

**ASSEMBLY BILL 3****SECTION 252**

1           **SECTION 252.** 938.355 (2d) (b) 3. of the statutes is amended to read:

2           938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
3           1999 stats., or s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025  
4           or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,  
5           if that violation would be a violation of s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2),  
6           948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that  
7           the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in  
8           substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child  
9           of the parent.

10           **SECTION 253.** 938.355 (4) (b) of the statutes is amended to read:

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

20           **SECTION 254.** 938.78 (3) of the statutes is amended to read:

21           938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
22           938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
23           or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
24           943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
25           941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,

**ASSEMBLY BILL 3**

1 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02,  
2 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in  
3 ch. 940 has escaped from a secured correctional facility, child caring institution,  
4 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention  
5 facility or juvenile portion of a county jail, or from the custody of a peace officer or  
6 a guard of such a facility, institution or jail, or has been allowed to leave a secured  
7 correctional facility, child caring institution, secured group home, inpatient facility,  
8 secure detention facility or juvenile portion of a county jail for a specified time period  
9 and is absent from the facility, institution, home or jail for more than 12 hours after  
10 the expiration of the specified period, the department or county department having  
11 supervision over the juvenile may release the juvenile's name and any information  
12 about the juvenile that is necessary for the protection of the public or to secure the  
13 juvenile's return to the facility, institution, home or jail. The department of  
14 corrections shall promulgate rules establishing guidelines for the release of the  
15 juvenile's name or information about the juvenile to the public.

16 **SECTION 255.** 939.22 (21) (d) of the statutes is amended to read:

17 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
18 prohibited in s. 940.19 or 940.195.

19 **SECTION 256.** 939.30 (1) of the statutes is amended to read:

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

24 **SECTION 257.** 939.30 (2) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 257**

1           939.30 (2) For a solicitation to commit a crime for which the penalty is life  
2 imprisonment, the actor is guilty of a Class C F felony. For a solicitation to commit  
3 a Class E I felony, the actor is guilty of a Class E I felony.

4           **SECTION 258.** 939.32 (1) (intro.) of the statutes is amended to read:

5           939.32 (1) GENERALLY (intro.) Whoever attempts to commit a felony or a crime  
6 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~  
7 ~~exceed one-half the maximum penalty for the completed crime; as provided under~~  
8 sub. (1g), except:

9           **SECTION 259.** 939.32 (1) (b) of the statutes is repealed.

10          **SECTION 260.** 939.32 (1) (bm) of the statutes is created to read:

11          939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
12 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
13 applied, is guilty of a Class A misdemeanor.

14          **SECTION 261.** 939.32 (1g) of the statutes is created to read:

15          939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit  
16 a crime that is punishable under sub. (1) (intro.) is as follows:

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

18          (b) 1. If neither s. 939.62 (1) nor 961.48 is being applied, the maximum term  
19 of imprisonment is one-half of the maximum term of imprisonment, as increased by  
20 any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the  
21 completed crime.

22          2. If either s. 939.62 (1) or 961.48 is being applied, the maximum term of  
23 imprisonment is determined by the following method:

**ASSEMBLY BILL 3**

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

4 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

5 **SECTION 262.** 939.32 (1m) of the statutes is created to read:

6 **939.32 (1m) BIFURCATED SENTENCES.** If the court imposes a bifurcated sentence  
7 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.  
8 (1) (intro.), the following requirements apply:

9 (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
10 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
11 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being  
12 applied, the maximum term of confinement in prison is one-half of the maximum  
13 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any  
14 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified  
15 felony.

16 2. Subject to the minimum term of extended supervision required under s.  
17 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is  
18 being applied, the court shall determine the maximum term of confinement in prison  
19 by the following method:

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

23 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

24 (b) *Maximum term of extended supervision for attempt to commit classified*  
25 *felony.* The maximum term of extended supervision for an attempt to commit a

**ASSEMBLY BILL 3**

1 classified felony is one-half of the maximum term of extended supervision for the  
2 completed crime under s. 973.01 (2) (d).

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

8 **SECTION 263.** 939.32 (2) (title) of the statutes is created to read:

9 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

10 **SECTION 264.** 939.32 (3) (title) of the statutes is created to read:

11 939.32 (3) (title) REQUIREMENTS.

12 **SECTION 265.** 939.50 (1) (intro.) of the statutes is amended to read:

13 939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~  
14 ~~felonies~~ Felonies in ~~chs. 939 to 951~~ chs. 939 to 951 the statutes are classified as follows:

15 **SECTION 266.** 939.50 (1) (bc) of the statutes is repealed.

16 **SECTION 267.** 939.50 (1) (f) of the statutes is created to read:

17 939.50 (1) (f) Class F felony.

18 **SECTION 268.** 939.50 (1) (g) of the statutes is created to read:

19 939.50 (1) (g) Class G felony.

20 **SECTION 269.** 939.50 (1) (h) of the statutes is created to read:

21 939.50 (1) (h) Class H felony.

22 **SECTION 270.** 939.50 (1) (i) of the statutes is created to read:

23 939.50 (1) (i) Class I felony.

24 **SECTION 271.** 939.50 (2) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H, or I felony when it  
2 is so specified in ~~chs. 939 to 951~~ the statutes.

3           **SECTION 272.** 939.50 (3) (bc) of the statutes is repealed.

4           **SECTION 273.** 939.50 (3) (c) of the statutes is amended to read:

5           939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 ~~\$100,000~~ or  
6 imprisonment not to exceed ~~15~~ 40 years, or both.

7           **SECTION 274.** 939.50 (3) (d) of the statutes is amended to read:

8           939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 ~~\$100,000~~ or  
9 imprisonment not to exceed ~~10~~ 25 years, or both.

10          **SECTION 275.** 939.50 (3) (e) of the statutes is amended to read:

11          939.50 (3) (e) For a Class E felony, a fine not to exceed \$10,000 ~~\$50,000~~ or  
12 imprisonment not to exceed ~~5~~ 15 years, or both.

13          **SECTION 276.** 939.50 (3) (f) of the statutes is created to read:

14          939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
15 not to exceed 12 years and 6 months, or both.

16          **SECTION 277.** 939.50 (3) (g) of the statutes is created to read:

17          939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
18 not to exceed 10 years, or both.

19          **SECTION 278.** 939.50 (3) (h) of the statutes is created to read:

20          939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
21 not to exceed 6 years, or both.

22          **SECTION 279.** 939.50 (3) (i) of the statutes is created to read:

23          939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
24 not to exceed 3 years and 6 months, or both.

25          **SECTION 280.** 939.615 (7) (b) 2. of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 280**

1           939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the  
2 same conduct that violates par. (a) also constitutes a crime that is a felony.

3           **SECTION 281.** 939.615 (7) (c) of the statutes is repealed.

