

1 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
2 offense, the offender has at any time been convicted of any felony or misdemeanor
3 under this chapter or under any statute of the United States or of any state relating
4 to controlled substances, controlled substance analogs, narcotic drugs, marijuana,
5 or depressant, stimulant, or hallucinogenic drugs.

6 **SECTION 790.** 961.41 (3g) (d) of the statutes is amended to read:

7 961.41 (3g) (d) *Certain hallucinogenic and stimulant drugs.* If a person
8 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
9 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a
10 controlled substance analog of lysergic acid diethylamide, phencyclidine,
11 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person
12 may be fined not more than \$5,000 or imprisoned for not more than one year in the
13 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd
14 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd
15 or subsequent offense if, prior to the offender's conviction of the offense, the offender
16 has at any time been convicted of any felony or misdemeanor under this chapter or
17 under any statute of the United States or of any state relating to controlled
18 substances, controlled substance analogs, narcotic drugs, marijuana, or depressant,
19 stimulant, or hallucinogenic drugs.

20 **SECTION 791.** 961.41 (3g) (dm) of the statutes is repealed.

21 **SECTION 792.** 961.41 (3g) (e) of the statutes is amended to read:

22 961.41 (3g) (e) *Tetrahydrocannabinols.* If a person possesses or attempts to
23 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled
24 substance analog of tetrahydrocannabinols, the person may be fined not more than
25 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and

1 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this
2 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the
3 offender's conviction of the offense, the offender has at any time been convicted of any
4 felony or misdemeanor under this chapter or under any statute of the United States
5 or of any state relating to controlled substances, controlled substance analogs,
6 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

7 **SECTION 793.** 961.41 (3g) (f) of the statutes is amended to read:

8 961.41 (3g) (f) *Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,*
9 *or flunitrazepam.* If a person possesses or attempts to possess
10 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,
11 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years
12 or both is guilty of a Class H felony.

13 **SECTION 794.** 961.41 (4) (am) 3. of the statutes is amended to read:

14 961.41 (4) (am) 3. A person ~~convicted of violating~~ who violates this paragraph
15 may be fined not more than \$5,000 or imprisoned for not more than 2 years or both
16 is guilty of a Class I felony.

17 **SECTION 795.** 961.42 (2) of the statutes is amended to read:

18 961.42 (2) Any person who violates this section ~~may be fined not more than~~
19 ~~\$25,000 or imprisoned not more than 2 years or both~~ is guilty of a Class I felony.

20 **SECTION 796.** 961.43 (2) of the statutes is amended to read:

21 961.43 (2) Any person who violates this section ~~may be fined not more than~~
22 ~~\$30,000 or imprisoned not more than 6 years or both~~ is guilty of a Class H felony.

23 **SECTION 797.** 961.437 (4) (a) of the statutes is amended to read:

1 961.437 (4) (a) For a first offense, the person shall be fined not less than \$1,000
2 nor more than \$100,000 or imprisoned for not more than 7 years and 6 months or both
3 is guilty of a Class H felony.

4 **SECTION 798.** 961.437 (4) (b) of the statutes is amended to read:

5 961.437 (4) (b) For a 2nd or subsequent offense, the person shall be fined not
6 less than \$5,000 nor more than \$150,000 or imprisoned for not more than 15 years
7 or both is guilty of a Class F felony.

8 **SECTION 799.** 961.438 of the statutes is repealed.

9 **SECTION 800.** 961.455 (1) of the statutes is amended to read:

10 961.455 (1) Any person who has attained the age of 17 years who knowingly
11 solicits, hires, directs, employs or uses a person who is under the age of 17 years of
12 age or under for the purpose of violating s. 961.41 (1) may be fined not more than
13 \$50,000 or imprisoned for not more than 15 years or both is guilty of a Class F felony.

14 **SECTION 801.** 961.455 (3) of the statutes is amended to read:

15 961.455 (3) Solicitation under sub. (1) occurs in the manner described under
16 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.
17 939.30 or 948.35.

18 **SECTION 802.** 961.46 (1) of the statutes is renumbered 961.46 and amended to
19 read:

20 **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~
21 ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing
22 or delivering a controlled substance included in schedule I or II which is a narcotic
23 drug or a controlled substance analog of a controlled substance included in schedule
24 I or II which is a narcotic drug to a person 17 years of age or under who is at least
25 3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or

1 a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the
2 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the
3 offense may be increased by not more than 5 years.

