

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 ASSEMBLY BILL 673**

January 22, 2002 – Offered by Representative GUNDRUM.

1 **AN ACT** *to create* 947.017 and 973.06 (1) (ar) of the statutes; **relating to:** threats
2 or scares concerning the use of or exposure to radioactive material, a toxic
3 chemical or its precursor, or a biological agent and providing a penalty.

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

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

5 **947.017 Threats or scares related to radioactive material, toxic**
6 **chemicals, or biological agents. (1)** In this section:

7 (a) “Biological agent” means a microorganism or an infectious substance, or any
8 naturally occurring, bioengineered, or synthesized toxin or component of a
9 microorganism or an infectious substance that is capable of causing death, disease,
10 or other biological malfunction in humans.

11 (b) “Harmful substance” means radioactive material that is harmful to human
12 life, a toxic chemical or its precursor, or a biological agent.

1 (c) “Microorganism” includes a bacterium, virus, fungus, rickettsia, or
2 protozoan.

3 (d) “Precursor” means any chemical reactant that takes part at any stage in the
4 production by whatever method of a toxic chemical.

5 (e) “Toxic chemical” means any chemical that through its chemical action on life
6 processes can cause death, temporary incapacitation, or permanent harm to
7 humans.

8 **(2)** (a) Whoever intentionally threatens to use a harmful substance to harm
9 another, if the threat induces a reasonable expectation or fear that the person will
10 use a harmful substance to harm another, is guilty of a Class E felony.

11 (b) Whoever intentionally causes another person to reasonably believe that the
12 other person may have been exposed to a harmful substance, knowing that the other
13 person has not been exposed to a harmful substance, is guilty of a Class E felony.

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

15 973.06 **(1)** (ar) If the defendant violated s. 947.017, the moneys expended by
16 a state or local government agency for the following activities in connection with a
17 threat or scare under s. 947.017 (2):

18 1. The response to the threat or scare by emergency medical personnel, as
19 defined in s. 941.37 (1) (c).

20 2. The analysis of any substance alleged to be a harmful substance, as defined
21 in s. 947.017 (1) (b).

22 3. The medical treatment of persons who are alleged to have been exposed to
23 an alleged harmful substance, as defined under s. 947.017 (1) (b).

24 **(END)**