4           **SECTION 282.** 939.62 (1) (a) of the statutes is amended to read:

5           939.62 (1) (a) A maximum term of imprisonment of one year or less may be  
6 increased to not more than ~~3~~ 2 years.

7           **SECTION 283.** 939.62 (1) (b) of the statutes is amended to read:

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

12          **SECTION 284.** 939.62 (1) (c) of the statutes is amended to read:

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

16          **SECTION 285.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

17          939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony  
18 is that is a Class A, B, or C felony or, if the felony was committed before the effective  
19 date of this subd. 2m. a. .... [revisor inserts date], that is or was punishable by a  
20 maximum prison term of 30 years or more.

21          **SECTION 286.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

22          939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
23 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.  
24 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
25 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),

## ASSEMBLY BILL 3

1     ~~(1m) or (1r)~~, 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),  
2     948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) ~~or (e) or 948.36~~.

3           **SECTION 287.** 939.622 of the statutes is repealed.

4           **SECTION 288.** 939.623 (2) of the statutes is amended to read:

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

12          **SECTION 289.** 939.624 (2) of the statutes is amended to read:

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

21          **SECTION 290.** 939.625 of the statutes is repealed.

22          **SECTION 291.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)  
23    (d), (2) and (3), as renumbered, are amended to read:

24          939.63 (1) (d) The maximum term of imprisonment for a felony not specified  
25    in ~~subd. 2. or 3.~~ par (b) or (c) may be increased by not more than 3 years.



**ASSEMBLY BILL 3****SECTION 291**

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

4           (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to  
5 951 and 961.

6           **SECTION 292.** 939.63 (2) of the statutes is repealed.

7           **SECTION 293.** 939.632 (1) (e) 1. of the statutes is amended to read:

8           939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 ~~(1)~~  
9 (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
10 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or  
11 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~  
12 ~~(1) (b) or (c) or 948.36.~~

13           **SECTION 294.** 939.632 (2) of the statutes is amended to read:

14           939.632 (2) If a person commits a violent crime in a school zone, the maximum  
15 ~~period~~ term of imprisonment is increased as follows:

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

18           (b) If the violent crime is a misdemeanor, the maximum ~~period~~ term of  
19 imprisonment is increased by 3 months and the place of imprisonment is the county  
20 jail.

21           **SECTION 295.** 939.635 of the statutes is repealed.

22           **SECTION 296.** 939.64 of the statutes is repealed.

23           **SECTION 297.** 939.641 of the statutes is repealed.

24           **SECTION 298.** 939.645 (2) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
2 misdemeanor other than a Class A misdemeanor, the revised maximum fine is  
3 \$10,000 and the revised maximum ~~period~~ term of imprisonment is one year in the  
4 county jail.

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

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

13           **SECTION 299.** 939.646 of the statutes is repealed.

14           **SECTION 300.** 939.647 of the statutes is repealed.

15           **SECTION 301.** 939.648 of the statutes is repealed.

16           **SECTION 302.** 939.72 (1) of the statutes is amended to read:

17           939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
18 party to a crime which is the objective of the solicitation; or

19           **SECTION 303.** 939.75 (1) of the statutes is amended to read:

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

25           **SECTION 304.** 940.02 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 304**

1           940.02 (2) (intro.) Whoever causes the death of another human being under any  
2 of the following circumstances is guilty of a Class B C felony:

3           **SECTION 305.** 940.03 of the statutes is amended to read:

4           **940.03 Felony murder.** Whoever causes the death of another human being  
5 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
6 (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than  
7 20 15 years in excess of the maximum period term of imprisonment provided by law  
8 for that crime or attempt.

9           **SECTION 306.** 940.04 (1) of the statutes is amended to read:

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

13           **SECTION 307.** 940.04 (2) (intro.) of the statutes is amended to read:

14           940.04 (2) (intro.) Any person, other than the mother, who does either of the  
15 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

16           **SECTION 308.** 940.04 (4) of the statutes is amended to read:

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

20           **SECTION 309.** 940.06 (1) of the statutes is amended to read:

21           940.06 (1) Whoever recklessly causes the death of another human being is  
22 guilty of a Class C D felony.

23           **SECTION 310.** 940.06 (2) of the statutes is amended to read:

24           940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
25 a Class C D felony.

**ASSEMBLY BILL 3**

1           **SECTION 311.** 940.07 of the statutes is amended to read:

2           **940.07 Homicide resulting from negligent control of vicious animal.**

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

7           **SECTION 312.** 940.08 (1) of the statutes is amended to read:

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

11          **SECTION 313.** 940.08 (2) of the statutes is amended to read:

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

15          **SECTION 314.** 940.09 (1) (intro.) of the statutes is amended to read:

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

18          **SECTION 315.** 940.09 (1b) of the statutes is repealed.

19          **SECTION 316.** 940.09 (1c) of the statutes is created to read:

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

22          (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
23          one or more prior convictions, suspensions, or revocations, as counted under s.  
24          343.307 (2).

25          **SECTION 317.** 940.10 (1) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 317**

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

3           **SECTION 318.** 940.10 (2) of the statutes is amended to read:

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

6           **SECTION 319.** 940.11 (1) of the statutes is amended to read:

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

10          **SECTION 320.** 940.11 (2) of the statutes is amended to read:

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

14          **SECTION 321.** 940.12 of the statutes is amended to read:

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

17          **SECTION 322.** 940.15 (2) of the statutes is amended to read:

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

21          **SECTION 323.** 940.15 (5) of the statutes is amended to read:

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

24          **SECTION 324.** 940.15 (6) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           940.15 (6) Any physician who intentionally performs an abortion under sub.  
2           (3) shall use that method of abortion which, of those he or she knows to be available,  
3           is in his or her medical judgment most likely to preserve the life and health of the  
4           fetus or unborn child. Nothing in this subsection requires a physician performing  
5           an abortion to employ a method of abortion which, in his or her medical judgment  
6           based on the particular facts of the case before him or her, would increase the risk  
7           to the woman. Any physician violating this subsection is guilty of a Class E I felony.

8           **SECTION 325.** 940.19 (2) of the statutes is amended to read:

9           940.19 (2) Whoever causes substantial bodily harm to another by an act done  
10          with intent to cause bodily harm to that person or another is guilty of a Class E I  
11          felony.

12          **SECTION 326.** 940.19 (3) of the statutes is repealed.

13          **SECTION 327.** 940.19 (4) of the statutes is amended to read:

14          940.19 (4) Whoever causes great bodily harm to another by an act done with  
15          intent to cause bodily harm to that person or another is guilty of a Class D H felony.

16          **SECTION 328.** 940.19 (5) of the statutes is amended to read:

17          940.19 (5) Whoever causes great bodily harm to another by an act done with  
18          intent to cause ~~either substantial bodily harm or great bodily harm~~ to that person  
19          or another is guilty of a Class C E felony.

