

1 licensee, or anything relative to the private account or transactions of such bank or  
2 licensee, or any fact obtained in the course of any examination of any bank or  
3 licensee, except as herein provided, that person is guilty of a Class I felony and shall  
4 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~  
5 ~~than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more~~  
6 ~~than 3 years or both.~~

7 **\*b2900/2.22\* SECTION 353m.** 221.0320 (3) (a) of the statutes, as affected by  
8 2001 Wisconsin Act 16, is amended to read:

9 221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning  
10 given in s. ~~22.01~~ 16.97 (7).

11 **\*-4548/2.129\* \*-3266/P1.98\* SECTION 354.** 221.0625 (2) (intro.) of the  
12 statutes is amended to read:

13 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
14 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~  
15 ~~not more than 15 years~~ is guilty of a Class F felony:

16 **\*-4548/2.130\* \*-3266/P1.99\* SECTION 355.** 221.0636 (2) of the statutes is  
17 amended to read:

18 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~  
19 ~~not more than 30 years~~ is guilty of a Class H felony.

20 **\*-4548/2.131\* \*-3266/P1.100\* SECTION 356.** 221.0637 (2) of the statutes is  
21 amended to read:

22 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~  
23 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
24 felony.

1           \*~~4548/2.132~~\* \*~~3266/P1.101~~\* **SECTION 357.** 221.1004 (2) of the statutes is  
2 amended to read:

3           221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~  
4 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~  
5 ~~than 15 years or both~~ is guilty of a Class F felony.

6           \*~~4548/2.133~~\* \*~~3361/P2.10~~\* **SECTION 359.** 227.01 (13) (sm) of the statutes is  
7 created to read:

8           227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

9           \***b2863/1.5**\* **SECTION 359f.** 227.43 (1) (bg) of the statutes is amended to read:

10           227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review  
11 under ss. 49.45 (2) (a) 10. and 14., 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16  
12 (5), 86.195 (9) (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b),  
13 114.135 (9), 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.0114 (7) (d) and (12)  
14 (b), 218.0116 (2), (4), (7) (a), (8) (a), and (10), 218.0131 (3), 218.11 (7) (a) and (b), 218.22  
15 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d),  
16 342.26, 343.69, and 348.25 (9).

17           \***b2900/2.23**\* **SECTION 362m.** 230.08 (2) (e) 1. of the statutes, as affected by  
18 2001 Wisconsin Act 16, is amended to read:

19           230.08 (2) (e) 1. Administration — ~~10~~ 11.

20           \***b2900/2.23**\* **SECTION 362p.** 230.08 (2) (e) 3r. of the statutes, as created by  
21 2001 Wisconsin Act 16, is repealed.

22           \***b2498/2.2**\* **SECTION 362s.** 230.08 (2) (e) 8. of the statutes is amended to read:

23           230.08 (2) (e) 8. Natural resources — ~~7~~ 6.

24           \*~~4548/2.134~~\* \*~~3361/P2.11~~\* **SECTION 363.** 230.08 (2) (L) 6. of the statutes is  
25 created to read:

1           230.08 (2) (L) 6. Sentencing commission.

2           \*~~4548/2.135~~\* \*~~3361/P2.12~~\* **SECTION 364.** 230.08 (2) (of) of the statutes is  
3 created to read:

4           230.08 (2) (of) The executive director of the sentencing commission.

5           \***b2297/1.4**\* **SECTION 365d.** 230.35 (1m) (a) 2. of the statutes is amended to  
6 read:

7           230.35 (1m) (a) 2. A position designated in s. 19.42 (10) (L) or 20.923 (4), (7),  
8 (8), and (9).

9           \***b2297/1.4**\* **SECTION 365g.** 230.35 (2) of the statutes is amended to read:

10           230.35 (2) Leave of absence with pay owing to sickness and leave of absence  
11 without pay, other than annual leave and leave under s. 103.10, shall be regulated  
12 by rules of the secretary, except that unused sick leave shall accumulate from year  
13 to year. After July 1, 1973, employees appointed to career executive positions under  
14 the program established under s. 230.24 or positions designated in s. 19.42 (10) (L)  
15 or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any  
16 unused sick leave credits restored if they are reemployed in a career executive  
17 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or  
18 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.  
19 Restoration of unused sick leave credits if reemployment is to a position other than  
20 those specified above shall be in accordance with rules of the secretary.

21           \***b2930/3.1**\* **SECTION 365j.** 231.03 (6) (intro.) of the statutes is amended to  
22 read:

23           231.03 (6) (intro.) Subject to s. 231.08 (7), issue bonds of the authority, ~~and may~~  
24 ~~refuse to issue bonds of the authority only if it determines that the issuance would~~  
25 ~~not be financially feasible~~, to do any of the following:

1           **\*-4528/P1.5\* SECTION 366.** 234.165 (2) (c) (intro.) of the statutes is amended  
2 to read:

3           234.165 (2) (c) (intro.) ~~Surplus~~ Except as provided in sub. (3), surplus may be  
4 expended or encumbered only in accordance with the plan approved under par. (b),  
5 except that the authority may transfer from one plan category to another:

6           **\*b2268/1.3\* SECTION 366c.** 234.165 (2) (c) (intro.) of the statutes, as affected  
7 by 2001 Wisconsin Act .... (this act), is amended to read:

8           234.165 (2) (c) (intro.) ~~Except as provided in sub. (3), surplus~~ Surplus may be  
9 expended or encumbered only in accordance with the plan approved under par. (b),  
10 except that the authority may transfer from one plan category to another:

11           **\*-4528/P1.6\* SECTION 367.** 234.165 (3) of the statutes is created to read:

12           234.165 (3) For the purpose of housing grants and loans under s. 16.33 and  
13 housing organization grants under s. 16.336, in fiscal year 2001–02 the authority  
14 shall transfer to the department of administration \$1,500,000 of its surplus and in  
15 fiscal year 2002–03 the authority shall transfer to the department of administration  
16 \$3,300,300 of its surplus. The department of administration shall credit all moneys  
17 transferred under this subsection to the appropriation account under s. 20.505 (7)  
18 (j).

19           **\*b2268/1.5\* SECTION 367c.** 234.165 (3) of the statutes, as created by 2001  
20 Wisconsin Act .... (this act), is repealed.

21           **\*b3051/1.1\* SECTION 367e.** 236.45 (2) (am) of the statutes is created to read:

22           236.45 (2) (am) An ordinance adopted under this section by a municipality may  
23 require any person, as a condition of obtaining approval of a land division, to dedicate  
24 land or pay fees to fund the acquisition of land or the construction of public  
25 improvements or facilities for any purpose specified in sub. (1). Any fees that are

1 imposed as a condition of approving a land division shall bear a rational relationship  
2 to the need for the land or new public improvements or facilities that are necessary  
3 to serve the land division.

4 **\*b2391/1.10\* SECTION 367p.** 250.01 (6g) of the statutes is created to read:

5 250.01 (6g) “Public health authority” means the department, if the governor  
6 declares under s. 166.03 (1) (b) 1. a state of emergency related to public health and  
7 designates the department as the lead state agency to respond to that emergency.

8 **\*b2391/1.10\* SECTION 367q.** 250.01 (6r) of the statutes is created to read:

9 250.01 (6r) “Public health emergency” has the meaning given in s. 166.02 (7).

10 **\*b2391/1.10\* SECTION 367r.** 250.03 (3) of the statutes is created to read:

11 250.03 (3) (a) No later than 90 days after a state of emergency relating to public  
12 health is declared and the department is designated under s. 166.03 (1) (b) 1. as the  
13 lead state agency to respond to that emergency and no later than 90 days after the  
14 termination of this state of emergency relating to public health, the department shall  
15 submit to the legislature under s. 13.172 (2) and to the governor a report on all of the  
16 following:

- 17 1. The emergency powers used by the public health authority or its agents.
- 18 2. The expenses incurred by the public health authority and its agents in acting  
19 under the state of emergency related to public health.

20 **\*b2391/1.10\* SECTION 367s.** 250.03 (3) (b) of the statutes is created to read:

21 250.03 (3) (b) Biennially, beginning on July 1, 2002, after first consulting with  
22 the adjutant general, local health departments, health care providers, as defined in  
23 s. 146.81 (1), and law enforcement agencies, as defined in s. 165.77 (1) (b), the  
24 department shall submit to the legislature under s. 13.172 (2) and to the governor

1 a report on the preparedness of the public health system to address public health  
2 emergencies.

3 \*b2391/1.10\* SECTION 367t. 250.042 of the statutes is created to read:

4 **250.042 Powers and duties of the department as public health**  
5 **authority.** (1) If the governor declares a state of emergency related to public health  
6 under s. 166.03 (1) (b) 1. and designates the department as the lead state agency to  
7 respond to that emergency, the department shall act as the public health authority  
8 during the period of the state of emergency. During the period of the state of  
9 emergency, the secretary may designate a local health department as an agent of the  
10 department and confer upon the local health department, acting under that agency,  
11 the powers and duties of the public health authority. The department may, from the  
12 appropriation under s. 20.435 (1) (e), reimburse a local health department for  
13 reasonable and necessary expenses in acting as an agent of the department if  
14 designated under this subsection.

15 (2) As the public health authority, the department may do any of the following:

16 (a) From the appropriation under s. 20.435 (1) (e), purchase, store, or distribute  
17 antitoxins, serums, vaccines, immunizing agents, antibiotics, and other  
18 pharmaceutical agents or medical supplies that the department determines are  
19 advisable to control a public health emergency.

20 (b) Act as specified in s. 252.041.

21 (3) (a) As the public health authority, the department shall inform state  
22 residents of all of the following:

23 1. When a state of emergency related to public health has been declared or is  
24 terminated.

25 2. How to protect themselves from a public health emergency.

1           3. What actions the public health authority is taking to control a public health  
2 emergency.

3           (b) The public health authority shall provide the information specified in par.  
4 (a) by all available and reasonable means calculated to inform the general public,  
5 including reasonable efforts to make the information accessible to individuals with  
6 disabilities and to provide the information in the primary languages of individuals  
7 who do not understand English.

8           (c) As the public health authority, the department, to the extent possible, shall  
9 consult with local health departments, whether or not designated as agents of the  
10 department, and with individual health care providers.

11           **\*b2391/1.11\* SECTION 368d.** 251.05 (3) (e) of the statutes is created to read:  
12           251.05 (3) (e) Act as agent of the department, if designated by the secretary  
13 under s. 250.042 (1).

14           **\*b2391/1.11\* SECTION 368f.** 252.02 (title) of the statutes is amended to read:  
15           **252.02 (title) Powers and duties of department.**

16           **\*b2391/1.11\* SECTION 368h.** 252.02 (7) of the statutes is created to read:  
17           252.02 (7) The department shall promulgate rules that specify medical  
18 conditions treatable by prescriptions or nonprescription drug products for which  
19 pharmacists and pharmacies must report under s. 440.142 (1).

20           **\*b2391/1.11\* SECTION 368j.** 252.041 of the statutes is created to read:  
21           **252.041 Compulsory vaccination during a state of emergency. (1)**  
22 Except as provided in sub. (2), during the period under which the department is  
23 designated as the lead state agency, as specified in s. 250.042 (2), the department,  
24 as the public health authority, may do all of the following as necessary to address a  
25 public health emergency:

1 (a) Order any individual to receive a vaccination unless the vaccination is  
2 reasonably likely to lead to serious harm to the individual or unless the individual,  
3 for reasons of religion or conscience, refuses to obtain the vaccination.

4 (b) Isolate or quarantine, under s. 252.06, any individual who is unable or  
5 unwilling for reasons specified under sub. (1) to receive vaccination under par. (a).

6 (2) The department shall promulgate rules that specify circumstances, if any,  
7 under which vaccination may not be performed on an individual.

8 \*b2391/1.11\* **SECTION 368L.** 252.05 (1) of the statutes is amended to read:

9 252.05 (1) ~~Any person licensed, permitted, registered or certified under ch. 441~~  
10 ~~or 448 knowing or having~~ health care provider, as defined in s. 146.81 (1), who knows  
11 or has reason to know believe that a person treated or visited by him or her has a  
12 communicable disease, or having a communicable disease, has died, shall report the  
13 appearance of the communicable disease or the death to the local health officer. The  
14 local health officer shall report this information to the department or shall direct the  
15 person reporting to report to the department. Any person directed to report shall  
16 submit this information to the department.

17 \*b2391/1.11\* **SECTION 368n.** 252.06 (1) of the statutes is amended to read:

18 252.06 (1) The department or the local health officer acting on behalf of the  
19 department may require isolation of ~~the patient~~ a patient or of an individual under  
20 s. 252.041 (1) (b), quarantine of contacts, concurrent and terminal disinfection, or  
21 modified forms of these procedures as may be necessary and ~~which are~~ as are  
22 determined by the department by rule.

23 \*b2391/1.11\* **SECTION 368p.** 252.06 (4) of the statutes is renumbered 252.06

24 (4) (a).

25 \*b2391/1.11\* **SECTION 368r.** 252.06 (4) (b) of the statutes is created to read:



1           252.06 (4) (b) If s. 250.042 (1) applies, all of the following apply:

2           1. No person, other than a person authorized by the public health authority or  
3 agent of the public health authority, may enter an isolation or quarantine premises.

4           2. A violation of subd. 1. is subject to a fine not to exceed \$10,000 or  
5 imprisonment not to exceed 9 months, or both.

