



## ENGROSSED 2001 ASSEMBLY BILL 3

February 15, 2001 - Printed by direction of SENATE CHIEF CLERK.

1       **AN ACT to repeal** 13.525 (5m), 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50  
2       (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2), 939.635, 939.64, 939.641,  
3       939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.25 (1b),  
4       940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r), 946.42 (4),  
5       946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4),  
6       961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1)  
7       (e) 6., 961.41 (1) (em), 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6.,  
8       961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (2) (c), 961.41 (3g)  
9       (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3),  
10       961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2.  
11       and 973.03 (3) (e) 3.; **to renumber** 351.07 (2) (a); **to renumber and amend**  
12       49.95 (1), 125.075 (2), 302.11 (7) (a), 302.113 (9) (a), 302.114 (9) (a), 939.63 (1),  
13       943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1.,  
14       961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 971.17 (1), 973.01 (2) (b) 6.,

**ENGROSSED ASSEMBLY BILL 3**

1 973.01 (2) (c) and 973.01 (2) (d); *to amend* 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60  
2 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33 (13) (cg), 26.14 (8), 29.971 (1)  
3 (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g)  
4 (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415  
5 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2.,  
6 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127  
7 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b),  
8 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49  
9 (3), 49.49 (3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15 (12), 55.06 (11) (am),  
10 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
11 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2),  
12 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),  
13 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18)  
14 (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3),  
15 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4),  
16 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44  
17 (2), 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5),  
18 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9)  
19 (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6)  
20 (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2),  
21 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.),  
22 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.035 (2), 301.035 (4), 301.048 (2) (bm)  
23 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.045 (3), 302.095 (2), 302.11 (1g) (a)  
24 2., 302.11 (1p), 302.11 (1z), 302.11 (3), 302.11 (7) (b), 302.11 (7) (d), 302.113 (2),  
25 302.113 (3) (a) (intro.), 302.113 (4), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c),

**ENGROSSED ASSEMBLY BILL 3**

1           302.114 (3) (a) (intro.), 302.114 (4), 302.114 (5) (f), 302.114 (6) (b), 302.114 (6) (c),  
2           302.114 (9) (b), 302.114 (9) (bm), 302.114 (9) (c), 302.33 (1), 302.43, 303.065 (1)  
3           (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.), 303.08 (6), 303.08 (12),  
4           304.06 (1) (b), 304.071 (2), 304.11 (3), 341.605 (3), 342.06 (2), 342.065 (4) (b),  
5           342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31 (1) (i), 343.31  
6           (3) (d) (intro.), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3)  
7           (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4)  
8           (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b),  
9           346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14  
10          (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
11          (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),  
12          765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 801.50 (5),  
13          908.08 (1), 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1.,  
14          938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30  
15          (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d),  
16          939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c),  
17          939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2), 939.624 (2), 939.632  
18          (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.),  
19          940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07,  
20          940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11  
21          (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),  
22          940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1),  
23          940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b),  
24          940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.),  
25          940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.),

**ENGROSSED ASSEMBLY BILL 3**

1 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1),  
2 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285  
3 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,  
4 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1),  
5 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.),  
6 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45  
7 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.),  
8 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
9 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295  
10 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2)  
11 (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2.,  
12 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38  
13 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.),  
14 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2)  
15 (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2),  
16 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3)  
17 (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20  
18 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c)  
19 (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3)  
20 (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25  
21 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4),  
22 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1)  
23 (intro.), 943.32 (2), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2),  
24 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c),  
25 943.45 (3) (c), 943.45 (3) (d), 943.455 (1) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46

**ENGROSSED ASSEMBLY BILL 3**

1 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (b), 943.50 (4)  
2 (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70  
3 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b) 3.,  
4 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06, 944.16  
5 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),  
6 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1)  
7 (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1)  
8 (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31  
9 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42  
10 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.),  
11 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1)  
12 (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1)  
13 (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69  
14 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
15 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2),  
16 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3)  
17 (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1)  
18 (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.),  
19 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12  
20 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.),  
21 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)  
22 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),  
23 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62  
24 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41  
25 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)

**ENGROSSED ASSEMBLY BILL 3**

1 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1.,  
2 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41  
3 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),  
4 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41  
5 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h)  
6 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m)  
7 (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m)  
8 (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41  
9 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m)  
10 (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m)  
11 (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m)  
12 (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m)  
13 (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m)  
14 (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r),  
15 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d),  
16 961.41 (3g) (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f),  
17 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455  
18 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573  
19 (3), 961.574 (3), 961.575 (3), 967.04 (9), 968.255 (1) (a) 2., 968.31 (1) (intro.),  
20 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 971.365 (1) (a), 971.365  
21 (1) (b), 971.365 (1) (c), 971.365 (2), 972.15 (2c), 973.01 (1), 973.01 (2) (intro.),  
22 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01 (2)  
23 (b) 5., 973.01 (4), 973.01 (5), 973.01 (6), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and  
24 2., 973.032 (4) (c) 2., 973.09 (2) (b) 1., 973.155 (1) (b), 977.06 (2) (b) and 978.13  
25 (1) (c); *to repeal and recreate* 944.15 (title), 961.41 (1) (im) and 961.41 (1m)