20          **SECTION 329.** 940.19 (6) (intro.) of the statutes is amended to read:

21          940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by  
22          conduct that creates a substantial risk of great bodily harm is guilty of a Class D H  
23          felony. A rebuttable presumption of conduct creating a substantial risk of great  
24          bodily harm arises:

25          **SECTION 330.** 940.195 (2) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 330**

1           940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
2 act done with intent to cause bodily harm to that unborn child, to the woman who is  
3 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

4           **SECTION 331.** 940.195 (3) of the statutes is repealed.

5           **SECTION 332.** 940.195 (4) of the statutes is amended to read:

6           940.195 (4) Whoever causes great bodily harm to an unborn child by an act  
7 done with intent to cause bodily harm to that unborn child, to the woman who is  
8 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

9           **SECTION 333.** 940.195 (5) of the statutes is amended to read:

10           940.195 (5) Whoever causes great bodily harm to an unborn child by an act  
11 done with intent to cause ~~either substantial bodily harm or great bodily harm to that~~  
12 unborn child, to the woman who is pregnant with that unborn child or another is  
13 guilty of a Class ~~C~~ E felony.

14           **SECTION 334.** 940.195 (6) of the statutes is amended to read:

15           940.195 (6) Whoever intentionally causes bodily harm to an unborn child by  
16 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H  
17 felony.

18           **SECTION 335.** 940.20 (1) of the statutes is amended to read:

19           940.20 (1) BATTERY BY PRISONERS. Any prisoner confined to a state prison or  
20 other state, county or municipal detention facility who intentionally causes bodily  
21 harm to an officer, employee, visitor or another inmate of such prison or institution,  
22 without his or her consent, is guilty of a Class ~~D~~ H felony.

23           **SECTION 336.** 940.20 (1m) of the statutes is amended to read:

24           940.20 (1m) BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS. (a) Any  
25 person who is subject to an injunction under s. 813.12 or a tribal injunction filed

**ASSEMBLY BILL 3**

1 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who  
2 sought the injunction by an act done without the consent of the petitioner is guilty  
3 of a Class E I felony.

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

7 **SECTION 337.** 940.20 (2) of the statutes is amended to read:

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

14 **SECTION 338.** 940.20 (2m) (b) of the statutes is amended to read:

15 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,  
16 extended supervision and parole agent or an aftercare agent, acting in an official  
17 capacity and the person knows or has reason to know that the victim is a probation,  
18 extended supervision and parole agent or an aftercare agent, by an act done without  
19 the consent of the person so injured, is guilty of a Class D H felony.

20 **SECTION 339.** 940.20 (3) of the statutes is amended to read:

21 940.20 (3) BATTERY TO JURORS. Whoever intentionally causes bodily harm to a  
22 person who he or she knows or has reason to know is or was a grand or petit juror,  
23 and by reason of any verdict or indictment assented to by the person, without the  
24 consent of the person injured, is guilty of a Class D H felony.

25 **SECTION 340.** 940.20 (4) of the statutes is amended to read:



**ASSEMBLY BILL 3****SECTION 340**

1           940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily  
2 harm to a public officer in order to influence the action of such officer or as a result  
3 of any action taken within an official capacity, without the consent of the person  
4 injured, is guilty of a Class E I felony.

5           **SECTION 341.** 940.20 (5) (b) of the statutes is amended to read:

6           940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
7 district or school district officer or employee acting in that capacity, and the person  
8 knows or has reason to know that the victim is a technical college district or school  
9 district officer or employee, without the consent of the person so injured, is guilty of  
10 a Class E I felony.

11          **SECTION 342.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

12          940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
13 under any of the following circumstances is guilty of a Class E I felony:

14          **SECTION 343.** 940.20 (7) (b) of the statutes is amended to read:

15          940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
16 department worker, an emergency medical technician, a first responder or an  
17 ambulance driver who is acting in an official capacity and who the person knows or  
18 has reason to know is an emergency department worker, an emergency medical  
19 technician, a first responder or an ambulance driver, by an act done without the  
20 consent of the person so injured, is guilty of a Class D H felony.

21          **SECTION 344.** 940.201 (2) (intro.) of the statutes is amended to read:

22          940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H  
23 felony:

24          **SECTION 345.** 940.203 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
2           cause bodily harm to the person or family member of any judge under all of the  
3           following circumstances is guilty of a Class D H felony:

4           **SECTION 346.** 940.205 (2) (intro.) of the statutes is amended to read:

5           940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
6           cause bodily harm to the person or family member of any department of revenue  
7           official, employee or agent under all of the following circumstances is guilty of a Class  
8           D H felony:

9           **SECTION 347.** 940.207 (2) (intro.) of the statutes is amended to read:

10          940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
11          cause bodily harm to the person or family member of any department of commerce  
12          or department of workforce development official, employee or agent under all of the  
13          following circumstances is guilty of a Class D H felony:

14          **SECTION 348.** 940.21 of the statutes is amended to read:

15          **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
16          mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
17          guilty of a Class B C felony.

18          **SECTION 349.** 940.22 (2) of the statutes is amended to read:

19          940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
20          or herself out to be a therapist and who intentionally has sexual contact with a  
21          patient or client during any ongoing therapist–patient or therapist–client  
22          relationship, regardless of whether it occurs during any treatment, consultation,  
23          interview or examination, is guilty of a Class C F felony. Consent is not an issue in  
24          an action under this subsection.

25          **SECTION 350.** 940.225 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3**

**SECTION 350**

1           940.225 (2) SECOND DEGREE SEXUAL ASSAULT. (intro.) Whoever does any of the  
2 following is guilty of a Class **BC C** felony:

3           **SECTION 351.** 940.225 (3) of the statutes is amended to read:

4           940.225 (3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse  
5 with a person without the consent of that person is guilty of a Class **D G** felony.  
6 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
7 without the consent of that person is guilty of a Class **D G** felony.

8           **SECTION 352.** 940.23 (1) (a) of the statutes is amended to read:

9           940.23 (1) (a) Whoever recklessly causes great bodily harm to another human  
10 being under circumstances which show utter disregard for human life is guilty of a  
11 Class **C D** felony.

12           **SECTION 353.** 940.23 (1) (b) of the statutes is amended to read:

13           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
14 under circumstances that show utter disregard for the life of that unborn child, the  
15 woman who is pregnant with that unborn child or another is guilty of a Class **C D**  
16 felony.

17           **SECTION 354.** 940.23 (2) (a) of the statutes is amended to read:

18           940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
19 being is guilty of a Class **D F** felony.

20           **SECTION 355.** 940.23 (2) (b) of the statutes is amended to read:

21           940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
22 is guilty of a Class **D F** felony.

23           **SECTION 356.** 940.24 (1) of the statutes is amended to read:

24           940.24 (1) Whoever causes bodily harm to another by the negligent operation  
25 or handling of a dangerous weapon, explosives or fire is guilty of a Class **E I** felony.