6           3. Any person, whether authorized under subd. 1. or not, who enters an  
7 isolation or quarantine premises may be subject to isolation or quarantine under this  
8 section.

9           **\*b2391/1.11\* SECTION 368t.** 252.06 (10) (c) of the statutes is created to read:

10           252.06 (10) (c) The expense of providing a reasonable means of communication  
11 for a person who is quarantined outside his or her home during a state of emergency  
12 related to public health shall be paid under either of the following, as appropriate:

13           1. If the governor designates the department as the lead state agency under s.  
14 166.03 (1) (b) 1., from the appropriation under s. 20.435 (1) (e).

15           2. If the governor does not designate the department as the lead state agency  
16 under s. 166.03 (1) (b) 1., from the appropriation under s. 20.465 (3) (e).

17           **\*-4548/2.136\* \*-3266/P1.102\* SECTION 369.** 253.06 (4) (b) of the statutes is  
18 amended to read:

19           253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~  
20 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~  
21 ~~of a Class I felony~~ for the first offense and ~~may be fined not more than \$10,000 or~~  
22 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~  
23 ~~felony~~ for the 2nd or subsequent offense.

24           **\*b2953/1.1\* SECTION 369gh.** 255.06 (2) (h) of the statutes is created to read:

1           255.06 (2) (h) *Multiple sclerosis education.* Conduct a multiple sclerosis  
2 education program to raise public awareness concerning the causes and nature of  
3 multiple sclerosis and options for diagnosing and treating multiple sclerosis.

4           **\*b2819/1.2\* SECTION 369gm.** 280.25 of the statutes is created to read:

5           **280.25 Report on aquifer recovery system.** (1) In this section:

6           (a) “Aquifer storage and recovery system” has the meaning given in s. 160.257  
7 (1).

8           (b) “Municipal water system” has the meaning given in s. 160.257 (1) (c).

9           (2) The operator of a municipal water system that uses an aquifer storage and  
10 recovery system shall submit a report to the department, no later than the first day  
11 of the 60th month after beginning to operate the aquifer storage and recovery system,  
12 describing the experience that the operator has had with using the aquifer storage  
13 and recovery system.

14           **\*b3008/1.3\* SECTION 369kb.** 281.165 (1) of the statutes is amended to read:

15           281.165 (1) COMPLIANCE; EXEMPTION. An activity shall be considered to comply  
16 with the water quality standards that are applicable to wetlands and that are  
17 promulgated as rules under s. 281.15 and is exempt from any prohibition, restriction,  
18 requirement, permit, license, approval, authorization, fee, notice, hearing,  
19 procedure, or penalty specified under s. 29.601 (3) or chs. 30, 31, 281, 283, 289 to 292,  
20 or 299 or specified under any rule promulgated, order issued, or ordinance adopted  
21 under any of those sections or chapters, if the activity meets all of the requirements  
22 under either sub. (2) or (3).

23           **\*b3008/1.3\* SECTION 369ke.** 281.165 (2) (title) of the statutes is amended to  
24 read:

25           281.165 (2) (title) ~~TREMPEALEAU COUNTY~~ REQUIREMENTS.

1           **\*b3008/1.3\* SECTION 369kg.** 281.165 (2) (am) of the statutes is created to read:  
2           281.165 (2) (am) At least 2 acres of wetland will be restored or created as  
3 mitigation for each acre of wetland affected by the activity, and the restored or  
4 created wetland shall be located upstream from the site of the activity and located  
5 within the same watershed as the wetland area to be affected.

6           **\*b3008/1.3\* SECTION 369kj.** 281.165 (2) (c) of the statutes is amended to read:  
7           281.165 (2) (c) The site of the activity is within the corporate limits of a city or  
8 village on January 1, 1999.

9           **\*b3008/1.3\* SECTION 369km.** 281.165 (2) (d) of the statutes is amended to  
10 read:

11           281.165 (2) (d) The governing body of the city or village adopts a resolution  
12 stating that the exemption under this section is necessary to protect jobs that exist  
13 in the city or village on the date of the adoption of the resolution or is necessary to  
14 promote job creation.

15           **\*b3008/1.3\* SECTION 369kp.** 281.165 (2) (e) of the statutes is repealed.

16           **\*b3008/1.3\* SECTION 369kq.** 281.165 (2) (f) of the statutes is created to read:  
17 281.165 (2) (f) The governor selects the activity as provided in sub. (4).

18           **\*b3008/1.3\* SECTION 369kr.** 281.165 (3) of the statutes is repealed.

19           **\*b3008/1.3\* SECTION 369ks.** 281.165 (4) and (5) of the statutes are created to  
20 read:

21           281.165 (4) SELECTION BY GOVERNOR. (a) Any city or village seeking to be  
22 selected for the exemption under sub. (1) shall submit the adopted resolution  
23 required under sub. (2) (d) to the governor before December 31, 2002.

1 (b) The governor shall select one activity within the state that the governor  
2 determines meets the requirements in sub. (2) (a) to (d) to receive the exemption  
3 under sub. (1).

4 (5) RESTORED OR CREATED WETLANDS. (a) Upon selection of the activity by the  
5 governor under sub. (4), the rules under ss. NR 350.05, 350.08, 350.09, and 350.10,  
6 Wis. Adm. Code, shall apply to the mitigation project under sub. (2) (am).

7 (b) The mitigation project under sub. (2) (am) shall include the granting of a  
8 conservation easement under s. 700.40 to the department to ensure that the restored  
9 or created wetland will not be destroyed or substantially degraded by any  
10 subsequent owner of or holder of interest in the property on which the wetland is  
11 located. At a minimum, the conservation easement shall include any zone of  
12 vegetated upland adjacent to the wetland that the department determines is  
13 adequate to filter runoff from entering the restored or created wetland. The  
14 department shall modify or release a conservation easement issued under this  
15 paragraph if the conditions in s. 281.37 (2m) (b) apply.

16 (c) Any agent or employee of the department shall, at all times, be given  
17 reasonable access to any and all parts of a mitigation project site and may enter upon  
18 any property to investigate the mitigation project.

19 **\*b2396/1.1\* SECTION 369L.** 281.17 (2m) of the statutes is created to read:

20 281.17 (2m) In permitting under its authority under sub. (2) the chemical  
21 treatment of water for the suppression of mosquito larvae in the cities of Brookfield  
22 and La Crosse, the department may not impose as a condition to that permission a  
23 requirement that monitoring or additional testing be conducted as to the  
24 effectiveness or the impact of the treatment.

25 **\*b2833/1.1\* SECTION 369m.** 281.65 (12) of the statutes is created to read:

1           281.65 (12) Notwithstanding sub. (8), during fiscal year 2002-03, the  
2 department shall make a payment under this section to a landowner who received  
3 a notice of discharge under ch. 283, who entered into a cost-share agreement with  
4 the department of agriculture, trade and consumer protection for a grant under s.  
5 92.14 (4) (c), 1997 stats., and who complied with the cost-share agreement but who  
6 did not receive the grant under s. 92.14 (4) (c), 1997 stats. The department shall  
7 make a payment under this subsection in the amount to which the landowner would  
8 have been entitled under the cost-share agreement with the department of  
9 agriculture, trade and consumer protection. The department may not require a  
10 landowner to file an application to receive payment under this subsection.

11           **\*b2372/2.5\* SECTION 369n.** 281.98 (2) of the statutes is amended to read:

12           281.98 (2) In addition to the penalties provided under sub. (1) or s. 281.99 (2),  
13 the court may award the department of justice the reasonable and necessary  
14 expenses of the investigation and prosecution of a violation of this chapter, including  
15 attorney fees. The department of justice shall deposit in the state treasury for  
16 deposit into the general fund all moneys that the court awards to the department or  
17 the state under this subsection. ~~Ten percent of the money deposited in the general  
18 fund that was awarded under this subsection for the costs of investigation and the  
19 expenses of prosecution, including attorney fees, shall be credited to the  
20 appropriation account under s. 20.455 (1) (gh).~~

21           **\*b2900/2.24\* SECTION 369p.** 283.84 (1) (c) of the statutes, as affected by 2001  
22 Wisconsin Act 16, is amended to read:

23           283.84 (1) (c) Reaches an agreement with the department or a local  
24 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays

1 money to the department or local governmental unit and the department or local  
2 governmental unit uses the money to reduce water pollution in the project area.

3 **\*b2372/2.5\* SECTION 369q.** 283.91 (5) of the statutes is amended to read:

4 283.91 (5) In addition to all other civil and criminal penalties prescribed under  
5 this chapter, the court may assess as an additional penalty a portion or all of the costs  
6 of the investigation, including monitoring, which led to the establishment of the  
7 violation. The court may award the department of justice the reasonable and  
8 necessary expenses of the prosecution, including attorney fees. The department of  
9 justice shall deposit in the state treasury for deposit into the general fund all moneys  
10 that the court awards to the department or the state under this subsection. ~~Ten~~  
11 ~~percent of the money deposited in the general fund that was awarded under this~~  
12 ~~subsection for the costs of investigation and the expenses of prosecution, including~~  
13 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~

14 **\*-4548/2.137\* \*-3266/P1.103\* SECTION 370.** 285.87 (2) (b) of the statutes is  
15 amended to read:

16 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
17 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except  
18 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may  
19 be fined not more than \$50,000 per day of violation or imprisoned for not more than  
20 3 years or both.

21 **\*b2252/2.3\* SECTION 370j.** 287.23 (5b) (intro.) of the statutes is amended to  
22 read:

23 287.23 (5b) GRANT AWARD FOR 2000 TO 2003. (intro.) The For 2000 to 2003, the  
24 department shall award a grant under this subsection to each eligible responsible  
25 unit that submits a complete grant application under sub. (4) for expenses allowable

1 under sub. (3) (b). The department shall determine the amount of the grants under  
2 this subsection as follows:

3 **\*b2252/2.3\* SECTION 370k.** 287.23 (5d) of the statutes is created to read:

4 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for  
5 the year 2004, the department shall award a grant under this subsection to each  
6 eligible responsible unit that submits a complete grant application under sub. (4) for  
7 expenses allowable under sub. (3) (b).

8 (b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department  
9 shall award an eligible responsible unit a grant under this subsection equal to the  
10 population of the responsible unit times an amount that is the same for each  
11 responsible unit and that the department determines will result in distributing as  
12 much as possible of the amount appropriated under s. 20.370 (6) (bu), taking into  
13 account pars. (c), (d), and (e) and sub. (5p).

14 (c) A grant under this subsection may not exceed the allowable expenses under  
15 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for  
16 which the grant is made.

17 (d) For a county that is the responsible unit for at least 75% of the population  
18 of the county, the department shall award a grant under this subsection equal to the  
19 greater of \$100,000 or the amount determined under par. (a), but not more than the  
20 allowable expenses under sub. (3) (b).

21 (e) For grants for the year 2004, the department shall award a grant to a  
22 responsible unit that received an award in 2003 that is equal to at least 80% of the  
23 amount received in 2003.

24 **\*b2372/2.6\* SECTION 370n.** 289.96 (3) (b) of the statutes is amended to read:

1           289.96 (3) (b) In addition to the penalties provided under par. (a), the court may  
2           award the department of justice the reasonable and necessary expenses of the  
3           investigation and prosecution of the violation, including attorney fees. The  
4           department of justice shall deposit in the state treasury for deposit into the general  
5           fund all moneys that the court awards to the department or the state under this  
6           paragraph. ~~Ten percent of the money deposited in the general fund that was awarded~~  
7           ~~under this paragraph for the costs of investigation and the expenses of prosecution,~~  
8           ~~including attorney fees, shall be credited to the appropriation account under s.~~  
9           ~~20.455 (1) (gh).~~

10           \*~~4548/2.138~~\* \*~~3266/P1.104~~\* **SECTION 371.** 291.97 (2) (b) (intro.) of the  
11           statutes is amended to read:

12           291.97 (2) (b) (intro.) Any person who wilfully does any of the following shall  
13           is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
14           in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than  
15           \$100,000 or imprisoned for not more than 7 years and 6 months or both:

16           \*~~4548/2.139~~\* \*~~3266/P1.105~~\* **SECTION 372.** 291.97 (2) (c) 1. and 2. of the  
17           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.



1           **\*b2372/2.7\* SECTION 372g.** 292.99 (2) of the statutes is amended to read:

2           292.99 (2) In addition to the penalties provided under subs. (1) and (1m), the  
3           court may award the department of justice the reasonable and necessary expenses  
4           of the investigation and prosecution of the violation, including attorney fees. The  
5           department of justice shall deposit in the state treasury for deposit into the general  
6           fund all moneys that the court awards to the department or the state under this  
7           subsection. ~~Ten percent of the money deposited in the general fund that was awarded~~  
8           ~~under this subsection for the costs of investigation and the expenses of prosecution,~~  
9           ~~including attorney fees, shall be credited to the appropriation account under s.~~  
10          ~~20.455 (1) (gh).~~

11           **\*b2372/2.7\* SECTION 372n.** 293.87 (4) (b) of the statutes is amended to read:

12           293.87 (4) (b) In addition to the penalties provided under par. (a), the court may  
13           award the department of justice the reasonable and necessary expenses of the  
14           investigation and prosecution of the violation, including attorney fees. The  
15           department of justice shall deposit in the state treasury for deposit into the general  
16           fund all moneys that the court awards to the department or the state under this  
17           paragraph. ~~Ten percent of the money deposited in the general fund that was awarded~~  
18           ~~under this paragraph for the costs of investigation and the expenses of prosecution,~~  
19           ~~including attorney fees, shall be credited to the appropriation account under s.~~  
20          ~~20.455 (1) (gh).~~

21           **\*b2372/2.7\* SECTION 372q.** 295.19 (3) (b) 2. of the statutes is amended to read:

22           295.19 (3) (b) 2. In addition to the penalties provided under subd. 1., the court  
23           may award the department of justice the reasonable and necessary expenses of the  
24           investigation and prosecution of the violation, including attorney fees. The  
25           department of justice shall deposit in the state treasury for deposit into the general

1 fund all moneys that the court awards to the department or the state under this  
2 subdivision. ~~Ten percent of the money deposited in the general fund that was~~  
3 ~~awarded under this subdivision for the costs of investigation and the expenses of~~  
4 ~~prosecution, including attorney fees, shall be credited to the appropriation account~~  
5 ~~under s. 20.455 (1) (gh).~~

6 **\*b2850/1.1\* SECTION 372s.** 299.41 of the statutes is amended to read:

7 **299.41 Household hazardous waste.** The department shall establish and  
8 administer a grant program to assist municipalities and regional planning  
9 commissions in creating and operating local programs for the collection and disposal  
10 of household hazardous waste.

