

1 **SECTION 287.** 939.62 (1) (b) of the statutes is amended to read:

2 939.62 (1) (b) A maximum term of imprisonment of more than one year but not
3 more than 10 years may be increased by not more than 2 years if the prior convictions
4 were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for
5 a felony.

6 **SECTION 288.** 939.62 (1) (c) of the statutes is amended to read:

7 939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be
8 increased by not more than 2 years if the prior convictions were for misdemeanors
9 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

10 **SECTION 289.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

11 939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) ~~if the felony~~
12 is that is a Class A, B, or C felony or, if the felony was committed before the effective
13 date of this subd. 2m. a. [revisor inserts date], that is or was punishable by a
14 maximum prison term of 30 years or more.

15 **SECTION 290.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

16 939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
17 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
18 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
19 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
20 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
21 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

22 **SECTION 291.** 939.622 of the statutes is repealed.

23 **SECTION 292.** 939.623 (2) of the statutes is amended to read:

24 939.623 (2) If a person has one or more prior convictions for a serious sex crime
25 and subsequently commits a serious sex crime, the court shall impose a bifurcated

1 sentence ~~the person to~~ under s. 973.01. The term of confinement in prison portion
2 of a bifurcated sentence imposed under this subsection may not be less than 5 years'
3 imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply,
4 subject to any applicable penalty enhancement. The court ~~shall~~ may not place the
5 defendant on probation.

6 **SECTION 293.** 939.624 (2) of the statutes is amended to read:

7 939.624 (2) If a person has one or more prior convictions for a serious violent
8 crime or a crime punishable by life imprisonment and subsequently commits a
9 serious violent crime, the court shall impose a bifurcated sentence ~~the person to~~
10 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence
11 imposed under this subsection may not be less than 5 years' imprisonment 3 years
12 and 6 months, but otherwise the penalties for the crime apply, subject to any
13 applicable penalty enhancement. The court ~~shall~~ may not place the defendant on
14 probation.

15 **SECTION 294.** 939.625 of the statutes is repealed.

16 **SECTION 295.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)
17 (d), (2) and (3), as renumbered, are amended to read:

18 939.63 (1) (d) The maximum term of imprisonment for a felony not specified
19 in ~~subd. 2. or 3. par (b) or (c)~~ may be increased by not more than 3 years.

20 (2) The increased penalty provided in this ~~subsection~~ section does not apply if
21 possessing, using or threatening to use a dangerous weapon is an essential element
22 of the crime charged.

23 (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to
24 951 and 961.

25 **SECTION 296.** 939.63 (2) of the statutes is repealed.

1 **SECTION 297.** 939.632 (1) (e) 1. of the statutes is amended to read:

2 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (~~1~~)
3 (~~1c~~), 940.19 (2), (~~3~~), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,
4 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), (~~1m~~) or (~~1r~~), 943.32 (2), 948.02 (1) or
5 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~
6 (~~1~~) (~~b~~) or (~~c~~) or ~~948.36~~.

7 **SECTION 298.** 939.632 (2) of the statutes is amended to read:

8 939.632 (2) If a person commits a violent crime in a school zone, the maximum
9 period term of imprisonment is increased as follows:

10 (a) If the violent crime is a felony, the maximum period term of imprisonment
11 is increased by 5 years.

12 (b) If the violent crime is a misdemeanor, the maximum period term of
13 imprisonment is increased by 3 months and the place of imprisonment is the county
14 jail.

15 **SECTION 299.** 939.635 of the statutes is repealed.

16 **SECTION 300.** 939.64 of the statutes is repealed.

17 **SECTION 301.** 939.641 of the statutes is repealed.

18 **SECTION 302.** 939.645 (2) of the statutes is amended to read:

19 939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a
20 misdemeanor other than a Class A misdemeanor, the revised maximum fine is
21 \$10,000 and the revised maximum period term of imprisonment is one year in the
22 county jail.

23 (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,
24 the penalty increase under this section changes the status of the crime to a felony and

1 the revised maximum fine is \$10,000 and the revised maximum period term of
2 imprisonment is 2 years.

3 (c) If the crime committed under sub. (1) is a felony, the maximum fine
4 prescribed by law for the crime may be increased by not more than \$5,000 and the
5 maximum period term of imprisonment prescribed by law for the crime may be
6 increased by not more than 5 years.

7 **SECTION 303.** 939.646 of the statutes is repealed.

8 **SECTION 304.** 939.647 of the statutes is repealed.

9 **SECTION 305.** 939.648 of the statutes is repealed.

10 **SECTION 306.** 939.72 (1) of the statutes is amended to read:

11 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a
12 party to a crime which is the objective of the solicitation; or

13 **SECTION 307.** 939.75 (1) of the statutes is amended to read:

14 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02
15 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)
16 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to
17 (e) and ~~(1b)~~, “unborn child” means any individual of the human species from
18 fertilization until birth that is gestating inside a woman.

19 **SECTION 308.** 940.02 (2) (intro.) of the statutes is amended to read:

20 940.02 (2) (intro.) Whoever causes the death of another human being under any
21 of the following circumstances is guilty of a Class B C felony:

22 **SECTION 309.** 940.03 of the statutes is amended to read:

23 **940.03 Felony murder.** Whoever causes the death of another human being
24 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)
25 (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than

1 ~~20~~ 15 years in excess of the maximum ~~period~~ term of imprisonment provided by law
2 for that crime or attempt.

3 **SECTION 310.** 940.04 (1) of the statutes is amended to read:

4 940.04 (1) Any person, other than the mother, who intentionally destroys the
5 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~
6 ~~than 3 years or both~~ is guilty of a Class H felony.

7 **SECTION 311.** 940.04 (2) (intro.) of the statutes is amended to read:

8 940.04 (2) (intro.) Any person, other than the mother, who does either of the
9 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

10 **SECTION 312.** 940.04 (4) of the statutes is amended to read:

11 940.04 (4) Any pregnant woman who intentionally destroys the life of her
12 unborn quick child or who consents to such destruction by another ~~may be~~
13 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

14 **SECTION 313.** 940.06 (1) of the statutes is amended to read:

15 940.06 (1) Whoever recklessly causes the death of another human being is
16 guilty of a Class ~~C~~ D felony.

17 **SECTION 314.** 940.06 (2) of the statutes is amended to read:

18 940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of
19 a Class ~~C~~ D felony.

20 **SECTION 315.** 940.07 of the statutes is amended to read:

21 **940.07 Homicide resulting from negligent control of vicious animal.**

22 Whoever knowing the vicious propensities of any animal intentionally allows it to go
23 at large or keeps it without ordinary care, if such animal, while so at large or not
24 confined, kills any human being who has taken all the precautions which the
25 circumstances may permit to avoid such animal, is guilty of a Class ~~C~~ G felony.

