

2001 ASSEMBLY BILL 608

October 30, 2001 – Introduced by Representatives WALKER, LA FAVE, ALBERS, DUFF, GUNDERSON, HAHN, LADWIG, J. LEHMAN, LOEFFELHOLZ, MEYERHOFER, NASS, OTT, OWENS, RYBA, STARZYK, SUDER, TURNER, VRAKAS and FREESE, cosponsored by Senators DARLING, HUELSMAN, ROESSLER and ROSENZWEIG. Referred to Committee on Criminal Justice.

1 **AN ACT to renumber and amend** 440.475 (1); and **to create** 440.475 (1) (b),
2 440.475 (1) (c) and 947.07 of the statutes; **relating to:** providing material
3 support of international terrorism and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides for increased penalties for acts of terrorism. A person engages in an act of terrorism if he or she commits certain felonies with the intent to influence the policy of the federal or state government or any local government or with the intent to punish the federal or state government or any local government for a previous policy decision. If the person is found to have engaged in an act of terrorism, the maximum fine for the underlying felony may be increased by not more than \$50,000 and the maximum period of imprisonment for the felony may be increased by not more than 15 years.

This bill prohibits a person from soliciting or collecting material support if he or she knows that the material support is intended to be used to plan, prepare, commit, or escape after committing an act of international terrorism. The bill also prohibits a person from providing material support to another if he or she knows that the material support is intended to be used to plan, prepare, commit, or escape after committing an act of international terrorism. The bill defines an act of international terrorism to be an act committed outside the United States that, if committed in this state, would be a felony included in the Criminal Code, that causes harm or death to another or the use of force or violence against another, and that is intended to influence the policy or conduct of a government, governmental unit, or government

ASSEMBLY BILL 608

agency or to intimidate or coerce a civilian population. A person who violates the prohibitions created in the bill may be fined not more than \$10,000 or imprisoned for not more than 15 years or both.

Current law also requires a charitable organization to be registered with the department of regulation and licensing (DORL) in order to be able to solicit contributions in this state. Current law also requires professional fund-raisers (persons paid to solicit charitable contributions) and fund-raising counsel (persons paid to plan, manage, or give advice concerning the solicitation of charitable contributions) to be registered with DORL. DORL may deny, limit, suspend, or revoke the registration of a charitable organization, professional fund-raiser, or fund-raising counsel that does any of the following: 1) makes a false statement in a registration statement, annual report, or other information required to be filed with DORL; or 2) violates a statute or rule that regulates the solicitation of charitable contributions. This bill provides that DORL may deny, limit, suspend, or revoke the registration of a charitable organization, professional fund-raiser, or fund-raising counsel that violates the prohibitions created in the bill against soliciting or collecting material support that is intended to be used to plan, prepare, commit, or escape after committing acts of international terrorism.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 440.475 (1) of the statutes is renumbered 440.475 (1) (intro.) and
2 amended to read:

3 440.475 **(1)** (intro.) The department may deny, limit, suspend, or revoke the
4 registration of a charitable organization, fund-raising counsel, or professional
5 fund-raiser, or may reprimand a charitable organization, fund-raising counsel, or
6 professional fund-raiser that is registered under this subchapter, if the department
7 finds that the charitable organization, fund-raising counsel, or professional
8 fund-raiser has ~~made~~ done any of the following:

9 (a) Made a false statement in any registration statement, annual report, or
10 other information required to be filed under, ~~or has otherwise violated~~, this
11 subchapter or the rules promulgated under this subchapter.

ASSEMBLY BILL 608

1 **SECTION 2.** 440.475 (1) (b) of the statutes is created to read:

2 440.475 (1) (b) Violated this subchapter or the rules promulgated under this
3 subchapter.

4 **SECTION 3.** 440.475 (1) (c) of the statutes is created to read:

5 440.475 (1) (c) Violated s. 947.07.

6 **SECTION 4.** 947.07 of the statutes is created to read:

7 **947.07 Material support of international terrorism. (1)** In this section:

8 (a) “Act of international terrorism” means an act committed by a private person
9 to which all of the following applies:

- 10 1. The act occurs outside the United States.
- 11 2. The act would be a felony under chs. 939 to 951 if committed in this state.
- 12 3. The act causes bodily harm, great bodily harm, or death to another or, in
13 committing the act, the person uses force or violence or the threat of force or violence.
- 14 4. The act is intended to influence the policy or conduct of a government,
15 governmental unit, or government agency or to intimidate or coerce a civilian
16 population.

17 (b) “Material support” means any of the following:

- 18 1. Currency or securities.
- 19 2. Financial services.
- 20 3. Personnel.
- 21 4. Transportation.
- 22 5. Training.
- 23 6. Lodging, safe houses, or other facilities.
- 24 7. False documentation or identification.