11 **\*-4548/2.140\* \*-3266/P1.106\* SECTION 373.** 299.53 (4) (c) 2. of the statutes  
12 is amended to read:

13 299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
14 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
15 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
16 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,  
17 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
18 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

19 **\*b2372/2.8\* SECTION 373n.** 299.97 (2) of the statutes is amended to read:

20 299.97 (2) In addition to the penalties provided under sub. (1), the court may  
21 award the department of justice the reasonable and necessary expenses of the  
22 investigation and prosecution of the violation, including attorney fees. The  
23 department of justice shall deposit in the state treasury for deposit into the general  
24 fund all moneys that the court awards to the department or the state under this  
25 subsection. ~~Ten percent of the money deposited in the general fund that was awarded~~

1 ~~under this subsection for the costs of investigation and the expenses of prosecution,~~  
2 ~~including attorney fees, shall be credited to the appropriation account under s.~~  
3 ~~20.455 (1) (gh).~~

4 **\*b2483/2.2\* SECTION 374e.** 301.03 (18) (am) of the statutes is created to read:

5 301.03 (18) (am) Paragraph (a) does not prevent a county department under  
6 s. 46.215, 46.22, or 46.23 from charging and collecting the cost of an examination  
7 ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

8 **\*-4548/2.141\* \*-2889/P3.1\* SECTION 375.** 301.035 (2) of the statutes is  
9 amended to read:

10 301.035 (2) Assign hearing examiners from the division to preside over  
11 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10  
12 (2) and ch. 304.

13 **\*-4548/2.142\* \*-2889/P3.2\* SECTION 376.** 301.035 (4) of the statutes is  
14 amended to read:

15 301.035 (4) Supervise employees in the conduct of the activities of the division  
16 and be the administrative reviewing authority for decisions of the division under ss.  
17 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and  
18 ch. 304.

19 **\*-4548/2.143\* SECTION 377.** 301.048 (2) (bm) 1. a. of the statutes is amended  
20 to read:

21 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195  
22 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,  
23 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (3), (4) or (5), 940.195  
24 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)  
25 (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45

1 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,  
2 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.43,  
3 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or  
4 948.30.

5 **\*b2951/1.3\* SECTION 377b.** 301.205 (title) of the statutes is repealed and  
6 recreated to read:

7 **301.205 (title) Transportation for visits.**

8 **\*b2951/1.3\* SECTION 377c.** 301.205 of the statutes is renumbered 301.205 (2).

9 **\*b2951/1.3\* SECTION 377d.** 301.205 (1) of the statutes is created to read:

10 301.205 (1) (a) Except as provided in par. (b), the department may not use state  
11 funds to transport persons visiting inmates in state prisons.

12 (b) The department may do any of the following to pay for the cost of  
13 transporting persons visiting inmates in state prisons:

14 1. Charge a reasonable fee to persons to whom the transportation is provided.

15 2. Use money received from gifts, grants, donations, and burial trusts that is  
16 provided for the purpose of paying for the cost of such transportation.

17 **\*b2374/1.1\* SECTION 377db.** 301.21 (1m) (a) (intro.) of the statutes is amended  
18 to read:

19 301.21 (1m) (a) (intro.) The Subject to sub. (3), the department may enter into  
20 one or more contracts with another state or a political subdivision of another state  
21 for the transfer and confinement in that state of prisoners who have been committed  
22 to the custody of the department. Any such contract shall provide for all of the  
23 following:

24 **\*b2374/1.1\* SECTION 377dc.** 301.21 (2m) (a) (intro.) of the statutes is amended  
25 to read:

1           301.21 (2m) (a) (intro.) The Subject to sub. (3), the department may enter into  
2 one or more contracts with a private person for the transfer and confinement in  
3 another state of prisoners who have been committed to the custody of the  
4 department. Any such contract shall provide for all of the following:

5           **\*b2374/1.1\* SECTION 377df.** 301.21 (3) of the statutes is created to read:

6           301.21 (3) (a) Subject to par. (b), when contracting for the placement of  
7 prisoners in out-of-state facilities, the department shall give preference to a person  
8 that does all of the following:

9           1. Houses prisoners at facilities in close proximity to Wisconsin.

10          2. Provides alcohol and other drug abuse treatment, education, job  
11 preparation, and other elements of treatment designed to prepare prisoners for their  
12 return to the community.

13          3. Provides comprehensive assessment of prisoners in order to establish  
14 effective courses of treatment and rehabilitation, including academic and vocational  
15 training, with the goal of eventually successfully reintegrating prisoners into the  
16 community.

17          4. Staffs any facility in which prisoners will be confined with trained, certified  
18 professionals and manages and supervises the facility through a team of licensed  
19 professionals, including educators, certified counselors, vocational specialists, and  
20 medical professionals.

21          (b) The department shall give preference to a person under this subsection only  
22 if the person offers a daily rate that is comparable to the lowest good faith rate offered  
23 by other persons offering facilities for out-of-state placement of prisoners.

24          **\*-4548/2.144\* SECTION 378.** 301.26 (4) (cm) 1. of the statutes is amended to  
25 read:

1           301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall  
2 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations  
3 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured  
4 correctional facilities, secured child caring institutions, alternate care providers,  
5 aftercare supervision providers and corrective sanctions supervision providers for  
6 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age  
7 or over who has been placed in a secured correctional facility based on a delinquent  
8 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or  
9 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,  
10 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),  
11 948.02 (1), 948.025, (1), or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any  
12 juvenile 10 years of age or over who has been placed in a secured correctional facility  
13 or secured child caring institution for attempting or committing a violation of s.  
14 940.01 or for committing a violation of s. 940.02 or 940.05.

15           **\*b2613/1.3\* SECTION 378p.** 301.45 (1d) (b) of the statutes is amended to read:

16           301.45 (1d) (b) "Sex offense" means a violation, or the solicitation, conspiracy,  
17 or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
18 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11  
19 (2) (a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was  
20 a minor and the person who committed the violation was not the victim's parent.

21           **\*-4548/2.145\* SECTION 379.** 301.45 (6) (a) 2. of the statutes is amended to read:

22           301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~  
23 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class  
24 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense  
25 if, prior to committing the offense, the person has at any time been convicted of

1 knowingly failing to comply with any requirement to provide information under  
2 subs. (2) to (4).

3 **\*b2613/1.4\* SECTION 379v.** 302.045 (2) (c) of the statutes is amended to read:

4 302.045 (2) (c) The inmate is incarcerated regarding a violation other than a  
5 crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,  
6 948.07, 948.075, 948.08, or 948.095.

7 **\*-4548/2.146\* SECTION 380.** 302.045 (3) of the statutes is amended to read:

8 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
9 determines that an inmate serving a sentence other than one imposed under s.  
10 973.01 has successfully completed the challenge incarceration program, the parole  
11 commission shall parole the inmate for that sentence under s. 304.06, regardless of  
12 the time the inmate has served, ~~unless the person is serving a sentence imposed~~  
13 ~~under s. 973.01.~~ When the parole commission grants parole under this subsection,  
14 it must require the parolee to participate in an intensive supervision program for  
15 drug abusers as a condition of parole.

16 **\*-4548/2.147\* \*-3266/P1.107\* SECTION 381.** 302.095 (2) of the statutes is  
17 amended to read:

18 302.095 (2) Any officer or other person who delivers or procures to be delivered  
19 or has in his or her possession with intent to deliver to any inmate confined in a jail  
20 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts  
21 of a jail or prison, or in any vehicle going into the premises belonging to a jail or  
22 prison, any article or thing whatever, with intent that any inmate confined in the jail  
23 or prison shall obtain or receive the same, or who receives from any inmate any  
24 article or thing whatever with intent to convey the same out of a jail or prison,  
25 contrary to the rules or regulations and without the knowledge or permission of the

1 sheriff or other keeper of the jail, in the case of a jail, or of the warden or  
2 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~  
3 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

4 \*~~4548/2.148~~\* \*~~0590/P5.13~~\* **SECTION 382.** 302.11 (1g) (a) 2. of the statutes  
5 is amended to read:

6 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),  
7 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,  
8 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),  
9 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) ~~or (1m)~~, 943.32 (2),  
10 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,  
11 948.08, ~~or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.~~

12 \*~~4548/2.149~~\* \*~~3265/P1.2~~\* **SECTION 384.** 302.11 (1p) of the statutes is  
13 amended to read:

14 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1999 stats., for  
15 a crime committed before December 31, 1999, is entitled to mandatory release,  
16 except the inmate may not be released before he or she has complied with s. 961.49  
17 (2), 1999 stats.

18 \*~~4548/2.150~~\* **SECTION 385.** 302.11 (1z) of the statutes is amended to read:

19 302.11 (1z) An inmate who is sentenced to a term of confinement in prison  
20 under s. 973.01 for a felony that is committed on or after December 31, 1999, is not  
21 entitled under this section to mandatory release on parole under ~~this section~~ that  
22 sentence.

23 \*~~4548/2.151~~\* **SECTION 386.** 302.11 (3) of the statutes is amended to read:

24 302.11 (3) All consecutive sentences imposed for crimes committed before  
25 December 31, 1999, shall be computed as one continuous sentence.



1           \*~~4548/2.152~~\* **SECTION 387.** 302.11 (7) (a) of the statutes is renumbered 302.11  
2 (7) (am) and amended to read:

3           302.11 (7) (am) ~~The division of hearings and appeals in the department of~~  
4 ~~administration, upon proper notice and hearing, or the department of corrections, if~~  
5 ~~the parolee waives a hearing, reviewing authority may return a parolee released~~  
6 under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the  
7 remainder of the sentence for a violation of the conditions of parole. The remainder  
8 of the sentence is the entire sentence, less time served in custody prior to parole. The  
9 revocation order shall provide the parolee with credit in accordance with ss. 304.072  
10 and 973.155.

11           \*~~4548/2.153~~\* **SECTION 388.** 302.11 (7) (ag) of the statutes is created to read:

12           302.11 (7) (ag) In this subsection “reviewing authority” means the division of  
13 hearings and appeals in the department of administration, upon proper notice and  
14 hearing, or the department of corrections, if the parolee waives a hearing.

15           \*~~4548/2.154~~\* **SECTION 389.** 302.11 (7) (b) of the statutes is amended to read:

16           302.11 (7) (b) A parolee returned to prison for violation of the conditions of  
17 parole shall be incarcerated for the entire period of time determined by the  
18 ~~department of corrections in the case of a waiver or the division of hearings and~~  
19 ~~appeals in the department of administration in the case of a hearing under par. (a),~~  
20 reviewing authority unless paroled earlier under par. (c). The parolee is not subject  
21 to mandatory release under sub. (1) or presumptive mandatory release under sub.  
22 (1g). The period of time determined under par. ~~(a)~~ (am) may be extended in  
23 accordance with subs. (1q) and (2).

24           \*~~4548/2.155~~\* **SECTION 390.** 302.11 (7) (d) of the statutes is amended to read:

1           302.11 (7) (d) A parolee who is subsequently released either after service of the  
2 period of time determined by the ~~department of corrections in the case of a waiver~~  
3 ~~or the division of hearings and appeals in the department of administration in the~~  
4 ~~case of a hearing under par. (a) reviewing authority or by a grant of parole under par.~~  
5 (c) is subject to all conditions and rules of parole until expiration of sentence or  
6 discharge by the department.

7           \*~~4548/2.156~~\* **SECTION 391.** 302.11 (7) (e) of the statutes is created to read:

8           302.11 (7) (e) A reviewing authority may consolidate proceedings before it  
9 under par. (am) with other proceedings before that reviewing authority under par.  
10 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
11 parole or extended supervision of the same person.

12           \*~~4548/2.157~~\* \*~~3370/P2.1~~\* **SECTION 392.** 302.113 (2) of the statutes is  
13 amended to read:

14           302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this  
15 section is entitled to release to extended supervision after he or she has served the  
16 term of confinement in prison portion of the sentence imposed under s. 973.01, as  
17 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1. or 973.195  
18 (1r), if applicable.

19           \*~~4548/2.158~~\* **SECTION 393.** 302.113 (4) of the statutes is amended to read:

20           302.113 (4) All consecutive sentences imposed for crimes committed on or after  
21 December 31, 1999, shall be computed as one continuous sentence. The person shall  
22 serve any term of extended supervision after serving all terms of confinement in  
23 prison.