**ENGROSSED ASSEMBLY BILL 3**

1 (im); **to create** 13.525, 15.105 (27), 19.42 (10) (o), 19.42 (13) (n), 20.505 (4) (dr),  
2 20.505 (4) (mr), 20.923 (4) (b) 7., 20.923 (6) (hr), 49.95 (1) (e) and (f), 125.075 (2)  
3 (b), 227.01 (13) (sm), 230.08 (2) (L) 6., 230.08 (2) (of), 302.11 (7) (ag), 302.11 (7)  
4 (e), 302.113 (7m), 302.113 (8m), 302.113 (9) (ag), 302.113 (9) (at), 302.113 (9) (d),  
5 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.113 (9g), 302.114 (8m),  
6 302.114 (9) (ag), 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t),  
7 346.04 (4), 346.17 (2t), 801.50 (5c), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m),  
8 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h),  
9 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09  
10 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d),  
11 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3)  
12 (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41  
13 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1)  
14 (a) and (b), 971.17 (1) (b), 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7.,  
15 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2.,  
16 973.01 (2) (d) 1. to 6., 973.017, 973.031, 973.09 (6), 973.15 (2m), 973.30 and  
17 977.05 (4) (jm) of the statutes; and **to affect** 1997 Wisconsin Act 283, section  
18 454 (1) (f); **relating to:** classification and elements of felony offenses and  
19 certain misdemeanor offenses; criminal sentences and commitments;  
20 modification of a bifurcated sentence in certain cases; revocation of extended

**ENGROSSED ASSEMBLY BILL 3**

1 supervision; the creation of a sentencing commission and temporary sentencing  
2 guidelines; making an appropriation; and providing penalties.

---

*Analysis by the Legislative Reference Bureau*

→ INSERT Marked Analysis from LRB ✓

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** 6.18 of the statutes is amended to read:

4 **6.18 Former residents.** If ineligible to qualify as an elector in the state to  
5 which the elector has moved, any former qualified Wisconsin elector may vote an  
6 absentee ballot in the ward of the elector's prior residence in any presidential election  
7 occurring within 24 months after leaving Wisconsin by requesting an application  
8 form and returning it, properly executed, to the municipal clerk of the elector's prior  
9 Wisconsin residence. When requesting an application form for an absentee ballot,  
10 the applicant shall specify the applicant's eligibility for only the presidential ballot.  
11 The application form shall require the following information and be in substantially  
12 the following form:

13 This blank shall be returned to the municipal clerk's office. Application must  
14 be received in sufficient time for ballots to be mailed and returned prior to any  
15 presidential election at which applicant wishes to vote. Complete all statements in  
16 full.

17 APPLICATION FOR PRESIDENTIAL

18 ELECTOR'S ABSENT BALLOT.

19 (To be voted at the Presidential Election

20 on November ....., .... (year)



**ENGROSSED ASSEMBLY BILL 3**

1 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
 2 residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County  
 3 of .... for 10 days prior to leaving the State of Wisconsin. I, .... do solemnly swear or  
 4 affirm that I do not qualify to register or vote under the laws of the State of ....(State  
 5 you now reside in) where I am presently residing. A citizen must be a resident of:  
 6 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
 7 in order to be eligible to register or vote therein. I further swear or affirm that my  
 8 legal residence was established in the State of ....(the State where you now reside)  
 9 on .... Month .... Day .... Year.

Signed ....

Address ....(Present address)

....(City) ....(State)

Subscribed and sworn to before me this .... day of .... .... (year)

....(Notary Public, or other officer authorized to administer oaths.)

....(County)

My Commission expires

MAIL BALLOT TO:

NAME ....

ADDRESS ....

CITY .... STATE .... ZIP CODE ....

21 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
 22 under this section may be fined not more than \$1,000 or imprisoned for not more than  
 23 6 months, or both. Whoever intentionally votes more than once in an election may  
 24 be fined not more than \$10,000 or imprisoned for not more than 3 years, and 6 months  
 25 or both.