4 SECTION 803. 961.46 (2) of the statutes is repealed.

5 SECTION 804. 961.46 (3) of the statutes is repealed.

6 SECTION 805. 961.465 of the statutes is repealed.

7 SECTION 806. 961.472 (2) of the statutes is amended to read:

8 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found
9 guilty of possession or attempted possession of a controlled substance or controlled
10 substance analog under s. 961.41 (3g) ~~(a) 2-~~ (am), (c), or (d) ~~or (dm)~~, the court shall
11 order the person to comply with an assessment of the person's use of controlled
12 substances. The court's order shall designate a facility that is operated by or
13 pursuant to a contract with the county department established under s. 51.42 and
14 that is certified by the department of health and family services to provide
15 assessment services to perform the assessment and, if appropriate, to develop a
16 proposed treatment plan. The court shall notify the person that noncompliance with
17 the order limits the court's ability to determine whether the treatment option under
18 s. 961.475 is appropriate. The court shall also notify the person of the fee provisions
19 under s. 46.03 (18) (fm).

20 SECTION 807. 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and
21 amended to read:

22 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who
23 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or
24 subsequent offense as provided under this chapter sub. (3) and the person is
25 convicted of that 2nd or subsequent offense may be fined an amount up to twice that

1 otherwise authorized or imprisoned for a term up to twice the term otherwise
2 authorized or both, the maximum term of imprisonment for the offense may be
3 increased as follows:

4 **SECTION 808.** 961.48 (1) (a) and (b) of the statutes are created to read:

5 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

6 (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.

7 **SECTION 809.** 961.48 (2) of the statutes is repealed.

8 **SECTION 810.** 961.48 (2m) (a) of the statutes is amended to read:

9 961.48 (2m) (a) Whenever a person charged with an a felony offense under this
10 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is
11 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior
12 convictions are alleged in the complaint, indictment or information or in an amended
13 complaint, indictment or information that is filed under par. (b) 1. A person is not
14 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of
15 applicable prior convictions is withdrawn by an amended complaint filed under par.
16 (b) 2.

17 **SECTION 811.** 961.48 (3) of the statutes is amended to read:

18 961.48 (3) For purposes of this section, an a felony offense under this chapter
19 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
20 offense, the offender has at any time been convicted of any felony or misdemeanor
21 offense under this chapter or under any statute of the United States or of any state
22 relating to controlled substances or controlled substance analogs, narcotic drugs,
23 marijuana or depressant, stimulant or hallucinogenic drugs.

24 **SECTION 812.** 961.48 (4) of the statutes is repealed.

1 **SECTION 813.** 961.49 (1) of the statutes is renumbered 961.49, and 961.49
2 (intro.) of the statutes, as renumbered, is amended to read:

3 **961.49 Distribution of or possession with intent to deliver a controlled**
4 **substance on or near certain places.** (intro.) If any person violates s. 961.41 (1)
5 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by delivering or distributing, or violates s. 961.41 (1m)
6 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by possessing with intent to deliver or distribute,
7 cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin,
8 psilocybin, amphetamine, methamphetamine, methcathinone or any form of
9 tetrahydrocannabinols or a controlled substance analog of any of these substances
10 and the delivery, distribution or possession takes place under any of the following
11 circumstances, the maximum term of imprisonment prescribed by law for that crime
12 may be increased by 5 years:

13 **SECTION 814.** 961.49 (2) of the statutes is repealed.

14 **SECTION 815.** 961.49 (3) of the statutes is repealed.

15 **SECTION 816.** 961.492 of the statutes is repealed.

16 **SECTION 817.** 961.55 (1) (d) 3. of the statutes is amended to read:

17 961.55 (1) (d) 3. A vehicle is not subject to forfeiture for a violation of s. 961.41
18 (3g) (b), (c), (d), ~~(dm)~~, (e) or (f); and

19 **SECTION 818.** 961.573 (3) of the statutes is amended to read:

20 961.573 (3) No person may use, or possess with the primary intent to use, drug
21 paraphernalia to manufacture, compound, convert, produce, process, prepare, test,
22 analyze, pack, repack or store methamphetamine or a controlled substance analog
23 of methamphetamine in violation of this chapter. Any person who violates this
24 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~
25 ~~years or both~~ is guilty of a Class H felony.

1 **SECTION 819.** 961.574 (3) of the statutes is amended to read:

2 961.574 (3) No person may deliver, possess with intent to deliver, or
3 manufacture with intent to deliver, drug paraphernalia, knowing that it will be
4 primarily used to manufacture, compound, convert, produce, process, prepare, test,
5 analyze, pack, repack or store methamphetamine or a controlled substance analog
6 of methamphetamine in violation of this chapter. Any person who violates this
7 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~
8 ~~years or both~~ is guilty of a Class H felony.

9 **SECTION 820.** 961.575 (3) of the statutes is amended to read:

10 961.575 (3) Any person 17 years of age or over who violates s. 961.574 (3) by
11 delivering drug paraphernalia to a person 17 years of age or under ~~may be fined not~~
12 ~~more than \$50,000 or imprisoned for not more than 10 years or both~~ is guilty of a
13 Class G felony.