24           \*~~4548/2.159~~\* \*~~3370/P2.2~~\* **SECTION 394.** 302.113 (7) of the statutes, as  
25 affected by 2001 Wisconsin Act 16, is amended to read:

1           302.113 (7) Any inmate released to extended supervision under this section is  
2 subject to all conditions and rules of extended supervision until the expiration of the  
3 term of extended supervision portion of the bifurcated sentence. The department  
4 may set conditions of extended supervision in addition to any conditions of extended  
5 supervision required under s. 302.116, if applicable, or set by the court under sub.  
6 (7m) or s. 973.01 (5) if the conditions set by the department do not conflict with the  
7 court's conditions.

8           \*~~4548/2.160~~\* \*~~3370/P2.3~~\* **SECTION 395.** 302.113 (7m) of the statutes is  
9 created to read:

10           302.113 (7m) (a) Except as provided in par. (e), a person subject to this section  
11 or the department may petition the sentencing court to modify any conditions of  
12 extended supervision set by the court.

13           (b) If the department files a petition under this subsection, it shall serve a copy  
14 of the petition on the person who is the subject of the petition and, if the person is  
15 represented by an attorney, on the person's attorney. If a person who is subject to this  
16 section or his or her attorney files a petition under this subsection, the person or his  
17 or her attorney shall serve a copy of the petition on the department. The court shall  
18 serve a copy of a petition filed under this section on the district attorney. The court  
19 may direct the clerk of the court to provide notice of the petition to a victim of a crime  
20 committed by the person who is the subject of the petition.

21           (c) The court may conduct a hearing to consider the petition. The court may  
22 grant the petition in full or in part if it determines that the modification would meet  
23 the needs of the department and the public and would be consistent with the  
24 objectives of the person's sentence.

1 (d) A person subject to this section or the department may appeal an order  
2 entered by the court under this subsection. The appellate court may reverse the  
3 order only if it determines that the sentencing court erroneously exercised its  
4 discretion in granting or denying the petition.

5 (e) 1. An inmate may not petition the court to modify the conditions of extended  
6 supervision earlier than one year before the date of the inmate's scheduled date of  
7 release to extended supervision or more than once before the inmate's release to  
8 extended supervision.

9 2. A person subject to this section may not petition the court to modify the  
10 conditions of extended supervision within one year after the inmate's release to  
11 extended supervision. If a person subject to this section files a petition authorized  
12 by this subsection after his or her release from confinement, the person may not file  
13 another petition until one year after the date of filing the former petition.

14 \*~~4548/2.161~~\* **SECTION 396.** 302.113 (8m) of the statutes is created to read:

15 302.113 (8m) (a) Every person released to extended supervision under this  
16 section remains in the legal custody of the department. If the department alleges  
17 that any condition or rule of extended supervision has been violated by the person,  
18 the department may take physical custody of the person for the investigation of the  
19 alleged violation.

20 (b) If a person released to extended supervision under this section signs a  
21 statement admitting a violation of a condition or rule of extended supervision, the  
22 department may, as a sanction for the violation, confine the person for up to 90 days  
23 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
24 If the department confines the person in a county jail under this paragraph, the  
25 department shall reimburse the county for its actual costs in confining the person

1 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
2 the person is not eligible to earn good time credit on any period of confinement  
3 imposed under this subsection.

4 \*~~4548/2.162~~\* \*~~2889/P3.3~~\* **SECTION 397.** 302.113 (9) (a) of the statutes is  
5 renumbered 302.113 (9) (am) and amended to read:

6 302.113 (9) (am) If a person released to extended supervision under this section  
7 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
8 ~~the department of administration, upon proper notice and hearing, or the~~  
9 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
10 reviewing authority may revoke the extended supervision of the person and return  
11 the person to prison. If the extended supervision of the person is revoked, the person  
12 shall be returned to the circuit court for the county in which the person was convicted  
13 of the offense for which he or she was on extended supervision, and the court shall  
14 order the person to be returned to prison, he or she shall be returned to prison for any  
15 specified period of time that does not exceed the time remaining on the bifurcated  
16 sentence. The time remaining on the bifurcated sentence is the total length of the  
17 bifurcated sentence, less time served by the person in custody confinement under the  
18 sentence before release to extended supervision under sub. (2) and less all time  
19 served in confinement for previous revocations of extended supervision under the  
20 sentence. The revocation court order returning a person to prison under this  
21 paragraph shall provide the person on whose extended supervision was revoked with  
22 credit in accordance with ss. 304.072 and 973.155.

23 \*~~4548/2.163~~\* **SECTION 398.** 302.113 (9) (ag) of the statutes is created to read:

24 302.113 (9) (ag) In this subsection “reviewing authority” means the division of  
25 hearings and appeals in the department of administration, upon proper notice and

1 hearing, or the department of corrections, if the person on extended supervision  
2 waives a hearing.

3 \*~~4548/2.164~~\* \*~~2889/P3.4~~\* **SECTION 399.** 302.113 (9) (at) of the statutes is  
4 created to read:

5 302.113 (9) (at) When a person is returned to court under par. (am) after  
6 revocation of extended supervision, the reviewing authority shall make a  
7 recommendation to the court concerning the period of time for which the person  
8 should be returned to prison. The recommended time period may not exceed the time  
9 remaining on the bifurcated sentence, as calculated under par. (am).

10 \*~~4548/2.165~~\* **SECTION 400.** 302.113 (9) (b) of the statutes is amended to read:

11 302.113 (9) (b) A person who is returned to prison after revocation of extended  
12 supervision shall be incarcerated for the entire period of time specified by the  
13 ~~department of corrections in the case of a waiver or by the division of hearings and~~  
14 ~~appeals in the department of administration in the case of a hearing court~~ under par.  
15 (a) (am). The period of time specified under par. (a) (am) may be extended in  
16 accordance with sub. (3). If a person is returned to prison under par. (am) for a period  
17 of time that is less than the time remaining on the bifurcated sentence, the person  
18 shall be released to extended supervision after he or she has served the period of time  
19 specified by the court under par. (am) and any periods of extension imposed in  
20 accordance with sub. (3).

21 \*~~4548/2.166~~\* **SECTION 401.** 302.113 (9) (c) of the statutes is amended to read:

22 302.113 (9) (c) A person who is subsequently released to extended supervision  
23 after service of the period of time specified by the ~~department of corrections in the~~  
24 ~~case of a waiver or by the division of hearings and appeals in the department of~~  
25 ~~administration in the case of a hearing court~~ under par. (a) (am) is subject to all

1 conditions and rules under ~~sub. subs.~~ (7) and, if applicable, (7m) until the expiration  
2 of the ~~term of remaining~~ extended supervision portion of the bifurcated sentence.  
3 The remaining extended supervision portion of the bifurcated sentence is the total  
4 length of the bifurcated sentence, less the time served by the person in confinement  
5 under the bifurcated sentence before release to extended supervision under sub. (2)  
6 and less all time served in confinement for previous revocations of extended  
7 supervision under the bifurcated sentence.

8 \*~~4548/2.167~~\* **SECTION 402.** 302.113 (9) (d) of the statutes is created to read:

9 302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a  
10 person has served in confinement before release to extended supervision and the  
11 amount of time a person has served in confinement for a revocation of extended  
12 supervision includes any extensions imposed under sub. (3).

13 \*~~4548/2.168~~\* **SECTION 403.** 302.113 (9) (e) of the statutes is created to read:

14 302.113 (9) (e) If a hearing is to be held under par. (am) before the division of  
15 hearings and appeals in the department of administration, the hearing examiner  
16 may order the taking and allow the use of a videotaped deposition under s. 967.04  
17 (7) to (10).

18 \*~~4548/2.169~~\* **SECTION 404.** 302.113 (9) (f) of the statutes is created to read:

19 302.113 (9) (f) A reviewing authority may consolidate proceedings before it  
20 under par. (am) with other proceedings before that reviewing authority under par.  
21 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
22 parole or extended supervision of the same person.

23 \*~~4548/2.170~~\* \*~~2889/P3.5~~\* **SECTION 405.** 302.113 (9) (g) of the statutes is

24 created to read:

1           302.113 (9) (g) In any case in which there is a hearing before the division of  
2 hearings and appeals in the department of administration concerning whether to  
3 revoke a person's extended supervision, the person on extended supervision may  
4 seek review of a decision to revoke extended supervision and the department of  
5 corrections may seek review of a decision to not revoke extended supervision. Review  
6 of a decision under this paragraph may be sought only by an action for certiorari.

7           \*~~4548/2.171~~\* \*~~3370/P2.4~~\* **SECTION 406.** 302.113 (9g) of the statutes is  
8 created to read:

9           302.113 (9g) (a) In this subsection:

10           1. "Program review committee" means the committee at a correctional  
11 institution that reviews the security classifications, institution assignments, and  
12 correctional programming assignments of inmates confined in the institution.

13           2. "Terminal condition" means an incurable condition afflicting a person,  
14 caused by injury, disease, or illness, as a result of which the person has a medical  
15 prognosis that his or her life expectancy is 6 months or less, even with available  
16 life-sustaining treatment provided in accordance with the prevailing standard of  
17 medical care.

18           (b) An inmate who is serving a bifurcated sentence for a crime other than a  
19 Class B felony may seek modification of the bifurcated sentence in the manner  
20 specified in par. (f) if he or she meets one of the following criteria:

21           1. The inmate is 65 years of age or older and has served at least 5 years of the  
22 term of confinement in prison portion of the bifurcated sentence.

23           2. The inmate is 60 years of age or older and has served at least 10 years of the  
24 term of confinement in prison portion of the bifurcated sentence.

25           3. The inmate has a terminal condition.



1 (c) An inmate who meets the criteria under par. (b) may submit a petition to  
2 the program review committee at the correctional institution in which the inmate is  
3 confined requesting a modification of the inmate's bifurcated sentence in the manner  
4 specified in par. (f). If the inmate alleges in the petition that he or she has a terminal  
5 condition, the inmate shall attach to the petition affidavits from 2 physicians setting  
6 forth a diagnosis that the inmate has a terminal condition.

7 (cm) If, after receiving the petition under par. (c), the program review  
8 committee determines that the public interest would be served by a modification of  
9 the inmate's bifurcated sentence in the manner provided under par. (f), the  
10 committee shall approve the petition for referral to the sentencing court and notify  
11 the department of its approval. The department shall then refer the inmate's  
12 petition to the sentencing court and request the court to conduct a hearing on the  
13 petition. If the program review committee determines that the public interest would  
14 not be served by a modification of the inmate's bifurcated sentence in the manner  
15 specified in par. (f), the committee shall deny the inmate's petition.

16 (d) When a court is notified by the department that it is referring to the court  
17 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
18 shall set a hearing to determine whether the public interest would be served by a  
19 modification of the inmate's bifurcated sentence in the manner specified in par. (f).  
20 The inmate and the district attorney have the right to be present at the hearing, and  
21 any victim of the inmate's crime has the right to be present at the hearing and to  
22 provide a statement concerning the modification of the inmate's bifurcated sentence.  
23 The court shall order such notice of the hearing date as it considers adequate to be  
24 given to the department, the inmate, the attorney representing the inmate, if

1 applicable, and the district attorney. Victim notification shall be provided as  
2 specified under par. (g).

3 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving  
4 by the greater weight of the credible evidence that a modification of the bifurcated  
5 sentence in the manner specified in par. (f) would serve the public interest. If the  
6 inmate proves that a modification of the bifurcated sentence in the manner specified  
7 in par. (f) would serve the public interest, the court shall modify the inmate's  
8 bifurcated sentence in that manner. If the inmate does not prove that a modification  
9 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
10 interest, the court shall deny the inmate's petition for modification of the bifurcated  
11 sentence.

12 (f) A court may modify an inmate's bifurcated sentence under this section only  
13 as follows:

14 1. The court shall reduce the term of confinement in prison portion of the  
15 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
16 to extended supervision within 30 days after the date on which the court issues its  
17 order modifying the bifurcated sentence.

18 2. The court shall lengthen the term of extended supervision imposed so that  
19 the total length of the bifurcated sentence originally imposed does not change.

20 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

21 2. When a court sets a hearing date under par. (d), the clerk of the circuit court  
22 shall send a notice of hearing to the victim of the crime committed by the inmate, if  
23 the victim has submitted a card under subd. 3. requesting notification. The notice  
24 shall inform the victim that he or she may appear at the hearing scheduled under  
25 par. (d) and shall inform the victim of the manner in which he or she may provide a

1 statement concerning the modification of the inmate's bifurcated sentence in the  
2 manner provided in par. (f). The clerk of the circuit court shall make a reasonable  
3 attempt to send the notice of hearing to the last-known address of the inmate's  
4 victim, postmarked at least 10 days before the date of the hearing.

5 3. The director of state courts shall design and prepare cards for a victim to send  
6 to the clerk of the circuit court for the county in which the inmate was convicted and  
7 sentenced. The cards shall have space for a victim to provide his or her name and  
8 address, the name of the applicable inmate, and any other information that the  
9 director of state courts determines is necessary. The director of state courts shall  
10 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
11 shall provide the cards, without charge, to victims. Victims may send completed  
12 cards to the clerk of the circuit court for the county in which the inmate was convicted  
13 and sentenced. All court records or portions of records that relate to mailing  
14 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

15 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
16 modification of his or her bifurcated sentence. The state may appeal a court's  
17 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
18 sentence. In an appeal under this paragraph, the appellate court may reverse a  
19 decision granting or denying a petition for modification of a bifurcated sentence only  
20 if it determines that the sentencing court erroneously exercised its discretion in  
21 granting or denying the petition.

