 **SECTION 243.** 768.07 of the statutes is amended to read:

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

22 **SECTION 244.** 783.07 of the statutes is amended to read:

23 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be
24 is directed to any public officer, body, board or person, commanding the performance
25 of any duty specially enjoined by law, ~~if it shall appear to the court that such and the~~

ASSEMBLY BILL 3**SECTION 244**

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

6 **SECTION 245.** 801.50 (5) of the statutes is amended to read:

7 801.50 (5) Venue of an action for certiorari to review a probation, extended
8 supervision or parole revocation, a denial by a program review committee under s.
9 302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of
10 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an
11 offense for which the relator was on probation, extended supervision or parole or for
12 which the relator is currently incarcerated.

13 **SECTION 246.** 801.50 (5c) of the statutes is created to read:

14 801.50 (5c) Venue of an action for certiorari brought by the department of
15 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke
16 extended supervision shall be in the county in which the person on extended
17 supervision was convicted of the offense for which he or she is on extended
18 supervision.

19 **SECTION 247.** 908.08 (1) of the statutes is amended to read:

20 908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under
21 s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),
22 304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the
23 videotaped oral statement of a child who is available to testify, as provided in this
24 section.

25 **SECTION 248.** 911.01 (4) (c) of the statutes is amended to read:

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

7 **SECTION 249.** 938.208 (1) (a) of the statutes is amended to read:

8 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed
9 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,
10 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~
11 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if
12 committed by an adult.

13 **SECTION 250.** 938.34 (4h) (a) of the statutes is amended to read:

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

21 **SECTION 251.** 938.34 (4m) (b) 1. of the statutes is amended to read:

22 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be
23 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),
24 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)
25 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.