**ENGROSSED ASSEMBLY BILL 3****SECTION 1**

1 ... (Municipal Clerk)

2 ... (Municipality)

3 **SECTION 2.** 11.61 (1) (a) of the statutes is amended to read:

4 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
5 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~  
6 ~~or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a Class I  
7 felony.

8 **SECTION 3.** 11.61 (1) (b) of the statutes is amended to read:

9 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
10 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve  
11 a specific figure, ~~or where~~ if the intentional violation concerns a figure which exceeds  
12 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~  
13 ~~more than 4 years and 6 months or both.~~

14 **SECTION 4.** 12.60 (1) (a) of the statutes is amended to read:

15 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
16 (a), (e), (f), (j), (k), (L), (m), (y) or (z) ~~may be fined not more than \$10,000 or imprisoned~~  
17 ~~for not more than 4 years and 6 months or both~~ is guilty of a Class I felony.

18 **SECTION 5.** 13.05 of the statutes is amended to read:

19 **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
20 offers or promises to give his or her vote or influence in favor of or against any  
21 measure or proposition pending or proposed to be introduced, in the legislature in  
22 consideration or upon condition that any other person elected to the same legislature  
23 will give or will promise or agree to give his or her vote or influence in favor of or  
24 against any other measure or proposition pending or proposed to be introduced in  
25 such legislature, or who gives, offers or promises to give his or her vote or influence

**ENGROSSED ASSEMBLY BILL 3**

1 for or against any measure on condition that any other member will give his or her  
2 vote or influence in favor of any change in any other bill pending or proposed to be  
3 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
4 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
5 is guilty of a Class I felony.

6 **SECTION 6.** 13.06 of the statutes is amended to read:

7 **13.06 Executive favor.** Any member of the legislature who gives, offers or  
8 promises to give his or her vote or influence in favor of or against any measure or  
9 proposition pending or proposed to be introduced in the legislature, or that has  
10 already been passed by either house of the legislature, in consideration of or on  
11 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
12 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
13 introduced in the legislature or that has already been passed by the legislature, or  
14 either house thereof, or in consideration or upon condition that the governor  
15 nominate for appointment or appoint or remove any person to or from any office or  
16 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~  
17 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty  
18 of a Class I felony.

19 **SECTION 7.** 13.525 of the statutes is created to read:

20 **13.525 Joint review committee on criminal penalties.** (1) CREATION.

21 There is created a joint review committee on criminal penalties composed of the  
22 following members:

23 (a) One majority party member and one minority party member from each  
24 house of the legislature, appointed as are the members of standing committees in  
25 their respective houses.

**ENGROSSED ASSEMBLY BILL 3****SECTION 7**

1 (b) The attorney general or his or her designee.

2 (c) The secretary of corrections or his or her designee.

3 (d) The state public defender or his or her designee.

4 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th, or 5th judicial  
5 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th, or  
6 10th judicial administrative district, appointed by the supreme court.

7 (f) Two members of the public appointed by the governor, one of whom shall  
8 have law enforcement experience in this state and one of whom shall be an elected  
9 county official.

10 **(2) OFFICERS.** The majority party senator and the majority party representative  
11 to the assembly shall be cochairpersons of the committee. The committee shall elect  
12 a secretary from among its nonlegislator members.

13 **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)  
14 (e) or (f) shall serve at the pleasure of the authority appointing them.

15 **(4) ELIGIBILITY.** A member shall cease to be a member upon losing the status  
16 upon which the appointment is based. Membership on the committee shall not be  
17 incompatible with any other public office.

18 **(5) REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced  
19 in either house of the legislature proposes to create a new crime or revise a penalty  
20 for an existing crime and the bill is referred to a standing committee of the house in  
21 which it is introduced, the chairperson may request the joint review committee to  
22 prepare a report on the bill under par. (b). If the bill is not referred to a standing  
23 committee, the speaker of the assembly, if the bill is introduced in the assembly, or  
24 the presiding officer of the senate, if the bill is introduced in the senate, may request  
25 the joint review committee to prepare a report on the bill under par. (b).

**ENGROSSED ASSEMBLY BILL 3**

1 (b) If the joint review committee receives a request under par. (a) for a report  
2 on a bill that proposes to create a new crime or revise a penalty for an existing crime,  
3 the committee shall prepare a report concerning all of the following:

4 1. The costs that are likely to be incurred or saved by the department of  
5 corrections, the department of justice, the state public defender, the courts, district  
6 attorneys, and other state and local government agencies if the bill is enacted.

7 2. The consistency of penalties proposed in the bill with existing criminal  
8 penalties.

9 3. Alternative language needed, if any, to conform penalties proposed in the bill  
10 to penalties in existing criminal statutes.

11 4. Whether acts prohibited under the bill are prohibited under existing  
12 criminal statutes.