**ASSEMBLY BILL 3**

1           **SECTION 357.** 940.24 (2) of the statutes is amended to read:

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

5           **SECTION 358.** 940.25 (1) (intro.) of the statutes is amended to read:

6           940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
7 ~~D F~~ felony:

8           **SECTION 359.** 940.25 (1b) of the statutes is repealed.

9           **SECTION 360.** 940.285 (2) (b) 1g. of the statutes is amended to read:

10          940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
11 that cause death is guilty of a Class ~~B C~~ felony. Any person violating par. (a) 3. under  
12 circumstances that cause death is guilty of a Class D felony.

13          **SECTION 361.** 940.285 (2) (b) 1m. of the statutes is amended to read:

14          940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm is guilty of a Class ~~C F~~ felony.

16          **SECTION 362.** 940.285 (2) (b) 1r. of the statutes is amended to read:

17          940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are  
18 likely to cause great bodily harm is guilty of a Class ~~D G~~ felony. Any person violating  
19 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
20 guilty of a Class I felony.

21          **SECTION 363.** 940.285 (2) (b) 2. of the statutes is amended to read:

22          940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E H~~ felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

**ASSEMBLY BILL 3**

**SECTION 364**

1           **SECTION 364.** 940.285 (2) (b) 3. of the statutes is repealed.

2           **SECTION 365.** 940.29 of the statutes is amended to read:

3           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
4 employed in a penal or correctional institution or other place of confinement who  
5 abuses, neglects or ill-treats any person confined in or a resident of any such  
6 institution or place or who knowingly permits another person to do so is guilty of a  
7 Class ~~E~~ I felony.

8           **SECTION 366.** 940.295 (3) (b) 1g. of the statutes is amended to read:

9           940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
10 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person  
11 violating par. (a) 3. under circumstances that cause death to a vulnerable person is  
12 guilty of a Class D felony.

13           **SECTION 367.** 940.295 (3) (b) 1m. of the statutes is amended to read:

14           940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

16           **SECTION 368.** 940.295 (3) (b) 1r. of the statutes is amended to read:

17           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
18 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty  
19 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
20 likely to cause great bodily harm is guilty of a Class G felony.

21           **SECTION 369.** 940.295 (3) (b) 2. of the statutes is amended to read:

22           940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

## ASSEMBLY BILL 3

1           **SECTION 370.** 940.295 (3) (b) 3. of the statutes is amended to read:

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

6           **SECTION 371.** 940.30 of the statutes is amended to read:

7           **940.30 False imprisonment.** Whoever intentionally confines or restrains  
8           another without the person's consent and with knowledge that he or she has no  
9           lawful authority to do so is guilty of a Class ~~E~~ H felony.

10          **SECTION 372.** 940.305 (1) of the statutes is amended to read:

11          940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
12          imminent force seizes, confines or restrains a person without the person's consent  
13          and with the intent to use the person as a hostage in order to influence a person to  
14          perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~  
15          B felony.

16          **SECTION 373.** 940.305 (2) of the statutes is amended to read:

17          940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
18          a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as  
19          a hostage is released without bodily harm.

20          **SECTION 374.** 940.31 (1) (intro.) of the statutes is amended to read:

21          940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
22          felony:

23          **SECTION 375.** 940.31 (2) (a) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 375**

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

4           **SECTION 376.** 940.31 (2) (b) of the statutes is amended to read:

5           940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer  
6 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
7 the victim is released without permanent physical injury prior to the time the first  
8 witness is sworn at the trial.

9           **SECTION 377.** 940.32 (2) (intro.) of the statutes is amended to read:

10           940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class  
11 ~~A misdemeanor~~ I felony:

12           **SECTION 378.** 940.32 (2m) of the statutes is amended to read:

13           940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
14 intentionally gains access to a record in electronic format that contains personally  
15 identifiable information regarding the victim in order to facilitate the violation  
16 under sub. (2).

17           **SECTION 379.** 940.32 (3) (intro.) of the statutes is amended to read:

18           940.32 (3) (intro.) Whoever violates sub. (2) under any of the following  
19 circumstances is guilty of a Class ~~E~~ H felony:

20           **SECTION 380.** 940.32 (3m) (intro.) of the statutes is amended to read:

21           940.32 (3m) (intro.) Whoever violates sub. (3) under all of the following  
22 circumstances is guilty of a Class ~~D~~ G felony:

23           **SECTION 381.** 940.43 (intro.) of the statutes is amended to read:

24           **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
25 940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

## ASSEMBLY BILL 3

1           **SECTION 382.** 940.45 (intro.) of the statutes is amended to read:

2           **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
3 under any of the following circumstances is guilty of a Class D G felony:

4           **SECTION 383.** 941.11 (intro.) of the statutes is amended to read:

5           **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
6 following is guilty of a Class D H felony:

7           **SECTION 384.** 941.12 (1) of the statutes is amended to read:

8           941.12 (1) Whoever intentionally interferes with the proper functioning of a  
9 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of  
10 a Class E I felony.

11           **SECTION 385.** 941.20 (2) (intro.) of the statutes is amended to read:

12           941.20 (2) (intro.) Whoever does any of the following is guilty of a Class E G  
13 felony:

14           **SECTION 386.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

15           941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a  
16 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot  
17 that is open to the public under any of the following circumstances is guilty of a Class  
18 E F felony:

19           **SECTION 387.** 941.21 of the statutes is amended to read:

20           **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
21 officer who is acting in his or her official capacity by taking a dangerous weapon or  
22 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
23 without his or her consent is guilty of a Class E H felony. This section applies to any  
24 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)



**ASSEMBLY BILL 3****SECTION 387**

1 (a) that the officer is carrying or that is in an area within the officer's immediate  
2 presence.

3 **SECTION 388.** 941.235 (1) of the statutes is amended to read:

4 941.235 (1) Any person who goes armed with a firearm in any building owned  
5 or leased by the state or any political subdivision of the state is guilty of a Class **B**  
6 A misdemeanor.

7 **SECTION 389.** 941.26 (2) (a) of the statutes is amended to read:

8 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class **E H** felony.

9 **SECTION 390.** 941.26 (2) (b) of the statutes is amended to read:

10 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class **C F** felony.

11 **SECTION 391.** 941.26 (2) (e) of the statutes is amended to read:

12 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
13 commercial transportation of the bomb, grenade, projectile, shell or container under  
14 sub. (1) (b) is guilty of a Class **E H** felony.

15 **SECTION 392.** 941.26 (2) (f) of the statutes is amended to read:

16 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
17 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily  
18 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
19 who is acting in an official capacity is guilty of a Class **D H** felony.