14 **SECTION 821.** 967.04 (9) of the statutes is amended to read:

15 967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under
16 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken
17 under subs. (7) and (8) without an additional hearing under s. 908.08. In any
18 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the
19 hearing examiner may order and preside at the taking of a videotaped deposition
20 using the procedure provided in subs. (7) and (8) and may admit the videotaped
21 deposition into evidence without an additional hearing under s. 908.08.

22 **SECTION 822.** 968.255 (1) (a) 2. of the statutes is amended to read:

23 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20
24 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

25 **SECTION 823.** 968.31 (1) (intro.) of the statutes is amended to read:

1 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
2 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~
3 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
4 ~~or both~~ is guilty of a Class H felony:

5 **SECTION 824.** 968.34 (3) of the statutes is amended to read:

6 968.34 (3) Whoever knowingly violates sub. (1) shall may be fined not more
7 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

8 **SECTION 825.** 968.43 (3) of the statutes is amended to read:

9 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
10 ~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H
11 felony.

12 **SECTION 826.** 969.08 (10) (a) of the statutes is amended to read:

13 969.08 (10) (a) “Commission of a serious crime” includes a solicitation,
14 conspiracy or attempt, under ~~s. 948.35, 1999 stats., or s. 939.30, 939.31, or 939.32 or~~
15 ~~948.35,~~ to commit a serious crime.

16 **SECTION 827.** 969.08 (10) (b) of the statutes is amended to read:

17 969.08 (10) (b) “Serious crime” means any crime specified in ~~s. 943.23 (1m),~~
18 ~~1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,~~
19 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,
20 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,
21 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c),
22 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), ~~(1m) or (1r),~~
23 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,
24 948.04, 948.05, 948.06, 948.07 or 948.30.

1 **SECTION 828.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and
2 amended to read:

3 971.17 (1) (a) Felonies committed before the effective date of this paragraph
4 [revisor inserts date]. ~~When~~ Except as provided in par. (c), when a defendant is found
5 not guilty by reason of mental disease or mental defect of a felony committed before
6 the effective date of this paragraph [revisor inserts date], the court shall commit
7 the person to the department of health and family services for a specified period not
8 exceeding two-thirds of the maximum term of imprisonment that could be imposed
9 under s. 973.15 (2) (a) against an offender convicted of the same ~~crime or crimes~~
10 felony, including imprisonment authorized by ~~ss. 346.65 (2) (f), (2j) (d) or (3m),~~
11 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~
12 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, as applicable,
13 subject to the credit provisions of s. 973.155.

14 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~
15 ~~imprisonment is~~ a defendant is found not guilty by reason of mental disease or
16 mental defect of a felony that is punishable by life imprisonment, the commitment
17 period specified by the court may be life, subject to termination under sub. (5).

18 **SECTION 829.** 971.17 (1) (b) of the statutes is created to read:

19 971.17 (1) (b) Felonies committed on or after the effective date of this paragraph
20 [revisor inserts date]. Except as provided in par. (c), when a defendant is found
21 not guilty by reason of mental disease or mental defect of a felony committed on or
22 after the effective date of this paragraph [revisor inserts date], the court shall
23 commit the person to the department of health and family services for a specified
24 period not exceeding the maximum term of confinement in prison that could be
25 imposed on an offender convicted of the same felony, plus imprisonment authorized

1 by any applicable penalty enhancement statutes, subject to the credit provisions of
2 s. 973.155.

3 **SECTION 830.** 971.17 (1) (d) of the statutes is created to read:

4 971.17 (1) (d) *Misdemeanors.* When a defendant is found not guilty by reason
5 of mental disease or mental defect of a misdemeanor, the court shall commit the
6 person to the department of health and family services for a specified period not
7 exceeding two-thirds of the maximum term of imprisonment that could be imposed
8 against an offender convicted of the same misdemeanor, including imprisonment
9 authorized by any applicable penalty enhancement statutes, subject to the credit
10 provisions of s. 973.155.

11 **SECTION 831.** 971.365 (1) (a) of the statutes is amended to read:

12 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
13 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations may
14 be prosecuted as a single crime if the violations were pursuant to a single intent and
15 design.

16 **SECTION 832.** 971.365 (1) (b) of the statutes is amended to read:

17 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
18 (1m) (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations
19 may be prosecuted as a single crime if the violations were pursuant to a single intent
20 and design.