22 (i) If the program review committee denies an inmate's petition under par. (cm),  
23 the inmate may not file another petition within one year after the date of the program  
24 review committee's denial. If the program review committee approves an inmate's  
25 petition for referral to the sentencing court under par. (cm) but the sentencing court

1 denies the petition, the inmate may not file another petition under par. (cm) within  
2 one year after the date of the court's decision.

3 (j) An inmate eligible to seek modification of his or her bifurcated sentence  
4 under this subsection has a right to be represented by counsel in proceedings under  
5 this subsection. An inmate, or the department on the inmate's behalf, may apply to  
6 the state public defender for determination of indigency and appointment of counsel  
7 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review  
8 committee under par. (c). If an inmate whose petition has been referred to the court  
9 under par. (cm) is without counsel, the court shall refer the matter to the state public  
10 defender for determination of indigency and appointment of counsel under s. 977.05  
11 (4) (jm).

12 **\*-4548/2.172\* SECTION 407.** 302.114 (4) of the statutes is amended to read:

13 302.114 (4) All consecutive sentences imposed for crimes committed on or after  
14 December 31, 1999, shall be computed as one continuous sentence. An inmate  
15 subject to this section shall serve any term of extended supervision after serving all  
16 terms of confinement in prison.

17 **\*-4548/2.173\* SECTION 408.** 302.114 (5) (f) of the statutes is amended to read:

18 302.114 (5) (f) An inmate may appeal an order denying his or her petition for  
19 release to extended supervision. In an appeal under this paragraph, the appellate  
20 court may reverse an order denying a petition for release to extended supervision  
21 only if it determines that the sentencing court ~~improperly~~ erroneously exercised its  
22 discretion in denying the petition for release to extended supervision.

23 **\*-4548/2.174\* \*-2889/P3.6\* SECTION 409.** 302.114 (6) (b) of the statutes is

24 amended to read:

1           302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for  
2 release to extended supervision under this section, the clerk of the circuit court in  
3 which the petition is filed shall send a copy of the petition and, if a hearing is  
4 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
5 the victim has submitted a card under par. (c) requesting notification.

6           \*~~4548/2.175~~\* \*~~2889/P3.7~~\* **SECTION 410.** 302.114 (6) (c) of the statutes is  
7 amended to read:

8           302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she  
9 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,  
10 and shall inform the victim of the manner in which he or she may provide written  
11 statements concerning the inmate's petition for release to extended supervision.

12           \*~~4548/2.176~~\* **SECTION 411.** 302.114 (8m) of the statutes is created to read:

13           302.114 (8m) (a) Every person released to extended supervision under this  
14 section remains in the legal custody of the department. If the department alleges  
15 that any condition or rule of extended supervision has been violated by the person,  
16 the department may take physical custody of the person for the investigation of the  
17 alleged violation.

18           (b) If a person released to extended supervision under this section signs a  
19 statement admitting a violation of a condition or rule of extended supervision, the  
20 department may, as a sanction for the violation, confine the person for up to 90 days  
21 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
22 If the department confines the person in a county jail under this paragraph, the  
23 department shall reimburse the county for its actual costs in confining the person  
24 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,

1 the person is not eligible to earn good time credit on any period of confinement  
2 imposed under this subsection.

3 **\*-4548/2.177\* \*-2889/P3.8\* SECTION 412.** 302.114 (9) (a) of the statutes is  
4 renumbered 302.114 (9) (am) and amended to read:

5 302.114 (9) (am) If a person released to extended supervision under this section  
6 violates a condition of extended supervision, the ~~division of hearings and appeals in~~  
7 ~~the department of administration, upon proper notice and hearing, or the~~  
8 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
9 reviewing authority may revoke the extended supervision of the person and return  
10 the person to prison. If the extended supervision of the person is revoked, the person  
11 shall be returned to the circuit court for the county in which the person was convicted  
12 of the offense for which he or she was on extended supervision, and the court shall  
13 order the person to be returned to prison, he or she shall be returned to prison for a  
14 specified period of time, as provided under par. (b) before he or she is eligible for being  
15 released again to extended supervision. The period of time specified under this  
16 paragraph may not be less than 5 years and may be extended in accordance with sub.  
17 (3).

18 **\*-4548/2.178\* SECTION 413.** 302.114 (9) (ag) of the statutes is created to read:  
19 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given  
20 in s. 302.113 (9) (ag).

21 **\*-4548/2.179\* SECTION 414.** 302.114 (9) (b) of the statutes is amended to read:  
22 302.114 (9) (b) If ~~When~~ a person is returned to ~~prison court~~ under par. (a) (am)  
23 after revocation of extended supervision, the ~~department of corrections in the case~~  
24 ~~of a waiver or the division of hearings and appeals in the department of~~  
25 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall

1 ~~specify a~~ make a recommendation to the court concerning the period of time for  
2 which the person ~~shall be incarcerated~~ should be returned to prison before being  
3 eligible for release to extended supervision. The period of time specified  
4 recommended under this paragraph may not be less than 5 years ~~and may be~~  
5 ~~extended in accordance with sub. (3).~~

6 **\*-4548/2.180\* SECTION 415.** 302.114 (9) (bm) of the statutes is amended to  
7 read:

8 302.114 (9) (bm) A person who is returned to prison under par. ~~(a)~~ (am) after  
9 revocation of extended supervision may, upon petition to the sentencing court, be  
10 released to extended supervision after he or she has served the entire period of time  
11 specified ~~in~~ by the court under par. ~~(b)~~ (am), including any periods of extension  
12 imposed under sub. (3). A person may not file a petition under this paragraph earlier  
13 than 90 days before the date on which he or she is eligible to be released to extended  
14 supervision. If a person files a petition for release to extended supervision under this  
15 paragraph at any time earlier than 90 days before the date on which he or she is  
16 eligible to be released to extended supervision, the court shall deny the petition  
17 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition  
18 filed under this paragraph.

19 **\*-4548/2.181\* SECTION 416.** 302.114 (9) (c) of the statutes is amended to read:  
20 302.114 (9) (c) A person who is subsequently released to extended supervision  
21 under par. ~~(b)~~ (bm) is subject to all conditions and rules under sub. (8) until the  
22 expiration of the sentence.

23 **\*-4548/2.182\* SECTION 417.** 302.114 (9) (d) of the statutes is created to read:  
24 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of  
25 hearings and appeals in the department of administration, the hearing examiner

1 may order the taking and allow the use of a videotaped deposition under s. 967.04  
2 (7) to (10).

3 **\*-4548/2.183\* SECTION 418.** 302.114 (9) (e) of the statutes is created to read:

4 302.114 (9) (e) A reviewing authority may consolidate proceedings before it  
5 under par. (am) with other proceedings before that reviewing authority under par.  
6 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the  
7 parole or extended supervision of the same person.

8 **\*-4548/2.184\* \*-2889/P3.9\* SECTION 419.** 302.114 (9) (f) of the statutes is  
9 created to read:

10 302.114 (9) (f) In any case in which there is a hearing before the division of  
11 hearings and appeals in the department of administration concerning whether to  
12 revoke a person's extended supervision, the person on extended supervision may  
13 seek review of a decision to revoke extended supervision and the department of  
14 corrections may seek review of a decision to not revoke extended supervision. Review  
15 of a decision under this paragraph may be sought only by an action for certiorari.

16 **\*-4548/2.185\* SECTION 420.** 302.33 (1) of the statutes is amended to read:

17 302.33 (1) The maintenance of persons who have been sentenced to the state  
18 penal institutions; persons in the custody of the department, except as provided in  
19 sub. (2) and ~~s. ss. 301.048 (7), 302.113 (8m), and 302.114 (8m)~~; persons accused of  
20 crime and committed for trial; persons committed for the nonpayment of fines and  
21 expenses; and persons sentenced to imprisonment therein, while in the county jail,  
22 shall be paid out of the county treasury. No claim may be allowed to any sheriff for  
23 keeping or boarding any person in the county jail unless the person was lawfully  
24 detained therein.

25 **\*-4473/4.1\* SECTION 421.** 303.063 of the statutes is repealed.



1           \*~~4548/2.186~~\* \*~~2889/P3.10~~\* **SECTION 422.** 303.065 (1) (b) 1. of the statutes  
2 is amended to read:

3           303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
4 specified in subd. 2., may be considered for work release only after he or she has  
5 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever  
6 is applicable, or he or she has reached his or her extended supervision eligibility date  
7 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

8           \*~~4548/2.187~~\* **SECTION 423.** 303.08 (1) (intro.) of the statutes is amended to  
9 read:

10           303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
11 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
12 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
13 necessary and reasonable hours for any of the following purposes:

14           \*~~4548/2.188~~\* **SECTION 424.** 303.08 (2) of the statutes is amended to read:

15           303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
16 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
17 the department, the prisoner person is sentenced to ordinary confinement. The A  
18 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
19 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
20 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
21 court may withdraw the privilege at any time by order entered with or without notice.

22           \*~~4548/2.189~~\* **SECTION 425.** 303.08 (5) (intro.) of the statutes is amended to  
23 read:

24           303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
25 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the

1 wages, salary and unemployment insurance and employment training benefits  
2 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
3 the order stated:

4 **\*-4548/2.190\* SECTION 426.** 303.08 (6) of the statutes is amended to read:

5 303.08 (6) The department, for a person subject to a confinement sanction  
6 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may  
7 authorize the sheriff to whom the prisoner is committed to arrange with another  
8 sheriff for the employment or employment training of the prisoner in the other's  
9 county, and while so employed or trained to be in the other's custody but in other  
10 respects to be and continue subject to the commitment.

11 **\*-4548/2.191\* SECTION 427.** 303.08 (12) of the statutes is amended to read:

12 303.08 (12) In counties having a house of correction, any person violating the  
13 privilege granted under sub. (1) may be transferred by the county jailer to the house  
14 of correction for the remainder of the term of the person's sentence or, if applicable,  
15 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
16 (8m).

17 **\*-4473/4.2\* SECTION 428.** 303.21 (1) (b) of the statutes is amended to read:

18 303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
19 a structured work program away from the institution grounds under s. 302.15 ~~or a~~  
20 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if  
21 they are employed in a prison industry under s. 303.06 (2), participating in a work  
22 release program under s. 303.065 (2), participating in employment with a private  
23 business under s. 303.01 (2) (em) or participating in the transitional employment  
24 program, but they are eligible for worker's compensation benefits under ch. 102.

1 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are  
2 eligible for worker's compensation benefits under ch. 102.

3 ~~\*-4548/2.192\*~~ ~~\*-3265/P1.3\*~~ **SECTION 429.** 304.06 (1) (b) of the statutes is  
4 amended to read:

5 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
6 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an  
7 inmate of the Wisconsin state prisons or any felon or any person serving at least one  
8 year or more in a county house of correction or a county reforestation camp organized  
9 under s. 303.07, when he or she has served 25% of the sentence imposed for the  
10 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)  
11 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate  
12 serving a life term when he or she has served 20 years, as modified by the formula  
13 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.  
14 The person serving the life term shall be given credit for time served prior to  
15 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary  
16 may grant special action parole releases under s. 304.02. The department or the  
17 parole commission shall not provide any convicted offender or other person  
18 sentenced to the department's custody any parole eligibility or evaluation until the  
19 person has been confined at least 60 days following sentencing:

20 ~~\*-4548/2.193\*~~ ~~\*-3265/P1.4\*~~ **SECTION 431.** 304.071 (2) of the statutes is  
21 amended to read:

22 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,  
23 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
24 or she is not eligible for parole under this section.

25 ~~\*b2307/1.1\*~~ **SECTION 431g.** 304.073 (2) of the statutes is amended to read:

1           304.073 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge  
2 a fee to any probationer, parolee, or person on extended supervision who is under  
3 minimum or administrative supervision and is supervised by the department. The  
4 fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The  
5 department shall set the fee sufficient to cover the cost of supervision and may set  
6 varying rates, on a case-by-case basis, based on the person's supervision level. The  
7 department shall collect moneys for the fee charged under this subsection and credit  
8 those moneys to the appropriation account under s. 20.410 (1) (ge).

9           **\*b2307/1.1\* SECTION 431k.** 304.074 (2) of the statutes is amended to read:

10           304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge  
11 a fee to probationers, parolees, and persons on extended supervision to partially  
12 reimburse the department for the costs of providing supervision and services. The  
13 department shall set varying rates for probationers, parolees, or persons on extended  
14 supervision based on ability to pay and may set varying rates, on a case-by-case  
15 basis, based on the person's supervision level, with the goal of receiving at least \$1  
16 per day, if appropriate, from each probationer, parolee, and person on extended  
17 supervision. The department shall not charge a fee while the probationer, parolee,  
18 or person on extended supervision is exempt under sub. (3). The department shall  
19 collect moneys for the fees charged under this subsection and credit those moneys to  
20 the appropriation account under s. 20.410 (1) (gf).

21           **\*-4548/2.194\* SECTION 432.** 304.11 (3) of the statutes is amended to read:

22           304.11 (3) If upon inquiry it further appears to the governor that the convicted  
23 person has violated or failed to comply with any of those conditions, the governor may  
24 issue his or her warrant remanding the person to the institution from which  
25 discharged, and the person shall be confined and treated as though no pardon had

1       been granted, except that the person loses any applicable good time which he or she  
2       had earned. If the person is returned to prison, the person is subject to the same  
3       limitations as a revoked parolee under s. 302.11 (7). The department shall determine  
4       the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines  
5       the person has not violated or failed to comply with the conditions, the person shall  
6       be discharged subject to the conditional pardon.