1 **SECTION 316.** 940.08 (1) of the statutes is amended to read:

2 940.08 (1) Whoever causes the death of another human being by the negligent
3 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class
4 D G felony.

5 **SECTION 317.** 940.08 (2) of the statutes is amended to read:

6 940.08 (2) Whoever causes the death of an unborn child by the negligent
7 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D
8 G felony.

9 **SECTION 318.** 940.09 (1) (intro.) of the statutes is amended to read:

10 940.09 (1) (intro.) Any person who does any of the following is ~~guilty of a Class~~
11 B felony may be penalized as provided in sub. (1c):

12 **SECTION 319.** 940.09 (1b) of the statutes is repealed.

13 **SECTION 320.** 940.09 (1c) of the statutes is created to read:

14 940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is
15 guilty of a Class D felony.

16 (b) A person who violates sub. (1) is guilty of a Class C felony if the person has
17 one or more prior convictions, suspensions, or revocations, as counted under s.
18 343.307 (2).

19 **SECTION 321.** 940.10 (1) of the statutes is amended to read:

20 940.10 (1) Whoever causes the death of another human being by the negligent
21 operation or handling of a vehicle is guilty of a Class E G felony.

22 **SECTION 322.** 940.10 (2) of the statutes is amended to read:

23 940.10 (2) Whoever causes the death of an unborn child by the negligent
24 operation or handling of a vehicle is guilty of a Class E G felony.

25 **SECTION 323.** 940.11 (1) of the statutes is amended to read:

1 940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent
2 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is
3 guilty of a Class C F felony.

4 **SECTION 324.** 940.11 (2) of the statutes is amended to read:

5 940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or
6 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class D G
7 felony.

8 **SECTION 325.** 940.12 of the statutes is amended to read:

9 **940.12 Assisting suicide.** Whoever with intent that another take his or her
10 own life assists such person to commit suicide is guilty of a Class D II felony.

11 **SECTION 326.** 940.15 (2) of the statutes is amended to read:

12 940.15 (2) Whoever intentionally performs an abortion after the fetus or
13 unborn child reaches viability, as determined by reasonable medical judgment of the
14 woman's attending physician, is guilty of a Class E I felony.

15 **SECTION 327.** 940.15 (5) of the statutes is amended to read:

16 940.15 (5) Whoever intentionally performs an abortion and who is not a
17 physician is guilty of a Class E I felony.

18 **SECTION 328.** 940.15 (6) of the statutes is amended to read:

19 940.15 (6) Any physician who intentionally performs an abortion under sub.
20 (3) shall use that method of abortion which, of those he or she knows to be available,
21 is in his or her medical judgment most likely to preserve the life and health of the
22 fetus or unborn child. Nothing in this subsection requires a physician performing
23 an abortion to employ a method of abortion which, in his or her medical judgment
24 based on the particular facts of the case before him or her, would increase the risk
25 to the woman. Any physician violating this subsection is guilty of a Class E I felony.

1 **SECTION 329.** 940.19 (2) of the statutes is amended to read:

2 940.19 (2) Whoever causes substantial bodily harm to another by an act done
3 with intent to cause bodily harm to that person or another is guilty of a Class ~~E~~ I
4 felony.

5 **SECTION 330.** 940.19 (3) of the statutes is repealed.

6 **SECTION 331.** 940.19 (4) of the statutes is amended to read:

7 940.19 (4) Whoever causes great bodily harm to another by an act done with
8 intent to cause bodily harm to that person or another is guilty of a Class ~~D~~ H felony.

9 **SECTION 332.** 940.19 (5) of the statutes is amended to read:

10 940.19 (5) Whoever causes great bodily harm to another by an act done with
11 intent to cause ~~either substantial bodily harm or great bodily harm~~ to that person
12 or another is guilty of a Class ~~C~~ E felony.

13 **SECTION 333.** 940.19 (6) (intro.) of the statutes is amended to read:

14 940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by
15 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H
16 felony. A rebuttable presumption of conduct creating a substantial risk of great
17 bodily harm arises:

18 **SECTION 334.** 940.195 (2) of the statutes is amended to read:

19 940.195 (2) Whoever causes substantial bodily harm to an unborn child by an
20 act done with intent to cause bodily harm to that unborn child, to the woman who is
21 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

22 **SECTION 335.** 940.195 (3) of the statutes is repealed.

23 **SECTION 336.** 940.195 (4) of the statutes is amended to read:

1 940.195 (4) Whoever causes great bodily harm to an unborn child by an act
2 done with intent to cause bodily harm to that unborn child, to the woman who is
3 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

4 **SECTION 337.** 940.195 (5) of the statutes is amended to read:

5 940.195 (5) Whoever causes great bodily harm to an unborn child by an act
6 done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that
7 unborn child, to the woman who is pregnant with that unborn child or another is
8 guilty of a Class ~~C~~ E felony.

9 **SECTION 338.** 940.195 (6) of the statutes is amended to read:

10 940.195 (6) Whoever intentionally causes bodily harm to an unborn child by
11 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H
12 felony.

13 **SECTION 339.** 940.20 (1) of the statutes is amended to read:

14 940.20 (1) BATTERY BY PRISONERS. Any prisoner confined to a state prison or
15 other state, county or municipal detention facility who intentionally causes bodily
16 harm to an officer, employee, visitor or another inmate of such prison or institution,
17 without his or her consent, is guilty of a Class ~~D~~ H felony.

18 **SECTION 340.** 940.20 (1m) of the statutes is amended to read:

19 940.20 (1m) BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS. (a) Any
20 person who is subject to an injunction under s. 813.12 or a tribal injunction filed
21 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who
22 sought the injunction by an act done without the consent of the petitioner is guilty
23 of a Class ~~E~~ I felony.

1 (b) Any person who is subject to an injunction under s. 813.125 and who
2 intentionally causes bodily harm to the petitioner who sought the injunction by an
3 act done without the consent of the petitioner is guilty of a Class E I felony.

4 **SECTION 341.** 940.20 (2) of the statutes is amended to read:

5 940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS. Whoever
6 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those
7 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the
8 person knows or has reason to know that the victim is a law enforcement officer or
9 fire fighter, by an act done without the consent of the person so injured, is guilty of
10 a Class D H felony.

11 **SECTION 342.** 940.20 (2m) (b) of the statutes is amended to read:

12 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,
13 extended supervision and parole agent or an aftercare agent, acting in an official
14 capacity and the person knows or has reason to know that the victim is a probation,
15 extended supervision and parole agent or an aftercare agent, by an act done without
16 the consent of the person so injured, is guilty of a Class D H felony.

17 **SECTION 343.** 940.20 (3) of the statutes is amended to read:

18 940.20 (3) BATTERY TO JURORS. Whoever intentionally causes bodily harm to a
19 person who he or she knows or has reason to know is or was a grand or petit juror,
20 and by reason of any verdict or indictment assented to by the person, without the
21 consent of the person injured, is guilty of a Class D H felony.

