

2001 DRAFTING REQUEST

Bill

Received: **10/18/2001**

Received By: **rryan**

Wanted: **Soon**

Identical to LRB:

For: **Steve Wieckert (608) 266-3070**

By/Representing: **Don Dyke**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - guns and weapons
Criminal Law - miscellaneous**

Extra Copies: **MGD
Don Dyke (LC)**

Submit via email: **YES**

Requester's email: **Rep.Wieckert@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Threatening use of biological, chemical, or radioactive substances

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rryan 10/31/2001	hhagen 11/02/2001	jfrantze 11/05/2001	_____	lrb_docadmin 11/05/2001		S&L
/2	rryan 11/06/2001	hhagen 11/06/2001	kfollet 11/07/2001	_____	lrb_docadmin 11/07/2001	lrb_docadminS&L 11/08/2001 lrb_docadmin 11/08/2001	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For: 11/08/2001.

G ("1/2")
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<END>

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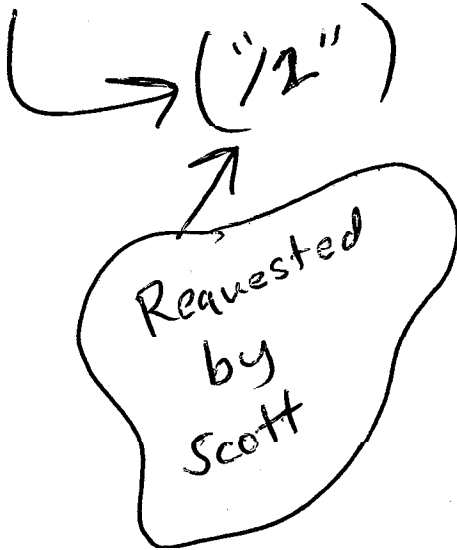
See Attached

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8/11/7
Self 11/7
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1?	rryan	11/12/01 hmt	J 11/15	Self 11/15			

FE Sent For:

<END>

10/18/01

Don Dyke for Rep. Wieckert

hoaxes - biological, chemical nuclear
weapons

criminalize threatening to use the above
knowing threat is false
Class C felony

Also make defendant liable for
response costs



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4065?

RLR:hm

SOOW

In 10/3/01

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- Generate*
- 1 AN ACT ...; relating to: threats to release or disseminate harmful chemical,
 - 2 biological, or radioactive substances and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits making or conveying a threat to destroy property with explosives knowing that the threat is false. This bill prohibits intentionally making a threat to release or disseminate a harmful substance knowing that the threat is false, if the threat induces a reasonable expectation or fear that the person making the threat will release or disseminate a harmful substance. The bill defines "harmful substance" as a radioactive material that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a disease organism. A person who violates the prohibition against threats concerning harmful substances may be fined not more than \$10,000; sentenced to a period of confinement in prison followed by a term of extended supervision that together may not exceed 15 years; or both.

The bill also requires that courts assess against persons convicted of making threats related to harmful substances, certain costs incurred by state and local government agencies in responding to the threat, including the cost of supplying emergency law enforcement and medical personnel to respond to the threat, the cost of analyzing any alleged harmful substance, and the cost of treating alleged victims exposed to an alleged harmful substance.

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:

X
1 SECTION 1. 947.017 of the statutes is created to read:

2 **947.017 Threats to release chemical, biological, or radioactive**
3 **substances.** (1) In this section, "harmful substance" means radioactive material
4 that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a
5 disease organism.

6 (2) Whoever, knowing the threat to be false, intentionally threatens to release
7 or disseminate a harmful substance, if the threat induces a reasonable expectation
8 or fear that the person will release or disseminate a harmful substance, is guilty of
9 a Class C felony.

X
10 SECTION 2. 973.06 (1) (ar) of the statutes is created to read:

11 973.06 (1) (ar) If the defendant violated s. 947.017, the moneys expended by
12 a state or local government agency for the following activities in connection with a
13 threat under s. 947.017 (2):

14 1. The response to the threat by emergency medical personnel, as defined in
15 s. 941.37 (1) (c).

16 2. ~~Analysis~~^{The} of any substance alleged to be a harmful substance, as defined in
17 s. 947.017 (1).

18 3. ~~Medical~~^{The} treatment of persons who are alleged to have been exposed to an
19 alleged harmful substance, as defined under s. 947.017 (1).

20 (END)

Barman, Mike

From: Barman, Mike
Sent: Monday, November 05, 2001 10:24 AM
To: Rep. Wieckert
Subject: LRB-4065/1 (attached) (requested by Scott)



01-4065/1



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4065/1 ²

RLR:hmh:*

Soon
In 11/6/01
2001 BILL

RMR
stays

1 AN ACT ^{regenerate} to create 947.017 and 973.06 (1) (ar) of the statutes; relating to: threats
2 to release or disseminate harmful chemical, biological, or radioactive
3 substances and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits making or conveying a threat to destroy property with explosives knowing that the threat is false. This bill prohibits intentionally making a threat to release or disseminate a harmful substance knowing that the threat is false, if the threat induces a reasonable expectation or fear that the person making the threat will release or disseminate a harmful substance. The bill defines "harmful substance" as a radioactive material that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a disease organism. A person who violates the prohibition against threats concerning harmful substances may be fined not more than \$10,000, sentenced to a period of confinement in prison followed by a term of extended supervision that together may not exceed 15 years, or both.

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8

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Emery, Lynn

From: Emery, Lynn
Sent: Thursday, November 08, 2001 9:06 AM
To: Becher, Scott
Subject: LRB-4065/2 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

11/8/2001

Basford, Sarah

From: Becher, Scott

Sent: Thursday, November 08, 2001 9:18 AM

To: Basford, Sarah

Subject: RE: LRB-4065/2 (attached as requested)

Rep. Wieckert would like the bill jacketed and a fiscal estimate on the bill. Thanks.

-----Original Message-----

From: Emery, Lynn

Sent: Thursday, November 08, 2001 9:06 AM

To: Becher, Scott

Subject: LRB-4065/2 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

11/08/2001

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, November 27, 2001 9:37 AM
To: Becher, Scott
Subject: LRB-4065/2 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

11/27/2001

Memo

To: Rep. Wieckert (The Draft's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB - 4065

Version: "/ 2 "

Entered In Computer And Copy Sent To Requestor Via E-Mail: 11 / 08 / 2001

Fiscal Estimate Prepared By: (agency abbr.) DA

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 ARL73

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Barman, Mike

From: Barman, Mike
Sent: Thursday, November 08, 2001 2:23 PM
To: Rep.Wieckert
Subject: LRB-4065/2 (FE by DA - attached - for your review)



FE-4065_DA.pdf

FE-4065_DA.pdf

Memo

To: Rep. Wieckert (The Draft's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB -4065

Version: "/2"

Entered In Computer And Copy Sent To Requestor Via E-Mail: 11 / 16 / 2001

Fiscal Estimate Prepared By: (agency abbr.) DOJ

If you have questions about the attached fiscal estimate, you may contact the agency/individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

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THIS DRAFT WAS INTRODUCED AS: 2001 AB473

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Barman, Mike

From: Barman, Mike
Sent: Friday, November 16, 2001 1:09 PM
To: Rep.Wieckert
Subject: LRB-4065/2 (FE by DOJ - attached - for your review)



FE_Wieckert.pdf

FE_Wieckert.pdf