20 **SECTION 393.** 941.26 (2) (g) of the statutes is amended to read:

21 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
22 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
23 of another crime to cause bodily harm or bodily discomfort to another or who  
24 threatens to use the bomb, grenade, projectile, shell or container during his or her

**ASSEMBLY BILL 3**

1 commission of another crime to incapacitate another person is guilty of a Class E H  
2 felony.

3 **SECTION 394.** 941.26 (4) (d) of the statutes is amended to read:

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

8 **SECTION 395.** 941.26 (4) (e) of the statutes is amended to read:

9 941.26 (4) (e) Whoever uses a device or container described under par. (a)  
10 during his or her commission of another crime to cause bodily harm or bodily  
11 discomfort to another or who threatens to use the device or container during his or  
12 her commission of another crime to incapacitate another person is guilty of a Class  
13 E H felony.

14 **SECTION 396.** 941.28 (3) of the statutes is amended to read:

15 941.28 (3) Any person violating this section is guilty of a Class E H felony.

16 **SECTION 397.** 941.29 (2) (intro.) of the statutes is amended to read:

17 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class E G felony  
18 if he or she possesses a firearm under any of the following circumstances:

19 **SECTION 398.** 941.29 (2m) of the statutes is repealed.

20 **SECTION 399.** 941.295 (1) of the statutes is amended to read:

21 941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
22 with any electric weapon is guilty of a Class E H felony.

23 **SECTION 400.** 941.296 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 400**

1           941.296 (2) (intro.) Whoever uses or possesses a handgun during the  
2 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony  
3 under any of the following circumstances.

4           **SECTION 401.** 941.296 (3) of the statutes is repealed.

5           **SECTION 402.** 941.298 (2) of the statutes is amended to read:

6           941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
7 a Class E H felony.

8           **SECTION 403.** 941.30 (1) of the statutes is amended to read:

9           941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly  
10 endangers another's safety under circumstances which show utter disregard for  
11 human life is guilty of a Class D F felony.

12          **SECTION 404.** 941.30 (2) of the statutes is amended to read:

13          941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
14 recklessly endangers another's safety is guilty of a Class E G felony.

15          **SECTION 405.** 941.31 (1) of the statutes is amended to read:

16          941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
17 explosive compound or offers to do the same, either with intent to use such explosive  
18 to commit a crime or knowing that another intends to use it to commit a crime, is  
19 guilty of a Class C F felony.

20          **SECTION 406.** 941.31 (2) (b) of the statutes is amended to read:

21          941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
22 transfers any improvised explosive device, or possesses materials or components  
23 with intent to assemble any improvised explosive device, is guilty of a Class E H  
24 felony.

25          **SECTION 407.** 941.315 (3) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           941.315 (3) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
2 felony:

3           **SECTION 408.** 941.32 of the statutes is amended to read:

4           **941.32 Administering dangerous or stupefying drug.** Whoever  
5 administers to another or causes another to take any poisonous, stupefying,  
6 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
7 commission of a crime is guilty of a Class ~~C~~ F felony.

8           **SECTION 409.** 941.325 of the statutes is amended to read:

9           **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
10 or other substances in candy or other liquid or solid edibles with the intent to cause  
11 bodily harm to another person is guilty of a Class ~~E~~ I felony.

12          **SECTION 410.** 941.327 (2) (b) 1. of the statutes is amended to read:

13          941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.  
14 (a) is guilty of a Class ~~E~~ I felony.

15          **SECTION 411.** 941.327 (2) (b) 2. of the statutes is amended to read:

16          941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great  
17 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

18          **SECTION 412.** 941.327 (2) (b) 3. of the statutes is amended to read:

19          941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
20 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

21          **SECTION 413.** 941.327 (2) (b) 4. of the statutes is amended to read:

22          941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is  
23 guilty of a Class ~~A~~ C felony.

24          **SECTION 414.** 941.327 (3) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 414**

1           941.327 (3) Whoever intentionally imparts or conveys false information,  
2 knowing the information to be false, concerning an act or attempted act which, if  
3 true, would constitute a violation of sub. (2) is guilty of a Class E I felony.

4           **SECTION 415.** 941.37 (3) of the statutes is amended to read:

5           941.37 (3) Any person who intentionally interferes with any emergency  
6 medical personnel in the performance of duties relating to an emergency or rescue  
7 and who has reasonable grounds to believe that the interference may endanger  
8 another's safety is guilty of a Class E I felony.

9           **SECTION 416.** 941.37 (4) of the statutes is amended to read:

10          941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
11 death of another is guilty of a Class C E felony.

12          **SECTION 417.** 941.38 (1) (b) 4. of the statutes is amended to read:

13          941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as  
14 prohibited in s. 940.19 or 940.195.

15          **SECTION 418.** 941.38 (2) of the statutes is amended to read:

16          941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
17 activity is guilty of a Class E I felony.

18          **SECTION 419.** 943.01 (2) (intro.) of the statutes is amended to read:

19          943.01 (2) (intro.) Any person violating sub. (1) under any of the following  
20 circumstances is guilty of a Class D I felony:

21          **SECTION 420.** 943.01 (2g) (intro.) of the statutes is amended to read:

22          943.01 (2g) (intro.) Any person violating sub. (1) under all of the following  
23 circumstances is guilty of a Class E I felony:

24          **SECTION 421.** 943.011 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           943.011 (2) (intro.) Whoever does any of the following is guilty of a Class **D I**  
2 felony:

3           **SECTION 422.** 943.012 (intro.) of the statutes is amended to read:

4           **943.012 Criminal damage to or graffiti on religious and other property.**

5 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
6 writes with ink or another substance on or intentionally etches into any physical  
7 property of another, without the person's consent and with knowledge of the  
8 character of the property, is guilty of a Class **E I** felony if the property consists of one  
9 or more of the following:

10          **SECTION 423.** 943.013 (2) (intro.) of the statutes is amended to read:

11          943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
12 to any physical property that belongs to a judge or his or her family member under  
13 all of the following circumstances is guilty of a Class **D I** felony:

14          **SECTION 424.** 943.014 (2) of the statutes is amended to read:

15          943.014 (2) Whoever intentionally demolishes a historic building without a  
16 permit issued by a city, village, town or county or without an order issued under s.  
17 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~  
18 ~~building and the land upon which the building is located immediately prior to~~  
19 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A  
20 misdemeanor.

21          **SECTION 425.** 943.015 (2) (intro.) of the statutes is amended to read:

22          943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
23 to any physical property which belongs to a department of revenue official, employee  
24 or agent or his or her family member under all of the following circumstances is guilty  
25 of a Class **D I** felony:

**ASSEMBLY BILL 3**

1           **SECTION 426.** 943.017 (2) (intro.) of the statutes is amended to read:

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

4           **SECTION 427.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

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

7           **SECTION 428.** 943.02 (1) (intro.) of the statutes is amended to read:

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

10          **SECTION 429.** 943.03 of the statutes is amended to read:

11          **943.03 Arson of property other than building.** Whoever, by means of fire,  
12 intentionally damages any property of another without the person's consent, if the  
13 property is not a building and has a value of \$100 or more, is guilty of a Class E I  
14 felony.