22 **SECTION 344.** 940.20 (4) of the statutes is amended to read:

23 940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily
24 harm to a public officer in order to influence the action of such officer or as a result

1 of any action taken within an official capacity, without the consent of the person
2 injured, is guilty of a Class E I felony.

3 **SECTION 345.** 940.20 (5) (b) of the statutes is amended to read:

4 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college
5 district or school district officer or employee acting in that capacity, and the person
6 knows or has reason to know that the victim is a technical college district or school
7 district officer or employee, without the consent of the person so injured, is guilty of
8 a Class E I felony.

9 **SECTION 346.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

10 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another
11 under any of the following circumstances is guilty of a Class E I felony:

12 **SECTION 347.** 940.20 (7) (b) of the statutes is amended to read:

13 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency
14 department worker, an emergency medical technician, a first responder or an
15 ambulance driver who is acting in an official capacity and who the person knows or
16 has reason to know is an emergency department worker, an emergency medical
17 technician, a first responder or an ambulance driver, by an act done without the
18 consent of the person so injured, is guilty of a Class D H felony.

19 **SECTION 348.** 940.201 (2) (intro.) of the statutes is amended to read:

20 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H
21 felony:

22 **SECTION 349.** 940.203 (2) (intro.) of the statutes is amended to read:

23 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
24 cause bodily harm to the person or family member of any judge under all of the
25 following circumstances is guilty of a Class D H felony:

1 **SECTION 350.** 940.205 (2) (intro.) of the statutes is amended to read:

2 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
3 cause bodily harm to the person or family member of any department of revenue
4 official, employee or agent under all of the following circumstances is guilty of a Class
5 D H felony:

6 **SECTION 351.** 940.207 (2) (intro.) of the statutes is amended to read:

7 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
8 cause bodily harm to the person or family member of any department of commerce
9 or department of workforce development official, employee or agent under all of the
10 following circumstances is guilty of a Class D H felony:

11 **SECTION 352.** 940.21 of the statutes is amended to read:

12 **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or
13 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is
14 guilty of a Class B C felony.

15 **SECTION 353.** 940.22 (2) of the statutes is amended to read:

16 940.22 (2) SEXUAL CONTACT PROHIBITED. Any person who is or who holds himself
17 or herself out to be a therapist and who intentionally has sexual contact with a
18 patient or client during any ongoing therapist–patient or therapist–client
19 relationship, regardless of whether it occurs during any treatment, consultation,
20 interview or examination, is guilty of a Class C F felony. Consent is not an issue in
21 an action under this subsection.

22 **SECTION 354.** 940.225 (2) (intro.) of the statutes is amended to read:

23 940.225 (2) SECOND DEGREE SEXUAL ASSAULT. (intro.) Whoever does any of the
24 following is guilty of a Class BC C felony:

25 **SECTION 355.** 940.225 (3) of the statutes is amended to read:

1 940.225 (3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse
2 with a person without the consent of that person is guilty of a Class D G felony.
3 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person
4 without the consent of that person is guilty of a Class D G felony.

5 **SECTION 356.** 940.23 (1) (a) of the statutes is amended to read:

6 940.23 (1) (a) Whoever recklessly causes great bodily harm to another human
7 being under circumstances which show utter disregard for human life is guilty of a
8 Class C D felony.

9 **SECTION 357.** 940.23 (1) (b) of the statutes is amended to read:

10 940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child
11 under circumstances that show utter disregard for the life of that unborn child, the
12 woman who is pregnant with that unborn child or another is guilty of a Class C D
13 felony.

14 **SECTION 358.** 940.23 (2) (a) of the statutes is amended to read:

15 940.23 (2) (a) Whoever recklessly causes great bodily harm to another human
16 being is guilty of a Class D F felony.

17 **SECTION 359.** 940.23 (2) (b) of the statutes is amended to read:

18 940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child
19 is guilty of a Class D F felony.

20 **SECTION 360.** 940.24 (1) of the statutes is amended to read:

21 940.24 (1) Whoever causes bodily harm to another by the negligent operation
22 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

23 **SECTION 361.** 940.24 (2) of the statutes is amended to read:

1 940.24 (2) Whoever causes bodily harm to an unborn child by the negligent
2 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~
3 I felony.

4 **SECTION 362.** 940.25 (1) (intro.) of the statutes is amended to read:

5 940.25 (1) (intro.) Any person who does any of the following is guilty of a Class
6 ~~D F~~ felony:

7 **SECTION 363.** 940.25 (1b) of the statutes is repealed.

8 **SECTION 364.** 940.285 (2) (b) 1g. of the statutes is amended to read:

9 940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
10 that cause death is guilty of a Class ~~B C~~ felony. Any person violating par. (a) 3. under
11 circumstances that cause death is guilty of a Class D felony.

12 **SECTION 365.** 940.285 (2) (b) 1m. of the statutes is amended to read:

13 940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that
14 cause great bodily harm is guilty of a Class ~~C F~~ felony.

15 **SECTION 366.** 940.285 (2) (b) 1r. of the statutes is amended to read:

16 940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are
17 likely to cause great bodily harm is guilty of a Class ~~D G~~ felony. Any person violating
18 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is
19 guilty of a Class I felony.

20 **SECTION 367.** 940.285 (2) (b) 2. of the statutes is amended to read:

21 940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that
22 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E H~~ felony. Any person
23 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
24 of a Class I felony.

25 **SECTION 368.** 940.285 (2) (b) 3. of the statutes is repealed.

1 **SECTION 369.** 940.29 of the statutes is amended to read:

2 **940.29 Abuse of residents of penal facilities.** Any person in charge of or
3 employed in a penal or correctional institution or other place of confinement who
4 abuses, neglects or ill-treats any person confined in or a resident of any such
5 institution or place or who knowingly permits another person to do so is guilty of a
6 Class ~~E~~ I felony.

7 **SECTION 370.** 940.295 (3) (b) 1g. of the statutes is amended to read:

8 940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
9 that cause death to a vulnerable person is guilty of a Class ~~B C~~ B C felony. Any person
10 violating par. (a) 3. under circumstances that cause death to a vulnerable person is
11 guilty of a Class D felony.

12 **SECTION 371.** 940.295 (3) (b) 1m. of the statutes is amended to read:

13 940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that
14 cause great bodily harm to a vulnerable person is guilty of a Class ~~C E~~ E felony.

15 **SECTION 372.** 940.295 (3) (b) 1r. of the statutes is amended to read:

16 940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.
17 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty
18 of a Class ~~D F~~ F felony. Any person violating par. (a) 1. under circumstances that are
19 likely to cause great bodily harm is guilty of a Class G felony.

20 **SECTION 373.** 940.295 (3) (b) 2. of the statutes is amended to read:

21 940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that
22 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E H~~ H felony. Any person
23 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
24 of a Class I felony.