13 (c) The chief clerk shall print a report prepared by the committee under par.  
14 (b) as an appendix to the bill and attach it thereto as are amendments. The  
15 reproduction shall be in lieu of inclusion in the daily journal of the house in which  
16 the proposal is introduced.

17 (d) If a bill that is introduced in either house of the legislature proposes to create  
18 a new crime or revise a penalty for an existing crime, a standing committee to which  
19 the bill is referred may not vote on whether to recommend the bill for passage and  
20 the bill may not be passed by the house in which it is introduced before the joint  
21 review committee submits a report under par. (b) or before the 30th day after a report  
22 is requested under par. (a), whichever is earlier.

23 **(5m) RECOMMENDATIONS REGARDING SENTENCE MODIFICATIONS.** (a) No later than  
24 the first day of the 6th month beginning after the effective date of this paragraph ....  
25 [revisor inserts date], the committcc shall submit a report to the legislature, in the

**ENGROSSED ASSEMBLY BILL 3****SECTION 7**

1 manner provided under s. 13.172 (2), and to the governor containing  
2 recommendations regarding standards and procedures to be used by a court to  
3 modify a bifurcated sentence. The report shall include any proposed legislation that  
4 is necessary to implement the recommendations made by the committee in its report.

5 (b) Any proposed legislation included in the report under par. (a) shall provide  
6 that a bifurcated sentence that a court previously imposed may be modified only by  
7 reducing the term of confinement in prison portion of the sentence and lengthening  
8 the term of extended supervision imposed so that the total length of the bifurcated  
9 sentence originally imposed does not change.

10 **(6) COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as  
11 needed to elicit information for making a report under sub. (5) (b) or (5m) (a) or for  
12 developing proposed legislation under sub. (5m) (a). The committee shall meet at the  
13 call of its cochairpersons. All actions of the committee require the approval of a  
14 majority of all of its members.

15 **SECTION 7m.** 13.525 (5m) of the statutes, as created by 2001 Wisconsin Act ...  
16 (this act), is repealed.

17 **SECTION 8.** 13.69 (6m) of the statutes is amended to read:

18 13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a  
19 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
20 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~  
21 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
22 felony.

23 **SECTION 9.** 15.01 (2) of the statutes is amended to read:

24 15.01 **(2)** "Commission" means a 3-member governing body in charge of a  
25 department or independent agency or of a division or other subunit within a

**ENGROSSED ASSEMBLY BILL 3**

1 department, except for the Wisconsin waterways commission which shall consist of  
2 5 members, the parole commission which shall consist of 6 members and the Fox  
3 River management commission which shall consist of 7 members. A Wisconsin group  
4 created for participation in a continuing interstate body, or the interstate body itself,  
5 shall be known as a "commission", but is not a commission for purposes of s. 15.06.  
6 The parole commission created under s. 15.145 (1) shall be known as a "commission",  
7 but is not a commission for purposes of s. 15.06. The sentencing commission created  
8 under s. 15.105 (27) shall be known as a "commission" but is not a commission for  
9 purposes of s. 15.06 (1) to (4m), (7), and (9).

10 **SECTION 10.** 15.105 (27) of the statutes is created to read:

11 15.105 (27) SENTENCING COMMISSION. (a) *Creation; membership.* There is  
12 created a sentencing commission that is attached to the department of  
13 administration under s. 15.03 and that shall consist of the following members:

- 14 1. The attorney general or his or her designee.
- 15 2. The state public defender or his or her designee.
- 16 3. Seven members, at least 2 of whom are not employed by any unit of federal,  
17 state, or local government, appointed by the governor.
- 18 4. One majority party member and one minority party member from each house  
19 of the legislature, appointed as are the members of standing committees in their  
20 respective houses.
- 21 6. Two circuit judges, appointed by the supreme court.
- 22 7. One representative of crime victims and one district attorney, each appointed  
23 by the attorney general.
- 24 8. One attorney in private practice engaged primarily in the practice of criminal  
25 defense, appointed by the criminal law section of the State Bar of Wisconsin.

**ENGROSSED ASSEMBLY BILL 3****SECTION 10**

1 (b) *Nonvoting members.* The secretary of corrections or his or her designee, the  
2 chairperson of the parole commission or his or her designee, and the director of state  
3 courts or his or her designee shall be nonvoting members of the commission.

4 (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)  
5 3. and 6. to 8. shall serve 3-year terms and are eligible for reappointment.

6 2. The term of a circuit judge appointed under par. (a) 6. shall end when such  
7 person ceases to be a circuit judge. The term of a district attorney appointed under  
8 par. (a) 7. shall end when such person ceases to be a district attorney.