7               **\*b2966/1.1\* SECTION 432b.** 340.01 (20m) of the statutes is created to read:

8               340.01 **(20m)** “Hail-damaged vehicle” means a vehicle less than 7 years old  
9       that is not precluded from subsequent registration and titling and which is damaged  
10       solely by hail to the extent that the estimated or actual cost, whichever is greater, of  
11       repairing the vehicle exceeds 70% of its fair market value.

12               **\*b2966/1.1\* SECTION 432d.** 340.01 (55g) of the statutes is amended to read:

13               340.01 **(55g)** “Salvage vehicle” means a vehicle less than 7 years old that is not  
14       precluded from subsequent registration and titling and which is damaged by  
15       collision or other occurrence to the extent that the estimated or actual cost,  
16       whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.  
17       The term does not include a hail-damaged vehicle unless the vehicle is repaired with  
18       any replacement part, as defined in s. 632.38 (1) (e).

19               **\*b2476/2.1\* SECTION 432g.** 341.09 (8) of the statutes is amended to read:

20               341.09 **(8)** The department may issue a temporary operation plate to a person  
21       who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e)  
22       if the department determines that the person’s disability is temporary. The plate  
23       shall contain the information specified in sub. (1m) and comply with s. 341.13 (2m),  
24       if applicable. The plate shall otherwise be similar to or identical to plates issued

1 under s. 341.14 (1e). No charge in addition to the registration fee may be made for  
2 the issuance of a plate under this subsection.

3 **\*b2476/2.1\* SECTION 432h.** 341.13 (2m) of the statutes is created to read:

4 341.13 (2m) A registration plate issued for a motorcycle shall have a white  
5 background and black lettering and shall be 4 inches by 7 inches in size.

6 **\*b3076/1.1\* SECTION 432j.** 341.14 (4r) of the statutes is amended to read:

7 341.14 (4r) For reconstructed, replica, street modified, and homemade vehicles  
8 as specified in s. 341.268.

9 **\*b2476/2.1\* SECTION 432r.** 341.14 (6w) of the statutes, as created by 2001  
10 Wisconsin Act 16, is amended to read:

11 341.14 (6w) Upon application to register a motorcycle by any person who is a  
12 resident of this state and a veteran of the U.S. armed forces, the department shall  
13 issue to the person a special plate whose colors and design shall indicate that the  
14 vehicle is owned by a veteran of the U.S. armed forces. The department shall specify  
15 the design of the special plate. The special plate shall be colored red, white, and blue  
16 ~~and be 4 inches by 7 inches in size.~~ An additional fee of \$15 shall be charged for the  
17 issuance or reissuance of the plate.

18 **\*b2476/2.1\* SECTION 432w.** 341.14 (6w) of the statutes, as affected by 2001  
19 Wisconsin Act 16 and 2001 Wisconsin Act .... (this act), is amended to read:

20 341.14 (6w) Upon application to register a motorcycle by any person who is a  
21 resident of this state and a veteran of the U.S. armed forces, the department shall  
22 issue to the person a special plate whose colors and design shall indicate that the  
23 vehicle is owned by a veteran of the U.S. armed forces. The department shall specify  
24 the design of the special plate. The Notwithstanding s. 341.13 (2m), the special plate

1 shall be colored red, white, and blue and be 4 inches by 7 inches in size. An additional  
2 fee of \$15 shall be charged for the issuance or reissuance of the plate.

3 **\*b3076/1.1\* SECTION 432wg.** 341.268 (1) (b) of the statutes is renumbered  
4 341.268 (1) (b) (intro.) and amended to read:

5 341.268 (1) (b) (intro.) “Homemade vehicle” means ~~a~~ any of the following:

6 1. A motor vehicle which that has been constructed or assembled from new or  
7 used parts or both using a body and frame not originating from and not resembling  
8 any previously manufactured motor vehicle.

9 **\*b3076/1.1\* SECTION 432wh.** 341.268 (1) (b) 2. of the statutes is created to  
10 read:

11 341.268 (1) (b) 2. A motorcycle that is a reproduction of a vehicle originally  
12 made by another manufacturer and which consists of a reproduction body that is  
13 combined with a new, used, or replica frame and drivetrain.

14 **\*b3076/1.1\* SECTION 432wi.** 341.268 (1) (e) of the statutes is amended to read:

15 341.268 (1) (e) “Replica vehicle” means a motor vehicle, other than a  
16 motorcycle, that is a reproduction of a vehicle originally made by another  
17 manufacturer and which consists of a reproduction body that is combined with a new,  
18 used, or replica frame and drivetrain.

19 **\*b3076/1.1\* SECTION 432wn.** 341.268 (2) (a) 4. of the statutes is amended to  
20 read:

21 341.268 (2) (a) 4. A homemade vehicle under sub. (1) (b) 1.

22 **\*b3076/1.1\* SECTION 432wnf.** 341.268 (2) (a) 5. of the statutes is created to  
23 read:

1           341.268 (2) (a) 5. A homemade vehicle under sub. (1) (b) 2. that is a reproduction  
2 of a motorcycle manufactured 20 years or more prior to the time of making  
3 application for registration or transfer of title of the homemade vehicle.

4           **\*b3076/1.1\* SECTION 432wt.** 341.268 (4m) of the statutes is created to read:

5           341.268 (4m) A motorcycle registered as a replica vehicle under s. 341.268,  
6 1999 stats., shall be considered a homemade vehicle for purposes of this section and  
7 ss. 341.09 (7), 341.27 (3) (a), 341.28 (2), and 341.31 (4) (b), except that the owner of  
8 the motorcycle is not required to replace the distinctive registration plates issued  
9 under s. 341.268 (2) (c), 1999 stats., showing that the motorcycle is a replica vehicle.

10          **\*-4548/2.195\* \*-3266/P1.108\* SECTION 433.** 341.605 (3) of the statutes is  
11 amended to read:

12          341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
13 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
14 guilty of a Class H felony.

15          **\*-4548/2.196\* \*-3266/P1.109\* SECTION 434.** 342.06 (2) of the statutes is  
16 amended to read:

17          342.06 (2) Any person who knowingly makes a false statement in an  
18 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
19 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

20          **\*-4548/2.197\* \*-3266/P1.110\* SECTION 435.** 342.065 (4) (b) of the statutes is  
21 amended to read:

22          342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
23 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
24 ~~or both is guilty of a Class H felony.~~

25          **\*b2966/1.2\* SECTION 435m.** 342.10 (3) (h) of the statutes is created to read:



1           342.10 (3) (h) That the vehicle was a hail-damaged vehicle. This paragraph  
2 does not apply to a hail-damaged vehicle that was repaired with any replacement  
3 part, as defined in s. 632.38 (1) (e).

4           \*~~4548/2.198~~\* \*~~3266/P1.111~~\* **SECTION 436.** 342.155 (4) (b) of the statutes is  
5 amended to read:

6           342.155 (4) (b) Any person who violates this section with intent to defraud may  
7 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
8 or both is guilty of Class H felony.

9           \*~~4548/2.199~~\* \*~~3266/P1.112~~\* **SECTION 437.** 342.156 (6) (b) of the statutes is  
10 amended to read:

11           342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
12 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
13 ~~or both~~ is guilty of a Class H felony.

14           \*~~4548/2.200~~\* \*~~3266/P1.113~~\* **SECTION 438.** 342.30 (3) (a) of the statutes is  
15 amended to read:

16           342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~  
17 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
18 Class H felony.

19           \*~~4548/2.201~~\* \*~~3266/P1.114~~\* **SECTION 439.** 342.32 (3) of the statutes is  
20 amended to read:

21           342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
22 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation~~ is  
23 guilty of a Class H felony.

24           \*~~b2424/2.1~~\* **SECTION 439e.** 343.23 (2) (b) of the statutes, as affected by 1997  
25 Wisconsin Act 84, is amended to read:

1           343.23 (2) (b) The information specified in par. (a) must be filed by the  
2 department so that the complete operator's record is available for the use of the  
3 secretary in determining whether operating privileges of such person shall be  
4 suspended, revoked, canceled, or withheld in the interest of public safety. The record  
5 of suspensions, revocations, and convictions that would be counted under s. 343.307  
6 (2) shall be maintained permanently. The record of convictions for disqualifying  
7 offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record  
8 of convictions for disqualifying offenses under s. 343.315 (2) (f) and (j) shall be  
9 maintained for at least 3 years. The record of convictions for disqualifying offenses  
10 under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years  
11 after a licensee transfers residency to another state such record may be transferred  
12 to another state of licensure of the licensee if that state accepts responsibility for  
13 maintaining a permanent record of convictions for disqualifying offenses. Such  
14 reports and records may be cumulative beyond the period for which a license is  
15 granted, but the secretary, in exercising the power of suspension granted under s.  
16 343.32 (2) may consider only those reports and records entered during the 4-year  
17 period immediately preceding the exercise of such power of suspension.

18           **\*b2424/2.1\* SECTION 439g.** 343.245 (3) (c) of the statutes is created to read:

19           343.245 (3) (c) No employer may knowingly allow, permit, or authorize an  
20 employee to operate a commercial motor vehicle in violation of any federal, state, or  
21 local law, rule, or regulation relating to railroad crossings.

22           **\*b2424/2.1\* SECTION 439i.** 343.245 (4) (a) of the statutes is amended to read:

23           343.245 (4) (a) Except as provided in ~~par.~~ pars. (b) and (c), any person who  
24 violates sub. (2) or (3) shall forfeit not more than \$2,500.

25           **\*b2424/2.1\* SECTION 439j.** 343.245 (4) (c) of the statutes is created to read:

1           343.245 (4) (c) Any person who violates sub. (3) (c) shall forfeit not more than  
2           \$10,000.

3           \*~~4548/2.202~~\* **SECTION 440.** 343.31 (1) (i) of the statutes is amended to read:  
4           343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under  
5           s. 346.04 (3).

6           \*~~4548/2.203~~\* **SECTION 441.** 343.31 (3) (d) (intro.) of the statutes is amended  
7           to read:

8           343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting  
9           to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege  
10          revoked as follows:

11          \*~~b2424/2.2~~\* **SECTION 441m.** 343.315 (2) (j) of the statutes is created to read:

12          343.315 (2) (j) A person is disqualified for a period of 60 days from operating  
13          a commercial motor vehicle if convicted of a railroad crossing violation, or 120 days  
14          if convicted of 2 railroad crossing violations or one year if convicted of 3 or more  
15          railroad crossing violations, arising from separate occurrences committed within a  
16          3-year period while driving or operating a commercial motor vehicle. In this  
17          paragraph, “railroad crossing violation” means a violation of a federal, state, or local  
18          law, rule, or regulation relating to any of the following offenses at a railroad crossing:

19                1. If the operator is not always required to stop the vehicle, failing to reduce  
20                speed and determine that the tracks are clear of any approaching train.

21                2. If the operator is not always required to stop the vehicle, failing to stop before  
22                reaching the crossing if the tracks are not clear.

23                3. If the operator is always required to stop the vehicle, failing to do so before  
24                proceeding onto the crossing.

1 4. Failing to have sufficient space to proceed completely through the crossing  
2 without stopping the vehicle.

3 5. Failing to obey any official traffic control device or the directions of any traffic  
4 officer, railroad employee, or other enforcement official.

5 6. Failing to successfully proceed through the crossing because of insufficient  
6 undercarriage clearance.

7 **\*b2424/2.2\* SECTION 441p.** 343.315 (3) (b) of the statutes is amended to read:

8 343.315 (3) (b) If a person's license or operating privilege is not otherwise  
9 revoked or suspended as the result of an offense committed after March 31, 1992,  
10 which results in disqualification under sub. (2) (a) to (f), (h) ~~or~~ (i), or (j), the  
11 department shall immediately disqualify the person from operating a commercial  
12 motor vehicle for the period required under sub. (2) (a) to (f), (h) ~~or~~ (i), or (j). Upon  
13 proper application by the person and payment of a duplicate license fee, the  
14 department may issue a separate license authorizing only the operation of vehicles  
15 other than commercial motor vehicles. Upon expiration of the period of  
16 disqualification, the person may apply for authorization to operate commercial  
17 motor vehicles under s. 343.26.

18 **\*-4548/2.204\* \*-3266/P1.116\* SECTION 442.** 344.48 (2) of the statutes is  
19 amended to read:

20 344.48 (2) Any person violating this section may be fined not more than \$1,000  
21 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

22 **\*b3052/1.15\* SECTION 442g.** 344.576 (3) (a) 5. of the statutes is amended to  
23 read:

24 344.576 (3) (a) 5. The address and telephone number of the department of  
25 ~~agriculture, trade and consumer protection~~ justice.

1           **\*b3052/1.15\* SECTION 442m.** 344.576 (3) (c) of the statutes is amended to read:

2           344.576 (3) (c) The department of ~~agriculture, trade and consumer protection~~  
3 justice shall promulgate rules specifying the form of the notice required under par.  
4 (a), including the size of the paper and the type size and any highlighting of the  
5 information described in par. (a). The rule may specify additional information that  
6 must be included in the notice and the precise language that must be used.