25 **SECTION 374.** 940.295 (3) (b) 3. of the statutes is amended to read:

1 940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)
2 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is
3 guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances
4 that are likely to cause great bodily harm is guilty of a Class I felony.

5 **SECTION 375.** 940.30 of the statutes is amended to read:

6 **940.30 False imprisonment.** Whoever intentionally confines or restrains
7 another without the person's consent and with knowledge that he or she has no
8 lawful authority to do so is guilty of a Class ~~E~~ H felony.

9 **SECTION 376.** 940.305 (1) of the statutes is amended to read:

10 940.305 (1) Except as provided in sub. (2), whoever by force or threat of
11 imminent force seizes, confines or restrains a person without the person's consent
12 and with the intent to use the person as a hostage in order to influence a person to
13 perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~
14 B felony.

15 **SECTION 377.** 940.305 (2) of the statutes is amended to read:

16 940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of
17 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as
18 a hostage is released without bodily harm.

19 **SECTION 378.** 940.31 (1) (intro.) of the statutes is amended to read:

20 940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C
21 felony:

22 **SECTION 379.** 940.31 (2) (a) of the statutes is amended to read:

23 940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with
24 intent to cause another to transfer property in order to obtain the release of the victim
25 is guilty of a Class ~~A-~~ B felony.

1 **SECTION 380.** 940.31 (2) (b) of the statutes is amended to read:

2 940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer
3 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if
4 the victim is released without permanent physical injury prior to the time the first
5 witness is sworn at the trial.

6 **SECTION 381.** 940.32 (2) (intro.) of the statutes is amended to read:

7 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
8 ~~A misdemeanor~~ I felony:

9 **SECTION 382.** 940.32 (2m) of the statutes is amended to read:

10 940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she
11 intentionally gains access to a record in electronic format that contains personally
12 identifiable information regarding the victim in order to facilitate the violation
13 under sub. (2).

14 **SECTION 383.** 940.32 (3) (intro.) of the statutes is amended to read:

15 940.32 (3) (intro.) Whoever violates sub. (2) under any of the following
16 circumstances is guilty of a Class ~~E~~ H felony:

17 **SECTION 384.** 940.32 (3m) (intro.) of the statutes is amended to read:

18 940.32 (3m) (intro.) Whoever violates sub. (3) under all of the following
19 circumstances is guilty of a Class ~~D~~ G felony:

20 **SECTION 385.** 940.43 (intro.) of the statutes is amended to read:

21 **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.
22 940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

23 **SECTION 386.** 940.45 (intro.) of the statutes is amended to read:

24 **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44
25 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

1 **SECTION 387.** 941.11 (intro.) of the statutes is amended to read:

2 **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the
3 following is guilty of a Class D H felony:

4 **SECTION 388.** 941.12 (1) of the statutes is amended to read:

5 941.12 (1) Whoever intentionally interferes with the proper functioning of a
6 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of
7 a Class E I felony.

8 **SECTION 389.** 941.20 (2) (intro.) of the statutes is amended to read:

9 941.20 (2) (intro.) Whoever does any of the following is guilty of a Class E G
10 felony:

11 **SECTION 390.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

12 941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a
13 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot
14 that is open to the public under any of the following circumstances is guilty of a Class
15 E F felony:

16 **SECTION 391.** 941.21 of the statutes is amended to read:

17 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace
18 officer who is acting in his or her official capacity by taking a dangerous weapon or
19 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer
20 without his or her consent is guilty of a Class E H felony. This section applies to any
21 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)
22 (a) that the officer is carrying or that is in an area within the officer's immediate
23 presence.

24 **SECTION 392.** 941.235 (1) of the statutes is amended to read:

1 941.235 (1) Any person who goes armed with a firearm in any building owned
2 or leased by the state or any political subdivision of the state is guilty of a Class ~~B~~
3 A misdemeanor.

4 **SECTION 393.** 941.26 (2) (a) of the statutes is amended to read:

5 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class ~~E~~ H felony.

6 **SECTION 394.** 941.26 (2) (b) of the statutes is amended to read:

7 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class ~~C~~ F felony.

8 **SECTION 395.** 941.26 (2) (e) of the statutes is amended to read:

9 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or
10 commercial transportation of the bomb, grenade, projectile, shell or container under
11 sub. (1) (b) is guilty of a Class ~~E~~ H felony.

12 **SECTION 396.** 941.26 (2) (f) of the statutes is amended to read:

13 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,
14 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily
15 discomfort to a person who the actor knows, or has reason to know, is a peace officer
16 who is acting in an official capacity is guilty of a Class ~~D~~ H felony.

17 **SECTION 397.** 941.26 (2) (g) of the statutes is amended to read:

18 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,
19 grenade, projectile, shell or container under sub. (1) (b) during his or her commission
20 of another crime to cause bodily harm or bodily discomfort to another or who
21 threatens to use the bomb, grenade, projectile, shell or container during his or her
22 commission of another crime to incapacitate another person is guilty of a Class ~~E~~ H
23 felony.

24 **SECTION 398.** 941.26 (4) (d) of the statutes is amended to read:

1 941.26 (4) (d) Whoever intentionally uses a device or container described under
2 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,
3 or has reason to know, is a peace officer who is acting in an official capacity is guilty
4 of a Class ~~D~~ H felony.

5 **SECTION 399.** 941.26 (4) (e) of the statutes is amended to read:

6 941.26 (4) (e) Whoever uses a device or container described under par. (a)
7 during his or her commission of another crime to cause bodily harm or bodily
8 discomfort to another or who threatens to use the device or container during his or
9 her commission of another crime to incapacitate another person is guilty of a Class
10 ~~E~~ H felony.

11 **SECTION 400.** 941.28 (3) of the statutes is amended to read:

12 941.28 (3) Any person violating this section is guilty of a Class ~~E~~ H felony.

13 **SECTION 401.** 941.29 (2) (intro.) of the statutes is amended to read:

14 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class ~~E~~ G felony
15 if he or she possesses a firearm under any of the following circumstances:

16 **SECTION 402.** 941.29 (2m) of the statutes is repealed.

17 **SECTION 403.** 941.295 (1) of the statutes is amended to read:

18 941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed
19 with any electric weapon is guilty of a Class ~~E~~ H felony.

20 **SECTION 404.** 941.296 (2) (intro.) of the statutes is amended to read:

21 941.296 (2) (intro.) Whoever uses or possesses a handgun during the
22 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class ~~E~~ H felony
23 under any of the following circumstances.

24 **SECTION 405.** 941.296 (3) of the statutes is repealed.

25 **SECTION 406.** 941.298 (2) of the statutes is amended to read:

1 941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of
2 a Class ~~E~~ H felony.

3 **SECTION 407.** 941.30 (1) of the statutes is amended to read:

4 941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly
5 endangers another's safety under circumstances which show utter disregard for
6 human life is guilty of a Class ~~D~~ F felony.