9 (d) *Officers.* The governor shall designate annually one of the members of the  
10 commission as chairperson. The commission may elect officers other than a  
11 chairperson from among its members as its work requires.

12 (e) *Reimbursement and compensation.* Members of the commission shall be  
13 reimbursed for their actual and necessary expenses incurred in the performance of  
14 their duties. An officer or employee of the state shall be reimbursed by the agency  
15 that pays the member's salary. Members who are full-time state officers or  
16 employees shall receive no compensation for their services. Other members shall be  
17 paid \$25 per day, in addition to their actual and necessary expenses, for each day on  
18 which they are actually and necessarily engaged in the performance of their duties.

19 (f) *Sunset.* This subsection does not apply after December 31, 2006.

20 **SECTION 11.** 19.42 (10) (o) of the statutes is created to read:

21 19.42 (10) (o) A member, the executive director, or the deputy director of the  
22 sentencing commission.

23 **SECTION 12.** 19.42 (13) (n) of the statutes is created to read:

24 19.42 (13) (n) The position of member, executive director, or deputy director of  
25 the sentencing commission.





**ENGROSSED ASSEMBLY BILL 3****SECTION 18**

1 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
2 person.

3 **SECTION 19.** 26.14 (8) of the statutes is amended to read:

4 26.14 (8) Any person who intentionally sets fire to the land of another or to a  
5 marsh ~~shall be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
6 ~~and 6 months or both~~ is guilty of a Class H felony.

7 **SECTION 20.** 29.971 (1) (c) of the statutes is amended to read:

8 29.971 (1) (c) ~~For A person~~ having fish in his or her possession in violation of  
9 this chapter and is guilty of a Class I felony if the value of the fish under par. (d)  
10 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~  
11 ~~3 years or both.~~

12 **SECTION 21.** 29.971 (1m) (c) of the statutes is amended to read:

13 29.971 (1m) (c) ~~For A person~~ possessing clams in violation of s. 29.537, is guilty  
14 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
15 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

16 **SECTION 22.** 29.971 (11m) (a) of the statutes is amended to read:

17 29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or  
18 possessing a bear without a valid Class A bear license, or for possessing a bear which  
19 does not have a carcass tag attached or possessing a bear during the closed season,  
20 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
21 more than 6 months or both for the first violation, or by a fine of not more than ~~\$5,000~~  
22 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
23 subsequent violation, and, in addition, the court shall revoke all hunting approvals  
24 issued to the person under this chapter and shall prohibit the issuance of any new  
25 hunting approval under this chapter to the person for 3 years.

**ENGROSSED ASSEMBLY BILL 3**

1           **SECTION 23.** 29.971 (11p) (a) of the statutes is amended to read:

2           29.971 (11p) (a) For entering the den of a hibernating black bear and harming  
3 the bear, by a fine of not more than \$10,000 or imprisonment for not more than 2  
4 years 9 months or both.

5           **SECTION 24.** 30.80 (2g) (b) of the statutes is amended to read:

6           30.80 (2g) (b) Shall be fined not less than ~~\$300~~ nor more than ~~\$5,000~~ \$10,000  
7 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
8 injury to a person but the person did not suffer great bodily harm.

9           **SECTION 25.** 30.80 (2g) (c) of the statutes is amended to read:

10           30.80 (2g) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
11 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a  
12 person and the person suffered great bodily harm.

13           **SECTION 26.** 30.80 (2g) (d) of the statutes is amended to read:

14           30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
15 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
16 death to a person.

17           **SECTION 27.** 30.80 (3m) of the statutes is amended to read:

18           30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
19 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
20 a Class H felony.

21           **SECTION 28.** 36.25 (6) (d) of the statutes is amended to read:

22           36.25 (6) (d) Any officer, agent, clerk or employee of the survey or department  
23 of revenue who makes known to any person except the officers of the survey or  
24 department of revenue, in any manner, any information given to such person in the  
25 discharge of such person's duties under par. (c), which information was given to such

**ENGROSSED ASSEMBLY BILL 3****SECTION 28**

1 person with the request that it not be made known, ~~upon conviction thereof, shall be~~  
2 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~  
3 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent  
4 the use for assessment purposes of any information obtained under this subsection.

5 **SECTION 29.** 47.03 (3) (d) of the statutes is amended to read:

6 47.03 (3) (d) Any person who violates this subsection shall be fined not more  
7 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

8 **SECTION 30.** 48.355 (2d) (b) 3. of the statutes is amended to read:

9 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
10 1999 stats., a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225 (1) or (2), 948.02 (1) or  
11 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
12 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225  
13 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,  
14 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
15 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
16 of the parent.