15          **SECTION 430.** 943.04 of the statutes is amended to read:

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

21          **SECTION 431.** 943.06 (2) of the statutes is amended to read:

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

24          **SECTION 432.** 943.07 (1) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           943.07 (1) Whoever intentionally causes damage or who causes another person  
2 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,  
3 tunnel or signal or any railroad property used in providing rail services, which could  
4 cause an injury, accident or derailment is guilty of a Class A ~~misdemeanor~~ I felony.

5           **SECTION 433.** 943.07 (2) of the statutes is amended to read:

6           943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
7 train, car, caboose or engine is guilty of a Class A ~~misdemeanor~~ I felony.

8           **SECTION 434.** 943.10 (1) (intro.) of the statutes is amended to read:

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

12           **SECTION 435.** 943.10 (2) (intro.) of the statutes is amended to read:

13           943.10 (2) (intro.) Whoever violates sub. (1) under any of the following  
14 circumstances is guilty of a Class B E felony:

15           **SECTION 436.** 943.12 of the statutes is amended to read:

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

21           **SECTION 437.** 943.20 (3) (b) of the statutes is amended to read:

22           943.20 (3) (b) If the value of the property exceeds \$1,000 but does not \$2,500  
23 exceed \$5,000, is guilty of a Class E I felony.

24           **SECTION 438.** 943.20 (3) (bm) of the statutes is created to read:



**ASSEMBLY BILL 3****SECTION 438**

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

3           **SECTION 439.** 943.20 (3) (c) of the statutes is amended to read:

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

6           **SECTION 440.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

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

9           **SECTION 441.** 943.20 (3) (d) 1. of the statutes is amended to read:

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

11           **SECTION 442.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
12 amended to read:

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

15           **SECTION 443.** 943.20 (3) (d) 3. of the statutes is amended to read:

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

19           **SECTION 444.** 943.20 (3) (d) 4. of the statutes is amended to read:

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

22           **SECTION 445.** 943.201 (2) of the statutes is amended to read:

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

**ASSEMBLY BILL 3**

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

4 **SECTION 446.** 943.205 (3) of the statutes is amended to read:

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

6 **SECTION 447.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

7 943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class D I  
8 felony under any of the following circumstances:

9 **SECTION 448.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

10 943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class C H  
11 felony under any of the following circumstances:

12 **SECTION 449.** 943.208 (2) (b) of the statutes is amended to read:

13 943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
14 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
15 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual  
16 recordings in violation of sub. (1) during a 180-day period, and the value of the  
17 recordings exceeds \$2,500.

18 **SECTION 450.** 943.208 (2) (c) of the statutes is amended to read:

19 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
20 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
21 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in  
22 violation of sub. (1) during a 180-day period or if the violation occurs after the person  
23 has been convicted under this section.

24 **SECTION 451.** 943.209 (2) (b) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 451**

1           943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
2 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer  
3 than 100 recordings in violation of sub. (1) during a 180-day period, and the value  
4 of the recordings exceeds \$2,500.

5           **SECTION 452.** 943.209 (2) (c) of the statutes is amended to read:

6           943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
7 person advertises, offers for sale or rent, sells, rents, transports or possesses at least  
8 100 recordings in violation of sub. (1) during a 180-day period or if the violation  
9 occurs after the person has been convicted under this section.

10          **SECTION 453.** 943.21 (3) (b) of the statutes is amended to read:

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

13          **SECTION 454.** 943.23 (1g) of the statutes is amended to read:

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

17          **SECTION 455.** 943.23 (1m) of the statutes is repealed.

18          **SECTION 456.** 943.23 (1r) of the statutes is repealed.

19          **SECTION 457.** 943.23 (2) of the statutes is amended to read:

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

23          **SECTION 458.** 943.23 (3) of the statutes is amended to read:

## ASSEMBLY BILL 3

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

4           **SECTION 459.** 943.23 (3m) of the statutes is created to read:

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

11           **SECTION 460.** 943.23 (4m) of the statutes is amended to read:

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

16           **SECTION 461.** 943.23 (5) of the statutes is amended to read:

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

21           **SECTION 462.** 943.24 (2) of the statutes is amended to read:

22           943.24 (2) Whoever issues any single check or other order for the payment of  
23 more than \$1,000 or whoever within a 15-day period issues more than one check or  
24 other order amounting in the aggregate to more than \$1,000 which, at the time of  
25 issuance, the person intends shall not be paid is guilty of a Class ~~E I~~ felony.

**ASSEMBLY BILL 3****SECTION 463**

1           **SECTION 463.** 943.25 (1) of the statutes is amended to read:

2           943.25 (1) Whoever, with intent to defraud, conveys real property which he or  
3 she knows is encumbered, without informing the grantee of the existence of the  
4 encumbrance is guilty of a Class E I felony.

5           **SECTION 464.** 943.25 (2) (intro.) of the statutes is amended to read:

6           943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following  
7 is guilty of a Class E I felony:

8           **SECTION 465.** 943.26 (2) of the statutes is amended to read:

9           943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or  
10 vendee is guilty of a Class E I felony.

11           **SECTION 466.** 943.27 of the statutes is amended to read:

12           **943.27 Possession of records of certain usurious loans.** Any person who  
13 knowingly possesses any writing representing or constituting a record of a charge of,  
14 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
15 upon \$100 for one year computed upon the declining principal balance of the loan,  
16 use or forbearance of money, goods or things in action or upon the loan, use or sale  
17 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
18 E I felony.

19           **SECTION 467.** 943.28 (2) of the statutes is amended to read:

20           943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
21 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
22 is guilty of a Class G F felony.

23           **SECTION 468.** 943.28 (3) of the statutes is amended to read:

24           943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
25 as an investment, pursuant to a partnership or profit-sharing agreement, or

**ASSEMBLY BILL 3**

1 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
2 Class C F felony.

3 **SECTION 469.** 943.28 (4) of the statutes is amended to read:

4 943.28 (4) Whoever knowingly participates in any way in the use of any  
5 extortionate means to collect or attempt to collect any extension of credit, or to punish  
6 any person for the nonrepayment thereof, is guilty of a Class C F felony.

7 **SECTION 470.** 943.30 (1) of the statutes is amended to read:

8 943.30 (1) Whoever, either verbally or by any written or printed  
9 communication, maliciously threatens to accuse or accuses another of any crime or  
10 offense, or threatens or commits any injury to the person, property, business,  
11 profession, calling or trade, or the profits and income of any business, profession,  
12 calling or trade of another, with intent thereby to extort money or any pecuniary  
13 advantage whatever, or with intent to compel the person so threatened to do any act  
14 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

15 **SECTION 471.** 943.30 (2) of the statutes is amended to read:

16 943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting  
17 commerce or business or the movement of any article or commodity in commerce or  
18 business is guilty of a Class D H felony.