7           **\*b3052/1.15\* SECTION 442r.** 344.579 (2) (intro.) of the statutes is amended to  
8 read:

9           344.579 (2) ENFORCEMENT. (intro.) The department of ~~agriculture, trade and~~  
10 ~~consumer protection justice~~ shall investigate violations of ss. 344.574, 344.576 (1),  
11 (2) and (3) (a) and (b), 344.577 and 344.578. The department of ~~agriculture, trade~~  
12 ~~and consumer protection justice~~ may on behalf of the state:

13           **\*-4548/2.205\* \*-0590/P5.14\* SECTION 443.** 346.04 (2t) of the statutes is  
14 created to read:

15           346.04 (2t) No operator of a vehicle, after having received a visible or audible  
16 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall  
17 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as  
18 safety reasonably permits.

19           **\*-4548/2.206\* \*-0590/P5.15\* SECTION 444.** 346.04 (4) of the statutes is  
20 created to read:

21           346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may  
22 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same  
23 incident or occurrence.

24           **\*-4548/2.207\* \*-0590/P5.16\* SECTION 445.** 346.17 (2t) of the statutes is  
25 created to read:

1           346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
2 \$10,000 or imprisoned for not more than 9 months or both.

3           \*~~4548/2.208~~\* \*~~3266/P1.117~~\* SECTION 446. 346.17 (3) (a) of the statutes is  
4 amended to read:

5           346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
6 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~  
7 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

8           \*~~4548/2.209~~\* \*~~0590/P5.18~~\* SECTION 447. 346.17 (3) (b) of the statutes is  
9 amended to read:

10          346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
11 to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
12 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~  
13 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

14          \*~~4548/2.210~~\* \*~~0590/P5.19~~\* SECTION 448. 346.17 (3) (c) of the statutes is  
15 amended to read:

16          346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
17 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~  
18 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

19          \*~~4548/2.211~~\* \*~~0590/P5.20~~\* SECTION 449. 346.17 (3) (d) of the statutes is  
20 amended to read:

21          346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~  
22 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~  
23 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

24          \*~~4548/2.212~~\* \*~~0590/P5.21~~\* SECTION 450. 346.175 (1) (a) of the statutes is  
25 amended to read:

1           346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
2 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
3 the violation as provided in this section.

4           \*~~4548/2.213~~\* \*~~0590/P5.22~~\* **SECTION 451.** 346.175 (1) (b) of the statutes is  
5 amended to read:

6           346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
7 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
8 section if the person operating the vehicle or having the vehicle under his or her  
9 control at the time of the violation has been convicted for the violation under this  
10 section or under s. 346.04 (2t) or (3).

11           \*~~4548/2.214~~\* \*~~0590/P5.23~~\* **SECTION 452.** 346.175 (4) (b) of the statutes is  
12 amended to read:

13           346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by  
14 the authority issuing the citation with the name and address of the person operating  
15 the vehicle or having the vehicle under his or her control at the time of the violation  
16 and sufficient information for the officer to determine that probable cause does not  
17 exist to believe that the owner of the vehicle was operating the vehicle at the time  
18 of the violation, then the owner of the vehicle shall not be liable under this section  
19 or under s. 346.04 (2t) or (3).

20           \*~~4548/2.215~~\* \*~~0590/P5.24~~\* **SECTION 453.** 346.175 (4) (c) of the statutes is  
21 amended to read:

22           346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of  
23 the violation the vehicle was in the possession of a lessee, and the lessor provides a  
24 traffic officer employed by the authority issuing the citation with the information

1 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under  
2 this section or under s. 346.04 (2t) or (3).

3 \*~~4548/2.216~~\* \*~~0590/P5.25~~\* **SECTION 454.** 346.175 (4) (d) of the statutes is  
4 amended to read:

5 346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)  
6 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time  
7 of the violation the vehicle was being operated by or was under the control of any  
8 person on a trial run, and if the dealer provides a traffic officer employed by the  
9 authority issuing the citation with the name, address and operator's license number  
10 of the person operating the vehicle, then that person, and not the dealer, shall be  
11 liable under this section or under s. 346.04 (2t) or (3).

12 \*~~4548/2.217~~\* \*~~0590/P5.26~~\* **SECTION 455.** 346.175 (5) (intro.) of the statutes  
13 is amended to read:

14 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
15 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

16 \*~~4548/2.218~~\* \*~~0590/P5.27~~\* **SECTION 456.** 346.175 (5) (a) of the statutes is  
17 amended to read:

18 346.175 (5) (a) A vehicle owner or other person found liable under this section  
19 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
20 more than \$1,000.

21 \*~~4548/2.219~~\* \*~~3266/P1.121~~\* **SECTION 457.** 346.65 (2) (e) of the statutes is  
22 amended to read:

23 346.65 (2) (e) Except as provided in pars. (f) and (g), is guilty of a Class H felony  
24 and shall be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not  
25 less than 6 months ~~nor more than 5 years~~ if the number of convictions under ss.



1 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
2 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,  
3 except that suspensions, revocations or convictions arising out of the same incident  
4 or occurrence shall be counted as one.

5 \*~~4548/2.220~~\* \*~~3266/P1.122~~\* SECTION 458. 346.65 (5) of the statutes is  
6 amended to read:

7 346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)  
8 shall be fined not less than ~~\$600~~ nor more than ~~\$2,000~~ and may be imprisoned for  
9 not less than 90 days nor more than 2 years and 3 months is guilty of a Class I felony.

10 \*~~4548/2.221~~\* \*~~3266/P1.123~~\* SECTION 459. 346.74 (5) (b) of the statutes is  
11 amended to read:

12 346.74 (5) (b) Shall ~~May~~ be fined not less than ~~\$300~~ nor more than ~~\$5,000~~  
13 \$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or  
14 both if the accident involved injury to a person but the person did not suffer great  
15 bodily harm.

16 \*~~4548/2.222~~\* \*~~3266/P1.124~~\* SECTION 460. 346.74 (5) (c) of the statutes is  
17 amended to read:

18 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
19 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person  
20 and the person suffered great bodily harm.

21 \*~~4548/2.223~~\* \*~~3266/P1.125~~\* SECTION 461. 346.74 (5) (d) of the statutes is  
22 amended to read:

23 346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
24 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
25 death to a person.

1           **\*b3076/1.2\* SECTION 461m.** 347.02 (7) of the statutes is amended to read:

2           347.02 (7) The vehicle equipment requirements for a street modified vehicle  
3 shall be the same as the vehicle equipment requirements for a vehicle of the same  
4 type and model year that is not a street modified vehicle. The vehicle equipment  
5 requirements for a replica vehicle or a homemade vehicle specified in s. 341.268 (1)  
6 (b) 2. shall be the same as the vehicle equipment requirements for a vehicle of the  
7 same type and model year as the vehicle used for purposes of the reproduction.

8           **\*b2976/2.2\* SECTION 461u.** 349.067 of the statutes is created to read:

9           **349.067 Traffic control signal emergency preemption devices. (1)**

10          Notwithstanding s. 349.065, any traffic control signal installed by a local authority  
11 after the effective date of this section .... [revisor inserts date], that is equipped with  
12 an emergency preemption device, as defined in s. 84.02 (15) (a) 4., shall be installed  
13 with a confirmation signal, as defined in s. 84.02 (15) (a) 3.

14          **(2)** Notwithstanding s. 349.065, any new traffic control signal installed by a  
15 local authority after the effective date of this section .... [revisor inserts date], that  
16 is not equipped with an emergency preemption device shall include all electrical  
17 wiring necessary to equip the traffic control signal with an emergency preemption  
18 device and confirmation signal.

19          **\*-4548/2.224\* \*-3266/P1.126\* SECTION 462.** 350.11 (2m) of the statutes is  
20 amended to read:

21          350.11 **(2m)** Any person who violates s. 350.135 (1) ~~shall be fined not more than~~  
22 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
23 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
24 person.

1           \*~~4548/2.225~~\* **SECTION 463.** 351.07 (2) (a) of the statutes is renumbered 351.07  
2 (2).

3           \*~~4548/2.226~~\* **SECTION 464.** 351.07 (2) (b) of the statutes is repealed.

4           \***b2771/1.1**\* **SECTION 464bb.** 440.05 (intro.) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is amended to read:

6           **440.05 Standard fees.** (intro.) The following standard fees apply to all initial  
7 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.05,  
8 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

9           \***b2771/1.1**\* **SECTION 464bd.** 440.08 (2) (a) (intro.) of the statutes, as affected  
10 by 2001 Wisconsin Act 16, is amended to read:

11           440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
12 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46, the  
13 renewal dates and renewal fees for credentials are as follows:

14           \***b2391/1.12**\* **SECTION 464be.** 440.142 of the statutes is created to read:

15           **440.142 Reporting potential causes of public health emergency.** (1) A  
16 pharmacist or pharmacy shall report to the department of health and family services  
17 all of the following:

18           (a) An unusual increase in the number of prescriptions dispensed or  
19 nonprescription drug products sold for the treatment of medical conditions specified  
20 by the department of health and family services by rule under s. 252.02 (7).

21           (b) An unusual increase in the number of prescriptions dispensed that are  
22 antibiotic drugs.

23           (c) The dispensing of a prescription for treatment of a disease that is relatively  
24 uncommon or may be associated with bioterrorism, as defined in s. 166.02 (1r).

1           (2) (a) Except as provided in par. (b), a pharmacist or pharmacy may not report  
2 personally identifying information concerning an individual who is dispensed a  
3 prescription or who purchases a nonprescription drug product as specified in sub. (1)  
4 (a), (b), or (c).

5           (b) Upon request by the department of health and family services, a pharmacist  
6 or pharmacy shall report to that department personally identifying information  
7 other than a social security number concerning an individual who is dispensed a  
8 prescription or who purchases a nonprescription drug product as specified in sub. (1)  
9 (a), (b), or (c).

10           **\*b2771/1.1\* SECTION 464bf.** 440.23 (1) of the statutes is amended to read:

11           440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)  
12 or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card  
13 and the check is not paid by the financial institution upon which the check is drawn  
14 or if the demand for payment under the debit or credit card transaction is not paid  
15 by the financial institution upon which demand is made, the department may cancel  
16 the credential on or after the 60th day after the department receives the notice from  
17 the financial institution, subject to sub. (2).

18           **\*b2771/1.1\* SECTION 464bh.** 444.01 of the statutes is created to read:

19           **444.01 Definitions.** In this chapter:

20           (1) “Amateur boxing contest” means a boxing contest or exhibition in which  
21 none of the boxers are compensated for participating in the contest or exhibition.

22           (2) “Professional boxing contest” means a boxing contest or exhibition in which  
23 one or more of the boxers is compensated for participating in the contest or  
24 exhibition.

25           **\*b2771/1.1\* SECTION 464bj.** 444.02 of the statutes is amended to read:

1           **444.02 Boxing licenses, permits.** The department shall have the sole  
2 direction, management and control of, and jurisdiction over, all ~~boxing and sparring~~  
3 ~~exhibitions~~ professional boxing contests conducted within the state by any club. No  
4 ~~boxing or sparring exhibitions~~ professional boxing contests may be conducted within  
5 the state except under authority granted by the department and in accordance with  
6 this chapter and the rules of the department. The department may issue, and for  
7 cause limit, suspend, or revoke, a license to conduct ~~boxing and sparring exhibitions~~  
8 professional boxing contests to any incorporated club formed as provided in this  
9 chapter. The department may limit the number of ~~sparring or boxing exhibitions~~  
10 professional boxing contests given by any club in any city, village, or town. No ~~boxing~~  
11 ~~or sparring exhibition~~ professional boxing contest may be conducted by any licensed  
12 club without a permit from the department. Every license shall be subject to such  
13 rules and regulations as the department prescribes. The department may  
14 reprimand clubs for violating this chapter or any rules of the department.

15           **\*b2771/1.1\* SECTION 464bL.** 444.03 of the statutes is amended to read:

16           **444.03 Application for license; fee.** No ~~boxing or sparring exhibition~~  
17 professional boxing contest may be conducted by any club except by license granted  
18 to it by the department, and no club may be licensed unless it is incorporated under  
19 the laws of Wisconsin and its membership is limited to persons who have been  
20 continuous residents in the state for at least one year. An application for a license  
21 shall be in writing, addressed to the department, and verified by an officer of the club.  
22 An application shall be accompanied by an annual fee of \$25 in cities, villages, and  
23 towns of not more than 50,000 inhabitants, \$50 in cities of over 50,000 and not more  
24 than 150,000 inhabitants, and \$300 in cities of over 150,000 inhabitants when the  
25 admission is over \$1 and \$50 when the admission charge is \$1 or less. The

1 application must show that the club has entered into a valid agreement for the use  
2 of the building, amphitheater, or stadium in which contests are to be held.

3 **\*b2771/1.1\* SECTION 464bn.** 444.04 of the statutes is amended to read:

4 **444.04 Club reports.** Within 24 hours after a club holds ~~an exhibition a~~  
5 professional boxing contest, the club shall furnish to the department a written  
6 report, verified by one of its officers, showing the number of tickets sold for the  
7 ~~exhibition contest~~, the amount of gross proceeds, and all other information the  
8 department requires by rule to be included in the report.

9 **\*b2771/1.1\* SECTION 464bp.** 444.05 of the statutes is repealed and recreated  
10 to read:

11 **444.05 Amateur boxing contests.** A person may conduct an amateur boxing  
12 contest in this state only if the contest is sanctioned by and conducted under the rules  
13 of the national governing body for amateur boxing that is recognized by the United  
14 States Olympic Committee under 36 USC 220521.