7 **SECTION 408.** 941.30 (2) of the statutes is amended to read:

8 941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever
9 recklessly endangers another's safety is guilty of a Class ~~E~~ G felony.

10 **SECTION 409.** 941.31 (1) of the statutes is amended to read:

11 941.31 (1) Whoever makes, buys, transports, possesses, or transfers any
12 explosive compound or offers to do the same, either with intent to use such explosive
13 to commit a crime or knowing that another intends to use it to commit a crime, is
14 guilty of a Class ~~C~~ F felony.

15 **SECTION 410.** 941.31 (2) (b) of the statutes is amended to read:

16 941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or
17 transfers any improvised explosive device, or possesses materials or components
18 with intent to assemble any improvised explosive device, is guilty of a Class ~~E~~ H
19 felony.

20 **SECTION 411.** 941.315 (3) (intro.) of the statutes is amended to read:

21 941.315 (3) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H
22 felony:

23 **SECTION 412.** 941.32 of the statutes is amended to read:

24 **941.32 Administering dangerous or stupefying drug.** Whoever
25 administers to another or causes another to take any poisonous, stupefying,

1 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the
2 commission of a crime is guilty of a Class ~~C~~ F felony.

3 **SECTION 413.** 941.325 of the statutes is amended to read:

4 **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs
5 or other substances in candy or other liquid or solid edibles with the intent to cause
6 bodily harm to another person is guilty of a Class ~~E~~ I felony.

7 **SECTION 414.** 941.327 (2) (b) 1. of the statutes is amended to read:

8 941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.
9 (a) is guilty of a Class ~~E~~ I felony.

10 **SECTION 415.** 941.327 (2) (b) 2. of the statutes is amended to read:

11 941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great
12 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

13 **SECTION 416.** 941.327 (2) (b) 3. of the statutes is amended to read:

14 941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,
15 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

16 **SECTION 417.** 941.327 (2) (b) 4. of the statutes is amended to read:

17 941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is
18 guilty of a Class ~~A~~ C felony.

19 **SECTION 418.** 941.327 (3) of the statutes is amended to read:

20 941.327 (3) Whoever intentionally imparts or conveys false information,
21 knowing the information to be false, concerning an act or attempted act which, if
22 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

23 **SECTION 419.** 941.37 (3) of the statutes is amended to read:

24 941.37 (3) Any person who intentionally interferes with any emergency
25 medical personnel in the performance of duties relating to an emergency or rescue

1 and who has reasonable grounds to believe that the interference may endanger
2 another's safety is guilty of a Class ~~E~~ I felony.

3 **SECTION 420.** 941.37 (4) of the statutes is amended to read:

4 941.37 (4) Any person who violates sub. (3) and thereby contributes to the
5 death of another is guilty of a Class ~~C~~ E felony.

6 **SECTION 421.** 941.38 (1) (b) 4. of the statutes is amended to read:

7 941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery,~~ as
8 prohibited in s. 940.19 or 940.195.

9 **SECTION 422.** 941.38 (2) of the statutes is amended to read:

10 941.38 (2) Whoever intentionally solicits a child to participate in criminal gang
11 activity is guilty of a Class ~~E~~ I felony.

12 **SECTION 423.** 942.09 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
13 Act 33, is amended to read:

14 942.09 (2) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I
15 felony:

16 **SECTION 424.** 943.01 (2) (intro.) of the statutes is amended to read:

17 943.01 (2) (intro.) Any person violating sub. (1) under any of the following
18 circumstances is guilty of a Class ~~D~~ I felony:

19 **SECTION 425.** 943.01 (2) (d) of the statutes, as affected by 2001 Wisconsin Act
20 16, is amended to read:

21 943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced
22 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property
23 is reduced in value by the amount which it would cost either to repair or replace it,
24 whichever is less.

1 **SECTION 426.** 943.01 (2d) (b) (intro.) of the statutes, as created by 2001
2 Wisconsin Act 16, is amended to read:

3 943.01 (2d) (b) (intro.) Any person violating sub. (1) under all of the following
4 circumstances is guilty of a Class ~~E~~ I felony:

5 **SECTION 427.** 943.01 (2g) (intro.) of the statutes is amended to read:

6 943.01 (2g) (intro.) Any person violating sub. (1) under all of the following
7 circumstances is guilty of a Class ~~E~~ I felony:

8 **SECTION 428.** 943.01 (2g) (c) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 943.01 (2g) (c) The total property damaged in violation of sub. (1) is reduced
11 in value by more than \$500 but not more than ~~\$2,500~~ \$1,000. For purposes of this
12 paragraph, property is reduced in value by the amount that it would cost to repair
13 or replace it, whichever is less, plus other monetary losses associated with the
14 damage.

15 **SECTION 429.** 943.011 (2) (intro.) of the statutes is amended to read:

16 943.011 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ I
17 felony:

18 **SECTION 430.** 943.012 (intro.) of the statutes is amended to read:

19 **943.012 Criminal damage to or graffiti on religious and other property.**
20 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or
21 writes with ink or another substance on or intentionally etches into any physical
22 property of another, without the person's consent and with knowledge of the
23 character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one
24 or more of the following:

25 **SECTION 431.** 943.013 (2) (intro.) of the statutes is amended to read:

1 943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage
2 to any physical property that belongs to a judge or his or her family member under
3 all of the following circumstances is guilty of a Class D I felony:

4 **SECTION 432.** 943.014 (2) of the statutes is amended to read:

5 943.014 (2) Whoever intentionally demolishes a historic building without a
6 permit issued by a city, village, town or county or without an order issued under s.
7 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~
8 ~~building and the land upon which the building is located immediately prior to~~
9 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A
10 misdemeanor.

11 **SECTION 433.** 943.015 (2) (intro.) of the statutes is amended to read:

12 943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage
13 to any physical property which belongs to a department of revenue official, employee
14 or agent or his or her family member under all of the following circumstances is guilty
15 of a Class D I felony:

16 **SECTION 434.** 943.017 (2) (intro.) of the statutes is amended to read:

17 943.017 (2) (intro.) Any person violating sub. (1) under any of the following
18 circumstances is guilty of a Class D I felony:

19 **SECTION 435.** 943.017 (2) (d) of the statutes, as affected by 2001 Wisconsin Act
20 16, is amended to read:

21 943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced
22 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property
23 is reduced in value by the amount which it would cost to repair or replace it or to
24 remove the marking, drawing, writing or etching, whichever is less.

25 **SECTION 436.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

1 943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~
2 I felony:

3 **SECTION 437.** 943.02 (1) (intro.) of the statutes is amended to read:

4 943.02 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B C~~
5 felony:

6 **SECTION 438.** 943.03 of the statutes is amended to read:

7 **943.03 Arson of property other than building.** Whoever, by means of fire,
8 intentionally damages any property of another without the person's consent, if the
9 property is not a building and has a value of \$100 or more, is guilty of a Class ~~E I~~
10 felony.