19 **SECTION 472.** 943.30 (3) of the statutes is amended to read:

20 943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
21 grand juror, in the performance of his or her functions as such, is guilty of a Class D  
22 II felony.

23 **SECTION 473.** 943.30 (4) of the statutes is amended to read:

24 943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
25 action of any public officer is guilty of a Class D H felony.

**ASSEMBLY BILL 3****SECTION 474**

1           **SECTION 474.** 943.30 (5) (b) of the statutes is amended to read:

2           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
3 maliciously uses, or threatens to use, the patient health care records of another  
4 person, with intent thereby to extort money or any pecuniary advantage, or with  
5 intent to compel the person so threatened to do any act against the person's will or  
6 omit to do any lawful act, is guilty of a Class ~~D~~ H felony.

7           **SECTION 475.** 943.31 of the statutes is amended to read:

8           **943.31 Threats to communicate derogatory information.** Whoever  
9 threatens to communicate to anyone information, whether true or false, which would  
10 injure the reputation of the threatened person or another unless the threatened  
11 person transfers property to a person known not to be entitled to it is guilty of a Class  
12 E I felony.

13           **SECTION 476.** 943.32 (1) (intro.) of the statutes is amended to read:

14           943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person  
15 or presence of the owner by either of the following means is guilty of a Class C E  
16 felony:

17           **SECTION 477.** 943.32 (2) of the statutes is amended to read:

18           943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
19 weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
20 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
21 weapon or such a device or container is guilty of a Class B C felony.

22           **SECTION 478.** 943.34 (1) (b) of the statutes is amended to read:

23           943.34 (1) (b) A Class E I felony, if the value of the property exceeds \$1,000 but  
24 ~~does not more than \$2,500~~ exceed \$5,000.

25           **SECTION 479.** 943.34 (1) (biii) of the statutes is created to read:

**ASSEMBLY BILL 3**

1           943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but  
2 docs not exceed \$10,000.

3           **SECTION 480.** 943.34 (1) (c) of the statutes is amended to read:

4           943.34 (1) (c) A Class C G felony, if the value of the property exceeds \$2,500  
5 \$10,000.

6           **SECTION 481.** 943.38 (1) (intro.) of the statutes is amended to read:

7           943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
8 writing or object of any of the following kinds so that it purports to have been made  
9 by another, or at another time, or with different provisions, or by authority of one who  
10 did not give such authority, is guilty of a Class C H felony:

11           **SECTION 482.** 943.38 (2) of the statutes is amended to read:

12           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
13 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
14 been thus falsely made or altered, is guilty of a Class C H felony.

15           **SECTION 483.** 943.39 (intro.) of the statutes is amended to read:

16           **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or  
17 defraud, does any of the following is guilty of a Class D H felony:

18           **SECTION 484.** 943.395 (2) (b) of the statutes is amended to read:

19           943.395 (2) (b) Is guilty of a Class E I felony if the value of the claim or benefit  
20 exceeds \$1,000.

21           **SECTION 485.** 943.40 (intro.) of the statutes is amended to read:

22           **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with  
23 intent to defraud does either of the following is guilty of a Class D H felony:

24           **SECTION 486.** 943.41 (8) (b) of the statutes is amended to read:



## ASSEMBLY BILL 3

## SECTION 486

1           943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)  
2 or (6m) is guilty of a Class E I felony.

3           **SECTION 487.** 943.41 (8) (c) of the statutes is amended to read:

4           943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d),  
5 if the value of the money, goods, services or property illegally obtained does not  
6 exceed \$1,000 is guilty of a Class A misdemeanor; if the value of the money, goods,  
7 services or property exceeds \$1,000 but does not exceed ~~\$2,500~~ \$5,000, in a single  
8 transaction or in separate transactions within a period not exceeding 6 months, the  
9 person is guilty of a Class E I felony; if the value of the money, goods, services, or  
10 property exceeds \$5,000 but does not exceed \$10,000, in a single transaction or in  
11 separate transactions within a period not exceeding 6 months, the person is guilty  
12 of a Class H felony; or if the value of the money, goods, services or property exceeds  
13 \$2,500 \$10,000, in a single transaction or in separate transactions within a period  
14 not exceeding 6 months, the person is guilty of a Class C G felony.

15           **SECTION 488.** 943.45 (3) (c) of the statutes is amended to read:

16           943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)  
17 for direct or indirect commercial advantage or private financial gain is guilty of a  
18 Class E felony A misdemeanor.

19           **SECTION 489.** 943.45 (3) (d) of the statutes is amended to read:

20           943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial  
21 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
22 D I felony.

23           **SECTION 490.** 943.455 (4) (c) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
2 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty  
3 of a Class ~~E~~ felony A misdemeanor.

4           **SECTION 491.** 943.455 (4) (d) of the statutes is amended to read:

5           943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect  
6 commercial advantage or private financial gain as a 2nd or subsequent offense is  
7 guilty of a Class ~~D~~ I felony.

8           **SECTION 492.** 943.46 (4) (c) of the statutes is amended to read:

9           943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
10 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty  
11 of a Class ~~E~~ felony A misdemeanor.

12           **SECTION 493.** 943.46 (4) (d) of the statutes is amended to read:

13           943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect  
14 commercial advantage or private financial gain as a 2nd or subsequent offense is  
15 guilty of a Class ~~D~~ I felony.

16           **SECTION 494.** 943.47 (3) (c) of the statutes is amended to read:

17           943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)  
18 for direct or indirect commercial advantage or private financial gain is guilty of a  
19 Class ~~E~~ felony A misdemeanor.

20           **SECTION 495.** 943.47 (3) (d) of the statutes is amended to read:

21           943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial  
22 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
23 ~~D~~ I felony.

24           **SECTION 496.** 943.49 (2) (b) 2. of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 496**

1           943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class ~~D~~ I felony if  
2 the violation occurs after the person has been convicted under this subsection.

3           **SECTION 497.** 943.50 (4) (b) of the statutes is amended to read:

4           943.50 (4) (b) A Class ~~E~~ I felony, if the value of the merchandise exceeds \$1,000  
5 but does not ~~\$2,500~~ exceed \$5,000.

6           **SECTION 498.** 943.50 (4) (bm) of the statutes is created to read:

7           943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000  
8 but does not exceed \$10,000.

9           **SECTION 499.** 943.50 (4) (c) of the statutes is amended to read:

10           943.50 (4) (c) A Class ~~C~~ G felony, if the value of the merchandise exceeds ~~\$2,500~~  
11 \$10,000.