17 **SECTION 31.** 48.415 (9m) (b) 2. of the statutes is amended to read:

18 48.415 (9m) (b) 2. The commission of a violation of s. 940.19 (3), 1999 stats.,  
19 a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
20 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other  
21 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3),~~ (4) or  
22 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06  
23 or 948.08 if committed in this state.

24 **SECTION 32.** 48.417 (1) (d) of the statutes is amended to read:

**ENGROSSED ASSEMBLY BILL 3**

1           48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
2 committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)  
3 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a  
4 violation of the law of any other state or federal law, if that violation would be a  
5 violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or  
6 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in  
7 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
8 defined in s. 939.22 (38), to the child or another child of the parent.

9           **SECTION 33.** 48.57 (3p) (g) 2. of the statutes is amended to read:

10           48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified  
11 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,  
12 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other  
13 state or federal law under circumstances under which the person would be subject  
14 to a penalty specified in any of those sections if convicted in this state.

15           **SECTION 34.** 48.685 (1) (c) of the statutes is amended to read:

16           48.685 (1) (c) "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a  
17 violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
18 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
19 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
20 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or  
21 United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or  
22 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
23 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
24 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
25 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

**ENGROSSED ASSEMBLY BILL 3****SECTION 35**

1           **SECTION 35.** 48.685 (5) (bm) 2. of the statutes is amended to read:

2           48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (3),  
3 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

4           **SECTION 36.** 48.685 (5) (bm) 3. of the statutes is amended to read:

5           48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,  
6 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,  
7 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

8           **SECTION 37.** 48.685 (5) (bm) 4. of the statutes is amended to read:

9           48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (3),  
10 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that  
11 is a felony, if committed not more than 5 years before the date of the investigation  
12 under sub. (2) (am).

13           **SECTION 38.** 49.127 (8) (a) 2. of the statutes is amended to read:

14           49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than  
15 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony.

17           **SECTION 39.** 49.127 (8) (b) 2. of the statutes is amended to read:

18           49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than  
19 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
21 felony.

22           **SECTION 40.** 49.127 (8) (c) of the statutes is amended to read:

23           49.127 (8) (c) For any offense under this section, if the value of the food coupons  
24 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~  
25 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

**ENGROSSED ASSEMBLY BILL 3**

1           **SECTION 41.** 49.141 (7) (a) of the statutes is amended to read:

2           49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with  
3 the furnishing by that person of items or services for which payment is or may be  
4 made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~  
5 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 42.** 49.141 (7) (b) of the statutes is amended to read:

7           49.141 (7) (b) A person, other than a person under par. (a), who is convicted of  
8 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
9 ~~2 years~~ 9 months or both.

10          **SECTION 43.** 49.141 (9) (a) of the statutes is amended to read:

11          49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,  
12 in return for referring an individual to a person for the furnishing or arranging for  
13 the furnishing of any item or service for which payment may be made in whole or in  
14 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
15 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
16 service, or item for which payment may be made in whole or in part under Wisconsin  
17 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
18 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or~~  
19 ~~imprisoned for not more than 7 years and 6 months or both.~~

20          **SECTION 44.** 49.141 (9) (b) of the statutes is amended to read:

21          49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to  
22 any person to induce the person to refer an individual to a person for the furnishing  
23 or arranging for the furnishing of any item or service for which payment may be made  
24 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange  
25 for or recommend purchasing, leasing, or ordering any good, facility, service or item

**ENGROSSED ASSEMBLY BILL 3****SECTION 44**

1 for which payment may be made in whole or in part under any provision of Wisconsin  
2 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
3 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
4 imprisoned for not more than 7 years and 6 months or both.

5 **SECTION 45.** 49.141 (10) (b) of the statutes is amended to read:

6 49.141 (10) (b) A person who violates this subsection is guilty of a Class H  
7 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
8 the person may be fined not more than \$25,000 or imprisoned for not more than 7  
9 years and 6 months or both.

10 **SECTION 46.** 49.195 (3n) (k) of the statutes is amended to read:

11 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
12 removing, depositing or concealing any property upon which a levy is authorized  
13 under this subsection with intent to evade or defeat the assessment or collection of  
14 any debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years~~  
15 ~~and 6 months or both,~~ is guilty of a Class H felony and shall be liable to the state for  
16 assessed the costs of prosecution.

17 **SECTION 47.** 49.195 (3n) (r) of the statutes is amended to read:

18 49.195 (3n) (r) No employer may discharge or otherwise discriminate with  
19 respect to the terms and conditions of employment against any employee by reason  
20 of the fact that his or her earnings have been subject to levy for any one levy or  
21 because of compliance with any provision of this subsection. Any person who violates  
22 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~  
23 ~~2 years or both~~ is guilty of a Class I felony.