11 **SECTION 439.** 943.04 of the statutes is amended to read:

12 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages
13 any property, other than a building, with intent to defraud an insurer of that property
14 is guilty of a Class ~~D H~~ felony. Proof that the actor recovered or attempted to recover
15 on a policy of insurance by reason of the fire is relevant but not essential to establish
16 the actor's intent to defraud the insurer.

17 **SECTION 440.** 943.06 (2) of the statutes is amended to read:

18 943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or
19 transfers a fire bomb is guilty of a Class ~~E H~~ felony.

20 **SECTION 441.** 943.07 (1) of the statutes is amended to read:

21 943.07 (1) Whoever intentionally causes damage or who causes another person
22 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,
23 tunnel or signal or any railroad property used in providing rail services, which could
24 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor I~~ felony.

25 **SECTION 442.** 943.07 (2) of the statutes is amended to read:

1 943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad
2 train, car, caboose or engine is guilty of a Class ~~A~~ misdemeanor I felony.

3 **SECTION 443.** 943.10 (1) (intro.) of the statutes is amended to read:

4 943.10 (1) (intro.) Whoever intentionally enters any of the following places
5 without the consent of the person in lawful possession and with intent to steal or
6 commit a felony in such place is guilty of a Class ~~C~~ F felony:

7 **SECTION 444.** 943.10 (2) (intro.) of the statutes is amended to read:

8 943.10 (2) (intro.) Whoever violates sub. (1) under any of the following
9 circumstances is guilty of a Class ~~B~~ E felony:

10 **SECTION 445.** 943.12 of the statutes is amended to read:

11 **943.12 Possession of burglarious tools.** Whoever has in personal
12 possession any device or instrumentality intended, designed or adapted for use in
13 breaking into any depository designed for the safekeeping of any valuables or into
14 any building or room, with intent to use such device or instrumentality to break into
15 a depository, building or room, and to steal therefrom, is guilty of a Class ~~E~~ I felony.

16 **SECTION 446.** 943.20 (3) (a) of the statutes, as affected by 2001 Wisconsin Act
17 16, is amended to read:

18 943.20 (3) (a) If the value of the property does not exceed ~~\$2,500~~ \$1,000, is
19 guilty of a Class A misdemeanor.

20 **SECTION 447.** 943.20 (3) (bf) of the statutes is created to read:

21 943.20 (3) (bf) If the value of the property exceeds \$1,000 but does not exceed
22 \$5,000, is guilty of a Class I felony.

23 **SECTION 448.** 943.20 (3) (bm) of the statutes is created to read:

24 943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed
25 \$10,000, is guilty of a Class H felony.

1 **SECTION 449.** 943.20 (3) (c) of the statutes is amended to read:

2 943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of
3 a Class ~~C~~ G felony.

4 **SECTION 450.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

5 943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~
6 any of the following circumstances ~~exist~~ exists, is guilty of a Class ~~D~~ H felony:

7 **SECTION 451.** 943.20 (3) (d) 1. of the statutes is amended to read:

8 943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

9 **SECTION 452.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and
10 amended to read:

11 943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from
12 a corpse; ~~or,~~ is guilty of a Class G felony.

13 **SECTION 453.** 943.20 (3) (d) 3. of the statutes is amended to read:

14 943.20 (3) (d) 3. The property is taken from a building which has been destroyed
15 or left unoccupied because of physical disaster, riot, bombing or the proximity of
16 battle; ~~or,~~

17 **SECTION 454.** 943.20 (3) (d) 4. of the statutes is amended to read:

18 943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or
19 the proximity of battle has necessitated its removal from a building; ~~or,~~

20 **SECTION 455.** 943.201 (2) of the statutes is amended to read:

21 943.201 (2) Whoever intentionally uses or attempts to use any personal
22 identifying information or personal identification document of an individual to
23 obtain credit, money, goods, services or anything else of value without the
24 authorization or consent of the individual and by representing that he or she is the

1 individual or is acting with the authorization or consent of the individual is guilty
2 of a Class ~~D~~ H felony.

3 **SECTION 456.** 943.205 (3) of the statutes is amended to read:

4 943.205 (3) Anyone who violates this section is guilty of a Class ~~E~~ I felony.

5 **SECTION 457.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

6 943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class ~~D~~ I
7 felony under any of the following circumstances:

8 **SECTION 458.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

9 943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class ~~C~~ H
10 felony under any of the following circumstances:

11 **SECTION 459.** 943.208 (2) (b) of the statutes is amended to read:

12 943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the
13 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
14 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual
15 recordings in violation of sub. (1) during a 180-day period, and the value of the
16 recordings exceeds \$2,500.

17 **SECTION 460.** 943.208 (2) (c) of the statutes is amended to read:

18 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class ~~C~~ H felony if the
19 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
20 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in
21 violation of sub. (1) during a 180-day period or if the violation occurs after the person
22 has been convicted under this section.

23 **SECTION 461.** 943.209 (2) (b) of the statutes is amended to read:

24 943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the
25 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer

1 than 100 recordings in violation of sub. (1) during a 180-day period, and the value
2 of the recordings exceeds \$2,500.

3 **SECTION 462.** 943.209 (2) (c) of the statutes is amended to read:

4 943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the
5 person advertises, offers for sale or rent, sells, rents, transports or possesses at least
6 100 recordings in violation of sub. (1) during a 180-day period or if the violation
7 occurs after the person has been convicted under this section.

8 **SECTION 463.** 943.21 (3) (a) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any
11 beverage, food, lodging, accommodation, transportation or other service is ~~\$2,500~~
12 \$1,000 or less.

13 **SECTION 464.** 943.21 (3) (b) of the statutes, as affected by 2001 Wisconsin Act
14 16, is amended to read:

15 943.21 (3) (b) Is guilty of a Class E I felony when the value of any beverage,
16 food, lodging, accommodation, transportation or other service exceeds \$2,500 \$1,000.

17 **SECTION 465.** 943.23 (1g) of the statutes is amended to read:

18 943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of,
19 or the threat of the use of, force or the weapon against another, intentionally takes
20 any vehicle without the consent of the owner is guilty of a Class B C felony.

21 **SECTION 466.** 943.23 (1m) of the statutes is repealed.

22 **SECTION 467.** 943.23 (1r) of the statutes is repealed.

23 **SECTION 468.** 943.23 (2) of the statutes is amended to read:

1 943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
2 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~
3 H felony.

4 **SECTION 469.** 943.23 (3) of the statutes is amended to read:

5 943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
6 drives or operates any vehicle without the consent of the owner is guilty of a Class
7 E I felony.

8 **SECTION 470.** 943.23 (3m) of the statutes is created to read:

9 943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.
10 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours
11 after the vehicle was taken from the possession of the owner. An affirmative defense
12 under this subsection mitigates the offense to a Class A misdemeanor. A defendant
13 who raises this affirmative defense has the burden of proving the defense by a
14 preponderance of the evidence.