15 **\*b2771/1.1\* SECTION 464br.** 444.06 of the statutes is amended to read:

16 **444.06 Inspectors.** The department shall appoint official "inspectors", each  
17 of whom shall receive a card authorizing the inspector to act wherever the  
18 department designates. The department may be, and at least one inspector shall be  
19 present at all ~~exhibitions~~ professional boxing contests and see that the rules are  
20 strictly observed. An inspector shall also be present at the counting up of the gross  
21 receipts and shall immediately mail to the department the official box-office  
22 statement received from the club. Inspectors shall be paid a per diem to be set by the  
23 department, not to exceed \$25 for each day on which they are actually and  
24 necessarily engaged in the performance of their duties, and shall be reimbursed for  
25 their actual and necessary expenses incurred in the performance of their duties.

1           **\*b2771/1.1\* SECTION 464bt.** 444.09 (1) of the statutes is amended to read:

2           444.09 (1) ~~No boxing or sparring exhibition~~ professional boxing contest shall  
3 be for more than 10 rounds except that where a championship is to be determined,  
4 the ~~exhibition~~ contest shall not be for more than 15 rounds, and no round shall last  
5 more than 3 minutes.

6           **\*b2771/1.1\* SECTION 464bv.** 444.09 (2) of the statutes is amended to read:

7           444.09 (2) There shall be one minute intermission between rounds of  
8 professional boxing contests.

9           **\*b2771/1.1\* SECTION 464bx.** 444.09 (3) of the statutes is amended to read:

10          444.09 (3) Gloves weighing not less than 5 ounces shall be worn by contestants  
11 who are in professional boxing contests and who weigh under 140 pounds, and not  
12 less than 6 ounces by other contestants.

13          **\*b2771/1.1\* SECTION 464bz.** 444.09 (4) of the statutes is amended to read:

14          444.09 (4) No person under the age of 18 years shall participate in any  
15 professional boxing ~~or sparring exhibition~~. ~~Amateur contestants between 14 and 18~~  
16 ~~years of age may participate in amateur boxing or sparring exhibitions with the~~  
17 ~~consent of their parents or guardians~~ contest.

18          **\*b2771/1.1\* SECTION 464cb.** 444.09 (5) of the statutes is amended to read:

19          444.09 (5) No betting at any ~~boxing or sparring exhibitions~~ professional boxing  
20 contest shall be permitted before, after, or during any such contest, in the building  
21 where the contest is held.

22          **\*b2771/1.1\* SECTION 464cd.** 444.09 (6) of the statutes is amended to read:

23          444.09 (6) Contestants in professional boxing contests shall break clean, and  
24 must not hold and hit. Butting with head or shoulders, wrestling, or illegal use of

1 elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part  
2 of the contestants. This includes the use of abusive or insulting language.

3 **\*b2771/1.1\* SECTION 464cf.** 444.09 (7) of the statutes is amended to read:

4 444.09 (7) The department may allow or provide for decisions upon ~~exhibitions~~  
5 professional boxing contests held under this chapter to be made by the referee or by  
6 the referee and 2 judges appointed by the department under regulations prescribed  
7 by the department.

8 **\*b2771/1.1\* SECTION 464ch.** 444.10 of the statutes is amended to read:

9 **444.10 Physician to examine contestants.** Prior to entering the ring, each  
10 contestant in a professional boxing contest must be examined by a physician who has  
11 been licensed to practice in Wisconsin not less than 5 years and who is appointed by  
12 the department and certifies in writing, over his or her signature, as to the  
13 contestant's physical and mental fitness to engage in such contest.

14 **\*b2771/1.1\* SECTION 464cj.** 444.11 of the statutes is amended to read:

15 **444.11 Licenses to matchmakers, referees, boxers, etc.** The department  
16 may grant licenses upon application and the payment of the prescribed fees to  
17 matchmakers, managers, referees, examining physicians, boxers and, seconds, and  
18 trainers in professional boxing contests. The fees to be paid per year shall be:  
19 Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other  
20 cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining  
21 physicians, \$10; boxers, \$5; seconds and trainers, \$5. The department may limit,  
22 suspend or revoke any such license or reprimand the holder thereof upon such cause  
23 as it deems sufficient.

24 **\*b2771/1.1\* SECTION 464cL.** 444.12 of the statutes is amended to read:



1           **444.12 Referee to stop contest.** The referee must stop the a professional  
2 boxing contest when either of the contestants shows a marked superiority or is  
3 apparently outclassed.

4           **\*b2771/1.1\* SECTION 464cn.** 444.13 of the statutes is amended to read:

5           **444.13 Sham matches contests, license revoked.** Any club ~~which that~~  
6 conducts, holds ~~or~~, gives, or participates in any sham or fake ~~boxing or sparring~~  
7 match professional boxing contest shall ~~thereby~~ forfeit its license ~~which~~. That  
8 license shall ~~thereupon~~ be revoked by the department, and ~~it the club~~ shall not  
9 ~~thereafter~~ be entitled to another license, nor shall any license be issued to any club,  
10 ~~which that~~ has a member who belonged to a club ~~which that~~ had its license revoked.

11           **\*b2771/1.1\* SECTION 464cp.** 444.14 of the statutes is amended to read:

12           **444.14 Sham matches contests; contestants penalized; forfeitures;**  
13 **hearing.** Any contestant who participates in any sham or fake ~~boxing or sparring~~  
14 ~~exhibition~~ professional boxing contest or violates any rule or regulation of the  
15 department shall be penalized as follows: For the first offense the contestant shall  
16 be restrained by order of the department for not less than 2 months nor more than  
17 one year, the period to begin immediately after the occurrence of the offense, from  
18 participation in the ~~exhibition~~ contest to be held or given by any licensed club; for a  
19 2nd offense, the contestant shall be permanently disqualified from further  
20 admission or participation in any such ~~exhibition~~ contest held or given by any  
21 licensed club and in addition, for each such offense, shall forfeit such amount, out of  
22 the share or purse agreed to be paid the contestant for the ~~exhibition~~ contest as the  
23 department determines, the forfeit to be paid into the general fund of the state. The  
24 department, upon determining the amount of the forfeit, may pay the same out of any  
25 guarantee deposited with it for delivery to the contestant or may order it paid to the

1 department by the club employing the contestant out of the purse or share agreed by  
2 it to be paid to the contestant. The department shall not determine the forfeit until  
3 after due hearing held upon reasonable notice duly served upon the contestant or the  
4 contestant's manager and upon the club by whom the contestant is employed. Any  
5 member of the department or the secretary or any inspector of the department may  
6 order the club to hold the share or purse of the contestant in its possession pending  
7 the hearing and determination of the department. For failure to obey any order of  
8 the department or the secretary of the department or any inspector of the  
9 department given under this section, the license of the club may be limited,  
10 suspended, canceled, or revoked, and the club may be reprimanded.

11 **\*b2771/1.1\* SECTION 464cr.** 444.15 of the statutes is amended to read:

12 **444.15 Reports; examination of books and officers.** Whenever any club  
13 fails to make a report of any professional boxing contest at the time prescribed or  
14 whenever a report is unsatisfactory to the department, the secretary of the  
15 department may examine the books and records of the club and may subpoena and  
16 examine, under oath, the club's officers and other witnesses to determine the total  
17 amount of its gross receipts for any exhibition contest. The secretary may require  
18 the club to pay the expenses of conducting the examination. If a club fails to pay the  
19 amount of expenses determined by the secretary to be due within 20 days after  
20 receiving notice of the amount, the club shall forfeit its license, be disqualified from  
21 receiving any license under this chapter, and forfeit to the state the sum of \$1,000,  
22 which may be recovered by the department of justice in the name of the state.

23 **\*b2771/1.1\* SECTION 464ct.** 444.17 of the statutes is repealed.

24 **\*b2771/1.1\* SECTION 464cv.** 444.18 of the statutes is amended to read:

1           **444.18 Insurance on boxers.** Any licensee authorized to conduct ~~boxing~~  
2 ~~matches or exhibitions~~ professional boxing contests shall insure each contestant  
3 participating therein for hospital, nursing, and medication expenses and physician's  
4 and surgeon's services according to an equitable fee schedule, not to exceed in the  
5 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for  
6 injuries sustained in any such contest; and shall insure each contestant for not less  
7 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death  
8 as the result of participation in such ~~boxing match or exhibition~~ professional boxing  
9 contest.

10           \*~~4548/2.227~~\* \*~~3266/P1.127~~\* **SECTION 465.** 446.07 of the statutes is  
11 amended to read:

12           **446.07 Penalty.** Anyone violating this chapter may be fined not less than ~~\$100~~  
13 ~~nor more than \$500~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
14 both.

15           \*~~b2333/1.1~~\* **SECTION 465t.** 447.04 (1) (c) 2. of the statutes, as created by 2001  
16 Wisconsin Act 16, is amended to read:

17           447.04 (1) (c) 2. A license granted under subd. 1. authorizes the license holder  
18 to practice dentistry only within educational facilities ~~and only for the purpose of~~  
19 ~~carrying out the license holder's teaching duties.~~

20           \*~~4548/2.228~~\* \*~~3266/P1.128~~\* **SECTION 466.** 447.09 of the statutes is  
21 amended to read:

22           **447.09 Penalties.** Any person who violates this chapter may be fined not more  
23 than \$1,000 or imprisoned for not more than one year in the county jail or both for  
24 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~

1 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction  
2 within 5 years.

3 \*~~4548/2.229~~\* \*~~3266/P1.129~~\* SECTION 467. 450.11 (9) (b) of the statutes is  
4 amended to read:

5 450.11 (9) (b) Any person who delivers, or who possesses with intent to  
6 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~  
7 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
8 is guilty of a Class H felony.

9 \*~~4548/2.230~~\* \*~~3266/P1.130~~\* SECTION 468. 450.14 (5) of the statutes is  
10 amended to read:

11 450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~  
12 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
13 ~~and 6 months or both~~ is guilty of a Class H felony.

14 \*~~4548/2.231~~\* \*~~3266/P1.131~~\* SECTION 469. 450.15 (2) of the statutes is  
15 amended to read:

16 450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~  
17 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
18 ~~and 6 months or both~~ is guilty of a Class H felony.

19 \*~~4548/2.232~~\* \*~~3266/P1.132~~\* SECTION 470. 551.58 (1) of the statutes is  
20 amended to read:

21 551.58 (1) Any person who wilfully violates any provision of this chapter except  
22 s. 551.54, or any rule under this chapter, or any order of which the person has notice,  
23 or who violates s. 551.54 knowing or having reasonable cause to believe that the  
24 statement made was false or misleading in any material respect, ~~may be fined not~~  
25 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is

1 guilty of a Class H felony. Each of the acts specified shall constitute a separate  
2 offense and a prosecution or conviction for any one of such offenses shall not bar  
3 prosecution or conviction for any other offense.

4 \*~~4548/2.233~~\* \*~~3266/P1.133~~\* **SECTION 471.** 552.19 (1) of the statutes is  
5 amended to read:

6 552.19 (1) Any person, including a controlling person of an offeror or target  
7 company, who wilfully violates this chapter or any rule under this chapter, or any  
8 order of which the person has notice, ~~may be fined not more than \$5,000 or~~  
9 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
10 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
11 conviction for any one of the offenses does not bar prosecution or conviction for any  
12 other offense.

13 \*~~4548/2.234~~\* \*~~3266/P1.134~~\* **SECTION 472.** 553.52 (1) of the statutes is  
14 amended to read:

15 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
16 which the person has notice, or who violates s. 553.41 (1) knowing or having  
17 reasonable cause to believe either that the statement made was false or misleading  
18 in any material respect or that the failure to report a material event under s. 553.31  
19 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
20 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
21 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
22 conviction for any one of those offenses does not bar prosecution or conviction for any  
23 other offense.

24 \*~~4548/2.235~~\* \*~~3266/P1.135~~\* **SECTION 473.** 553.52 (2) of the statutes is  
25 amended to read:

1           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
2 or artifice to defraud in connection with the offer or sale of any franchise or engages,  
3 directly or indirectly, in any act, practice, or course of business which operates or  
4 would operate as a fraud or deceit upon any person in connection with the offer or  
5 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
6 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

7           \*~~4498/1.3~~\* **SECTION 475.** 560.17 (5c) (a) 3. of the statutes is amended to read:

8           560.17 (5c) (a) 3. The grant proceeds will be used to pay for services related to  
9 the start-up, modernization, or expansion of the dairy farm or other agricultural  
10 business, or for management assistance, ~~as defined in s. 560.20 (1) (ef),~~ continuing  
11 after the completion of the start-up, modernization, or expansion of the dairy farm  
12 or other agricultural business.

13           \*~~4498/1.4~~\* **SECTION 476.** 560.18 (1) of the statutes is renumbered 560.18 (1m)

14 and amended to read:

15           560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department  
16 may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d),~~ to  
17 develop forestry educational programs and instructional materials for use in the  
18 public schools. The department may not award a grant unless it enters into a  
19 memorandum of understanding with the grant recipient and the director of the  
20 timber management program at the University of Wisconsin–Stevens Point  
21 regarding the use of the funds.

22           \*~~4498/1.5~~\* **SECTION 477.** 560.18 (1c) of the statutes is created to read:

23           560.18 (1c) In this section, “nonprofit organization” means a nonprofit  
24 corporation, as defined in s. 181.0103 (17), and any organization described in section