12           **SECTION 500.** 943.60 (1) of the statutes is amended to read:

13           943.60 (1) Any person who submits for filing, entering or recording any lien,  
14 claim of lien, lis pendens, writ of attachment, financing statement or any other  
15 instrument relating to a security interest in or title to real or personal property, and  
16 who knows or should have known that the contents or any part of the contents of the  
17 instrument are false, a sham or frivolous, is guilty of a Class ~~D~~ H felony.

18           **SECTION 501.** 943.61 (5) (b) of the statutes is amended to read:

19           943.61 (5) (b) A Class ~~E~~ I felony, if the value of the library materials exceeds  
20 \$1,000 but does not ~~exceed~~ \$2,500.

21           **SECTION 502.** 943.61 (5) (c) of the statutes is amended to read:

22           943.61 (5) (c) A Class ~~C~~ H felony, if the value of the library materials exceeds  
23 \$2,500.

24           **SECTION 503.** 943.62 (4) (b) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           943.62 (4) (b) A Class ~~E~~ I felony, if the value of the advance payment or required  
2 refund, as applicable, excccds \$500 but does not exceed \$2,500.

3           **SECTION 504.** 943.62 (4) (c) of the statutes is amended to read:

4           943.62 (4) (c) A Class ~~C~~ F felony, if the value of the advance payment or required  
5 refund, as applicable, exceeds \$2,500.

6           **SECTION 505.** 943.70 (2) (b) 2. of the statutes is amended to read:

7           943.70 (2) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or to  
8 obtain property.

9           **SECTION 506.** 943.70 (2) (b) 3. of the statutes is amended to read:

10          943.70 (2) (b) 3. A Class ~~D~~ H felony if the damage is greater than \$2,500 or if  
11 it causes an interruption or impairment of governmental operations or public  
12 communication, of transportation or of a supply of water, gas or other public service.

13          **SECTION 507.** 943.70 (2) (b) 4. of the statutes is amended to read:

14          943.70 (2) (b) 4. A Class ~~C~~ F felony if the offense creates a substantial and  
15 unreasonable risk of death or great bodily harm to another.

16          **SECTION 508.** 943.70 (3) (b) 2. of the statutes is amended to read:

17          943.70 (3) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or  
18 obtain property.

19          **SECTION 509.** 943.70 (3) (b) 3. of the statutes is amended to read:

20          943.70 (3) (b) 3. A Class ~~D~~ H felony if the damage to the computer, computer  
21 system, computer network, equipment or supplies is greater than \$2,500.

22          **SECTION 510.** 943.70 (3) (b) 4. of the statutes is amended to read:

23          943.70 (3) (b) 4. A Class ~~C~~ F felony if the offense creates a substantial and  
24 unreasonable risk of death or great bodily harm to another.

25          **SECTION 511.** 943.75 (2) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 511**

1           943.75 (2) Whoever intentionally releases an animal that is lawfully confined  
2 for companionship or protection of persons or property, recreation, exhibition, or  
3 educational purposes, acting without the consent of the owner or custodian of the  
4 animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a  
5 person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection  
6 by a person is a Class E I felony.

7           **SECTION 512.** 943.75 (2m) of the statutes is amended to read:

8           943.75 (2m) Whoever intentionally releases an animal that is lawfully  
9 confined for scientific, farming, restocking, research or commercial purposes, acting  
10 without the consent of the owner or custodian of the animal, is guilty of a Class C H  
11 felony.

12           **SECTION 513.** 944.05 (1) (intro.) of the statutes is amended to read:

13           944.05 (1) (intro.) Whoever does any of the following is guilty of a Class E I  
14 felony:

15           **SECTION 514.** 944.06 of the statutes is amended to read:

16           **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with  
17 a person he or she knows is a blood relative and such relative is in fact related in a  
18 degree within which the marriage of the parties is prohibited by the law of this state  
19 is guilty of a Class C F felony.

20           **SECTION 515.** 944.15 (title) of the statutes is repealed and recreated to read:

21           **944.15 (title) Public fornication.**

22           **SECTION 516.** 944.16 (intro.) of the statutes is amended to read:

23           **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a  
24 Class E I felony:

25           **SECTION 517.** 944.205 (2) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           944.205 (2) (intro.) Whoever does any of the following is guilty of a Class E I  
2 felony:

3           **SECTION 518.** 944.21 (5) (c) of the statutes is amended to read:

4           944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior  
5 convictions under this section, the person is guilty of a Class D H felony.

6           **SECTION 519.** 944.21 (5) (e) of the statutes is amended to read:

7           944.21 (5) (e) Regardless of the number of prior convictions, if the violation  
8 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,  
9 the person is guilty of a Class D H felony.

10          **SECTION 520.** 944.32 of the statutes is amended to read:

11          **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever  
12 intentionally solicits or causes any person to practice prostitution or establishes any  
13 person in a place of prostitution is guilty of a Class D H felony.

14          **SECTION 521.** 944.33 (2) of the statutes is amended to read:

15          944.33 (2) If the person received compensation from the earnings of the  
16 prostitute, such person is guilty of a Class C F felony.

17          **SECTION 522.** 944.34 (intro.) of the statutes is amended to read:

18          **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does  
19 any of the following is guilty of a Class D H felony:

20          **SECTION 523.** 945.03 (1m) (intro.) of the statutes is amended to read:

21          945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
22 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
23 I felony:

24          **SECTION 524.** 945.05 (1) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 3****SECTION 524**

1           945.05 (1) (intro.) Except as provided in subs. (1e) and (1m), whoever  
2 manufactures, transfers commercially or possesses with intent to transfer  
3 commercially either of the following is guilty of a Class E I felony:

4           **SECTION 525.** 945.08 (1) of the statutes is amended to read:

5           945.08 (1) Any person who, with intent to influence any participant to refrain  
6 from exerting full skill, speed, strength or endurance, transfers or promises any  
7 property or any personal advantage to or on behalf of any participant in a contest of  
8 skill, speed, strength or endurance is guilty of a Class D H felony.

9           **SECTION 526.** 946.02 (1) (intro.) of the statutes is amended to read:

10           946.02 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
11 felony:

12           **SECTION 527.** 946.03 (1) (intro.) of the statutes is amended to read:

13           946.03 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
14 felony:

15           **SECTION 528.** 946.03 (2) of the statutes is amended to read:

16           946.03 (2) Whoever permits any premises under his or her care, control or  
17 supervision to be used by an assembly with knowledge that the purpose of the  
18 assembly is to advocate or teach the duty, necessity, desirability or propriety of  
19 overthrowing the government of the United States or this state by the use or threat  
20 of physical violence with intent that such government be overthrown or, after  
21 learning that the premises are being so used, permits such use to be continued is  
22 guilty of a Class E I felony.

23           **SECTION 529.** 946.05 (1) of the statutes is amended to read:

24           946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts  
25 contempt upon the flag is guilty of a Class E I felony.