15 **SECTION 471.** 943.23 (4m) of the statutes is amended to read:

16 943.23 (4m) Whoever knows that the owner does not consent to the driving or
17 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,
18 a person while he or she violates sub. (1g), ~~(1m), (1r),~~ (2) ~~or,~~ (3), or (3m) is guilty of
19 a Class A misdemeanor.

20 **SECTION 472.** 943.23 (5) of the statutes is amended to read:

21 943.23 (5) Whoever intentionally removes a major part of a vehicle without the
22 consent of the owner is guilty of a Class ~~E I~~ I felony. Whoever intentionally removes
23 any other part or component of a vehicle without the consent of the owner is guilty
24 of a Class A misdemeanor.

1 **SECTION 473.** 943.24 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 943.24 (1) Whoever issues any check or other order for the payment of not more
4 than ~~\$2,500~~ \$1,000 which, at the time of issuance, he or she intends shall not be paid
5 is guilty of a Class A misdemeanor.

6 **SECTION 474.** 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is amended to read:

8 943.24 (2) Whoever issues any single check or other order for the payment of
9 more than ~~\$2,500~~ \$1,000 or whoever within a 15-day period issues more than one
10 check or other order amounting in the aggregate to more than ~~\$2,500~~ \$1,000 which,
11 at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I
12 felony.

13 **SECTION 475.** 943.25 (1) of the statutes is amended to read:

14 943.25 (1) Whoever, with intent to defraud, conveys real property which he or
15 she knows is encumbered, without informing the grantee of the existence of the
16 encumbrance is guilty of a Class ~~E~~ I felony.

17 **SECTION 476.** 943.25 (2) (intro.) of the statutes is amended to read:

18 943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following
19 is guilty of a Class ~~E~~ I felony:

20 **SECTION 477.** 943.26 (2) of the statutes is amended to read:

21 943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or
22 vendee is guilty of a Class ~~E~~ I felony.

23 **SECTION 478.** 943.27 of the statutes is amended to read:

24 **943.27 Possession of records of certain usurious loans.** Any person who
25 knowingly possesses any writing representing or constituting a record of a charge of,

1 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20
2 upon \$100 for one year computed upon the declining principal balance of the loan,
3 use or forbearance of money, goods or things in action or upon the loan, use or sale
4 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class
5 E I felony.

6 **SECTION 479.** 943.28 (2) of the statutes is amended to read:

7 943.28 (2) Whoever makes any extortionate extension of credit, or conspires to
8 do so, if one or more of the parties to the conspiracy does an act to effect its object,
9 is guilty of a Class G F felony.

10 **SECTION 480.** 943.28 (3) of the statutes is amended to read:

11 943.28 (3) Whoever advances money or property, whether as a gift, as a loan,
12 as an investment, pursuant to a partnership or profit-sharing agreement, or
13 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a
14 Class G F felony.

15 **SECTION 481.** 943.28 (4) of the statutes is amended to read:

16 943.28 (4) Whoever knowingly participates in any way in the use of any
17 extortionate means to collect or attempt to collect any extension of credit, or to punish
18 any person for the nonrepayment thereof, is guilty of a Class G F felony.

19 **SECTION 482.** 943.30 (1) of the statutes is amended to read:

20 943.30 (1) Whoever, either verbally or by any written or printed
21 communication, maliciously threatens to accuse or accuses another of any crime or
22 offense, or threatens or commits any injury to the person, property, business,
23 profession, calling or trade, or the profits and income of any business, profession,
24 calling or trade of another, with intent thereby to extort money or any pecuniary

1 advantage whatever, or with intent to compel the person so threatened to do any act
2 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

3 **SECTION 483.** 943.30 (2) of the statutes is amended to read:

4 943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting
5 commerce or business or the movement of any article or commodity in commerce or
6 business is guilty of a Class D H felony.

7 **SECTION 484.** 943.30 (3) of the statutes is amended to read:

8 943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or
9 grand juror, in the performance of his or her functions as such, is guilty of a Class D
10 H felony.

11 **SECTION 485.** 943.30 (4) of the statutes is amended to read:

12 943.30 (4) Whoever violates sub. (1) by attempting to influence the official
13 action of any public officer is guilty of a Class D H felony.

14 **SECTION 486.** 943.30 (5) (b) of the statutes is amended to read:

15 943.30 (5) (b) Whoever, orally or by any written or printed communication,
16 maliciously uses, or threatens to use, the patient health care records of another
17 person, with intent thereby to extort money or any pecuniary advantage, or with
18 intent to compel the person so threatened to do any act against the person's will or
19 omit to do any lawful act, is guilty of a Class D H felony.

20 **SECTION 487.** 943.31 of the statutes is amended to read:

21 **943.31 Threats to communicate derogatory information.** Whoever
22 threatens to communicate to anyone information, whether true or false, which would
23 injure the reputation of the threatened person or another unless the threatened
24 person transfers property to a person known not to be entitled to it is guilty of a Class
25 E I felony.

1 **SECTION 488.** 943.32 (1) (intro.) of the statutes is amended to read:

2 943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person
3 or presence of the owner by either of the following means is guilty of a Class C E
4 felony:

5 **SECTION 489.** 943.32 (2) of the statutes is amended to read:

6 943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous
7 weapon, a device or container described under s. 941.26 (4) (a) or any article used or
8 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous
9 weapon or such a device or container is guilty of a Class B C felony.

10 **SECTION 490.** 943.34 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
11 16, is amended to read:

12 943.34 (1) (a) A Class A misdemeanor, if the value of the property does not
13 exceed \$2,500 \$1,000.

14 **SECTION 491.** 943.34 (1) (bf) of the statutes is created to read:

15 943.34 (1) (bf) A Class I felony, if the value of the property exceeds \$1,000 but
16 does not exceed \$5,000.

17 **SECTION 492.** 943.34 (1) (bm) of the statutes is created to read:

18 943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but
19 does not exceed \$10,000.

20 **SECTION 493.** 943.34 (1) (c) of the statutes is amended to read:

21 943.34 (1) (c) A Class C G felony, if the value of the property exceeds \$2,500
22 \$10,000.

23 **SECTION 494.** 943.38 (1) (intro.) of the statutes is amended to read:

24 943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a
25 writing or object of any of the following kinds so that it purports to have been made

1 by another, or at another time, or with different provisions, or by authority of one who
2 did not give such authority, is guilty of a Class C H felony:

3 **SECTION 495.** 943.38 (2) of the statutes is amended to read:

4 943.38 (2) Whoever utters as genuine or possesses with intent to utter as false
5 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have
6 been thus falsely made or altered, is guilty of a Class C H felony.