24 **SECTION 48.** 49.49 (1) (b) 1. of the statutes is amended to read:



**ENGROSSED ASSEMBLY BILL 3**

1           49.49 (1) (b) 1. In the case of such a statement, representation, concealment,  
2 failure, or conversion by any person in connection with the furnishing by that person  
3 of items or services for which medical assistance is or may be made, a person  
4 ~~convicted of violating this subsection is guilty of a Class H felony, except that,~~  
5 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
6 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
7 ~~or both.~~

8           **SECTION 49.** 49.49 (2) (a) of the statutes is amended to read:

9           49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits  
10 or receives any remuneration, including any kickback, bribe, or rebate, directly or  
11 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual  
12 to a person for the furnishing or arranging for the furnishing of any item or service  
13 for which payment may be made in whole or in part under a medical assistance  
14 program, or in return for purchasing, leasing, ordering, or arranging for or  
15 recommending purchasing, leasing, or ordering any good, facility, service, or item for  
16 which payment may be made in whole or in part under a medical assistance program,  
17 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
18 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for~~  
19 ~~not more than 7 years and 6 months or both.~~

20           **SECTION 50.** 49.49 (2) (b) of the statutes is amended to read:

21           49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
22 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
23 or covertly, in cash or in kind to any person to induce such person to refer an  
24 individual to a person for the furnishing or arranging for the furnishing of any item  
25 or service for which payment may be made in whole or in part under a medical

**ENGROSSED ASSEMBLY BILL 3****SECTION 50**

1 assistance program, or to purchase, lease, order, or arrange for or recommend  
2 purchasing, leasing, or ordering any good, facility, service or item for which payment  
3 may be made in whole or in part under a medical assistance program, is guilty of a  
4 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50  
5 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for not more~~  
6 ~~than 7 years and 6 months or both.~~

7 **SECTION 51.** 49.49 (3) of the statutes is amended to read:

8 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly  
9 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
10 false statement or representation of a material fact with respect to the conditions or  
11 operation of any institution or facility in order that such institution or facility may  
12 qualify either upon initial certification or upon recertification as a hospital, skilled  
13 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~  
14 person who violates this subsection is guilty of a Class H felony, except that,  
15 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
16 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
17 ~~or both.~~

18 **SECTION 52.** 49.49 (3m) (b) of the statutes is amended to read:

19 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H  
20 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
21 the person may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~  
22 ~~years and 6 months or both.~~

23 **SECTION 53.** 49.49 (4) (b) of the statutes is amended to read:

24 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,  
25 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the

**ENGROSSED ASSEMBLY BILL 3**

1 ~~person~~ may be fined not more than \$25,000 ~~or imprisoned for not more than 7 years~~  
2 ~~and 6 months or both.~~

3 **SECTION 54.** 49.95 (1) of the statutes is renumbered 49.95 (1) (intro.) and  
4 amended to read:

5 49.95 (1) (intro.) Any person who, with intent to secure public assistance under  
6 this chapter, whether for himself or herself or for some other person, wilfully makes  
7 any false representations ~~may, if~~ is subject to the following penalties:

8 (a) If the value of the assistance so secured does not exceed \$300, the person  
9 may be required to forfeit not more than \$1,000; if,

10 (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the  
11 person may be fined not more than \$250 or imprisoned for not more than 6 months  
12 or both; if,

13 (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,  
14 \$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not  
15 more than 7 years and 6 9 months or both; and if,

16 (d) If the value of the assistance exceeds \$2,500, be punished as prescribed  
17 under s. 943.20 (3) (e) \$2,000 but does not exceed \$5,000, the person is guilty of a  
18 Class I felony.

19 **SECTION 55.** 49.95 (1) (e) and (f) of the statutes are created to read:

20 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed  
21 \$10,000, the person is guilty of a Class H felony.

22 (f) If the value of the assistance exceeds \$10,000, the person is guilty of a Class  
23 G felony.

24 **SECTION 56.** 50.065 (1) (e) 1. of the statutes is amended to read:

**ENGROSSED ASSEMBLY BILL 3**

1           50.065 (1) (e) 1. “Serious crime” means a violation of s. 940.19 (3), 1999 stats.,  
2 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),  
3 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1),  
4 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States  
5 jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s.  
6 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3),  
7 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)  
8 (a) if committed in this state.

9           **SECTION 57.** 51.15 (12) of the statutes is amended to read:

10           51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)  
11 knowing the information contained therein to be false ~~may be fined not more than~~  
12 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
13 Class H felony.

14           **SECTION 58.** 55.06 (11) (am) of the statutes is amended to read:

15           55.06 (11) (am) Whoever signs a statement under par. (a) knowing the  
16 information contained therein to be false ~~may be fined not more than \$5,000 or~~  
17 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
18 felony.

19           **SECTION 59.** 66.1207 (1) (b) of the statutes is amended to read:

20           66.1207 (1) (b) Any person who secures or assists in securing dwelling  
21 accommodations under s. 66.1205 by intentionally making false representations in  
22 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
23 which the person would not otherwise be entitled ~~shall be fined not more than~~  
24 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

25           **SECTION 60.** 66.1207 (1) (c) of the statutes is amended to read:

**ENGROSSED ASSEMBLY BILL 3**

1           66.1207 (1) (c) Any person who secures or assists in securing dwelling  
2 accommodations under s. 66.1205 by intentionally making false representations in  
3 order to receive more than \$25,000 in financial assistance for which the person would  
4 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~  
5 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 61.** 69.24 (1) (intro.) of the statutes is amended to read:

7           69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~  
8 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
9 I felony:

10          **SECTION 62.** 70.47 (18) (a) of the statutes is amended to read:

11          70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,  
12 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~  
13 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a  
14 Class I felony.

15          **SECTION 63.** 71.83 (2) (b) of the statutes is amended to read:

16          71.83 (2) (b) *Felony.* 1. ‘False income tax return; fraud.’ Any person, other than  
17 a corporation or limited liability company, who renders a false or fraudulent income  
18 tax return with intent to defeat or evade any assessment required by this chapter  
19 shall be is guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
21 the cost of prosecution. In this subdivision, “return” includes a separate return filed  
22 by a spouse with respect to a taxable year for which a joint return is filed under s.  
23 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
24 the spouses with respect to a taxable year for which a separate return is filed under  
25 s. 71.03 (2) (m) after the filing of that joint return.

**ENGROSSED ASSEMBLY BILL 3**

1           2. ‘Officer of a corporation; false franchise or income tax return.’ Any officer  
2 of a corporation or manager of a limited liability company required by law to make,  
3 render, sign or verify any franchise or income tax return, who makes any false or  
4 fraudulent franchise or income tax return, with intent to defeat or evade any  
5 assessment required by this chapter ~~shall be~~ is guilty of a Class H felony and may  
6 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
7 ~~or both, together with assessed~~ the cost of prosecution.

8           3. ‘Evasion.’ Any person who removes, deposits or conceals or aids in removing,  
9 depositing or concealing any property upon which a levy is authorized with intent  
10 to evade or defeat the assessment or collection of any tax administered by the  
11 department is guilty of a Class I felony and may be fined not more than \$5,000 or  
12 ~~imprisoned for not more than 4 years and 6 months or both, together with assessed~~  
13 ~~the costs~~ cost of prosecution.

14           4. ‘Fraudulent claim for credit.’ The A claimant who ~~filed~~ files a claim for credit  
15 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was  
16 filed with fraudulent intent and any person who ~~assisted,~~ with fraudulent intent,  
17 assists in the preparation or filing of the false or excessive claim or supplied  
18 information upon which the false or excessive claim was prepared, ~~with fraudulent~~  
19 ~~intent,~~ is guilty of a Class H felony and may be fined not more than \$10,000 or  
20 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
21 the cost of prosecution.

22           **SECTION 64.** 86.192 (4) of the statutes is amended to read:

23           86.192 (4) Any person who violates this section ~~shall be fined not more than~~  
24 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
25 if the injury, defacement or removal causes the death of a person.

**ENGROSSED 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.~~ 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

**ENGROSSED ASSEMBLY BILL 3****SECTION 70**

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



**ENGROSSED ASSEMBLY BILL 3**

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

**ENGROSSED ASSEMBLY BILL 3**

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

**ENGROSSED ASSEMBLY BILL 3**

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:

**ENGROSSED ASSEMBLY BILL 3****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

**ENGROSSED ASSEMBLY BILL 3**

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,

**ENGROSSED ASSEMBLY BILL 3****SECTION 95**

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,

**ENGROSSED ASSEMBLY BILL 3**

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:

**ENGROSSED ASSEMBLY BILL 3****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:



**ENGROSSED ASSEMBLY BILL 3**

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 knowlodge of a revocation under s. 154.21 shall be fined not more

**ENGROSSED ASSEMBLY BILL 3****SECTION 111**

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.

**ENGROSSED ASSEMBLY BILL 3**

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

**ENGROSSED ASSEMBLY BILL 3****SECTION 119**

1 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
2 sction 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.

**ENGROSSED ASSEMBLY BILL 3**

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~~

**ENGROSSED 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:

**ENGROSSED ASSEMBLY BILL 3**

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.~~