7 **SECTION 496.** 943.39 (intro.) of the statutes is amended to read:

8 **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or
9 defraud, does any of the following is guilty of a Class D H felony:

10 **SECTION 497.** 943.395 (2) (a) of the statutes, as affected by 2001 Wisconsin Act
11 16, is amended to read:

12 943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or
13 benefit does not exceed ~~\$2,500~~ \$1,000.

14 **SECTION 498.** 943.395 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
15 16, is amended to read:

16 943.395 (2) (b) Is guilty of a Class E I felony if the value of the claim or benefit
17 exceeds ~~\$2,500~~ \$1,000.

18 **SECTION 499.** 943.40 (intro.) of the statutes is amended to read:

19 **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with
20 intent to defraud does either of the following is guilty of a Class D H felony:

21 **SECTION 500.** 943.41 (8) (b) of the statutes is amended to read:

22 943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)
23 or (6m) is guilty of a Class E I felony.

24 **SECTION 501.** 943.41 (8) (c) of the statutes, as affected by 2001 Wisconsin Act
25 16, is amended to read:

1 943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b), or (d),
2 if the value of the money, goods, services, or property illegally obtained does not
3 exceed ~~\$2,500~~ \$1,000 is guilty of a Class A misdemeanor. ~~If, if the value of the money,~~
4 ~~goods, services, or property exceeds \$2,500~~ \$1,000 but does not exceed \$5,000, in a
5 single transaction or in separate transactions within a period not exceeding 6
6 months, the person is guilty of a Class C I felony; if the value of the money, goods,
7 services, or property exceeds \$5,000 but does not exceed \$10,000, in a single
8 transaction or in separate transactions within a period not exceeding 6 months, the
9 person is guilty of a Class H felony; or if the value of money, goods, services, or
10 property exceeds \$10,000, in a single transaction or in separate transactions within
11 a period not exceeding 6 months, the person is guilty of a Class G felony.

12 **SECTION 502.** 943.45 (3) (c) of the statutes is amended to read:

13 943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)
14 for direct or indirect commercial advantage or private financial gain is guilty of a
15 Class ~~E~~ felony A misdemeanor.

16 **SECTION 503.** 943.45 (3) (d) of the statutes is amended to read:

17 943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial
18 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
19 ~~D I~~ felony.

20 **SECTION 504.** 943.455 (4) (c) of the statutes is amended to read:

21 943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)
22 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty
23 of a Class ~~E~~ felony A misdemeanor.

24 **SECTION 505.** 943.455 (4) (d) of the statutes is amended to read:

1 943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect
2 commercial advantage or private financial gain as a 2nd or subsequent offense is
3 guilty of a Class ~~D~~ I felony.

4 **SECTION 506.** 943.46 (4) (c) of the statutes is amended to read:

5 943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)
6 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty
7 of a Class ~~E~~ felony A misdemeanor.

8 **SECTION 507.** 943.46 (4) (d) of the statutes is amended to read:

9 943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect
10 commercial advantage or private financial gain as a 2nd or subsequent offense is
11 guilty of a Class ~~D~~ I felony.

12 **SECTION 508.** 943.47 (3) (c) of the statutes is amended to read:

13 943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)
14 for direct or indirect commercial advantage or private financial gain is guilty of a
15 Class ~~E~~ felony A misdemeanor.

16 **SECTION 509.** 943.47 (3) (d) of the statutes is amended to read:

17 943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial
18 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
19 ~~D~~ I felony.

20 **SECTION 510.** 943.49 (2) (b) 2. of the statutes is amended to read:

21 943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class ~~D~~ I felony if
22 the violation occurs after the person has been convicted under this subsection.

23 **SECTION 511.** 943.50 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
24 16, is amended to read:

1 943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not
2 exceed ~~\$2,500~~ \$1,000.

3 **SECTION 512.** 943.50 (4) (bf) of the statutes is created to read:

4 943.50 (4) (bf) A Class I felony, if the value of the merchandise exceeds \$1,000
5 but does not exceed \$5,000.

6 **SECTION 513.** 943.50 (4) (bm) of the statutes is created to read:

7 943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000
8 but does not exceed \$10,000.

9 **SECTION 514.** 943.50 (4) (c) of the statutes is amended to read:

10 943.50 (4) (c) A Class ~~C~~ G felony, if the value of the merchandise exceeds ~~\$2,500~~
11 \$10,000.

12 **SECTION 515.** 943.60 (1) of the statutes is amended to read:

13 943.60 (1) Any person who submits for filing, entering or recording any lien,
14 claim of lien, lis pendens, writ of attachment, financing statement or any other
15 instrument relating to a security interest in or title to real or personal property, and
16 who knows or should have known that the contents or any part of the contents of the
17 instrument are false, a sham or frivolous, is guilty of a Class ~~D~~ H felony.

18 **SECTION 516.** 943.61 (5) (a) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 943.61 (5) (a) A Class A misdemeanor, if the value of the library materials does
21 not exceed ~~\$2,500~~ \$1,000.

22 **SECTION 517.** 943.61 (5) (bf) of the statutes is created to read:

23 943.61 (5) (bf) A Class I felony, if the value of the library materials exceeds
24 \$1,000 but does not exceed \$2,500.

25 **SECTION 518.** 943.61 (5) (c) of the statutes is amended to read:

1 943.61 (5) (c) A Class C H felony, if the value of the library materials exceeds
2 \$2,500.

3 **SECTION 519.** 943.62 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
4 16, is amended to read:

5 943.62 (4) (a) A Class A misdemeanor, if the value of the advance payment or
6 required refund, as applicable, does not exceed ~~\$2,500~~ \$500.

7 **SECTION 520.** 943.62 (4) (bf) of the statutes is created to read:

8 943.62 (4) (bf) A Class I felony, if the value of the advance payment or required
9 refund, as applicable, exceeds \$500 but does not exceed \$2,500.

10 **SECTION 521.** 943.62 (4) (c) of the statutes is amended to read:

11 943.62 (4) (c) A Class C F felony, if the value of the advance payment or required
12 refund, as applicable, exceeds \$2,500.

13 **SECTION 522.** 943.70 (2) (b) 2. of the statutes is amended to read:

14 943.70 (2) (b) 2. A Class E I felony if the offense is committed to defraud or to
15 obtain property.

16 **SECTION 523.** 943.70 (2) (b) 3. of the statutes is repealed.

17 **SECTION 524.** 943.70 (2) (b) 3g. of the statutes, as created by 2001 Wisconsin
18 Act 16, is amended to read:

19 943.70 (2) (b) 3g. A Class C F felony if the offense results in damage valued at
20 more than \$2,500.

21 **SECTION 525.** 943.70 (2) (b) 3r. of the statutes, as created by 2001 Wisconsin Act
22 16, is amended to read:

23 943.70 (2) (b) 3r. A Class C F felony if the offense causes an interruption or
24 impairment of governmental operations or public communication, of transportation,
25 or of a supply of water, gas, or other public service.