21 **SECTION 833.** 971.365 (1) (c) of the statutes is amended to read:

22 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
23 (3g) (dm), 1999 stats., or s. 961.41 (3g) ~~(a) 2-~~ (am), (c), (d), ~~(dm)~~ or (e) involving more
24 than one violation, all violations may be prosecuted as a single crime if the violations
25 were pursuant to a single intent and design.

1 **SECTION 834.** 971.365 (2) of the statutes is amended to read:

2 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
3 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
4 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
5 or s. 961.41 (1) (cm), (d), (e), (~~em~~), (f), (g), or (h), (1m) (cm), (d), (e), (~~em~~), (f), (g), or (h)
6 or (3g) (~~a) 2. (am), (c), (d), (~~dm~~) or (e) on which no evidence was received at the trial~~
7 on the original charge.

8 **SECTION 835.** 972.15 (2c) of the statutes is amended to read:

9 972.15 (2c) If the defendant is subject to being sentenced under s. 973.01 and
10 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing
11 the presentence investigation report shall include in the report a recommendation
12 as to whether the defendant should be eligible for the challenge incarceration
13 program under s. 302.045.

14 **SECTION 836.** 973.01 (1) of the statutes is amended to read:

15 973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),
16 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
17 for a felony committed on or after December 31, 1999, or a misdemeanor committed
18 on or after the effective date of this subsection [revisor inserts date], the court
19 shall impose a bifurcated sentence that consists of a term of confinement in prison
20 followed by a term of extended supervision under s. 302.113 this section.

21 **SECTION 837.** 973.01 (2) (intro.) of the statutes is amended to read:

22 973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~
23 that a A bifurcated sentence is a sentence that consists of a term of confinement in
24 prison followed by a term of extended supervision under s. 302.113. The total length
25 of a bifurcated sentence equals the length of the term of confinement in prison plus

1 the length of the term of extended supervision. An order imposing a bifurcated
2 sentence imposed under sub. (1) complies this section shall comply with all of the
3 following:

4 **SECTION 838.** 973.01 (2) (a) of the statutes is amended to read:

5 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
6 the total length of the bifurcated sentence may not exceed the maximum period of
7 imprisonment for the specified in s. 939.50 (3), if the crime is a classified felony, or
8 the maximum term of imprisonment provided by statute for the crime, if the crime
9 is not a classified felony, plus additional imprisonment authorized by any applicable
10 penalty enhancement statutes.

11 **SECTION 839.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

12 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*
13 (intro.) The portion of the bifurcated sentence that imposes a term of confinement
14 in prison may not be less than one year, ~~subject to any minimum sentence prescribed~~
15 ~~for the felony,~~ and, except as provided in par. (c), may not exceed is subject to
16 whichever of the following limits is applicable:

17 **SECTION 840.** 973.01 (2) (b) 2. of the statutes is repealed.

18 **SECTION 841.** 973.01 (2) (b) 3. of the statutes is amended to read:

19 973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may
20 not exceed ~~10~~ 25 years.

21 **SECTION 842.** 973.01 (2) (b) 4. of the statutes is amended to read:

22 973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may
23 not exceed ~~5~~ 15 years.

24 **SECTION 843.** 973.01 (2) (b) 5. of the statutes is amended to read:

1 973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may
2 not exceed 2 10 years.

3 **SECTION 844.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.
4 (intro.) and amended to read:

5 973.01 (2) (b) 10. (intro.) For any felony crime other than ~~a felony specified~~
6 ~~in subds. 1. to 5. one of the following~~, the term of confinement in prison may not
7 exceed 75% of the total length of the bifurcated sentence.;

8 **SECTION 845.** 973.01 (2) (b) 6m. of the statutes is created to read:

9 973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may
10 not exceed 7 years and 6 months.

11 **SECTION 846.** 973.01 (2) (b) 7. of the statutes is created to read:

12 973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may
13 not exceed 5 years.

14 **SECTION 847.** 973.01 (2) (b) 8. of the statutes is created to read:

15 973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may
16 not exceed 3 years.

17 **SECTION 848.** 973.01 (2) (b) 9. of the statutes is created to read:

18 973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not
19 exceed one year and 6 months.

20 **SECTION 849.** 973.01 (2) (b) 10. a. and b. of the statutes are created to read:

21 973.01 (2) (b) 10. a. A felony specified in subds. 1. to 9.

22 b. An attempt to commit a classified felony if the attempt is punishable under
23 s. 939.32 (1) (intro.).

24 **SECTION 850.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and
25 amended to read:

1 973.01 (2) (c) 1. The Subject to the minimum period of extended supervision
2 required under par. (d), the maximum term of confinement in prison specified in par.
3 (b) may be increased by any applicable penalty enhancement statute. If the
4 maximum term of confinement in prison specified in par. (b) is increased under this
5 paragraph, the total length of the bifurcated sentence that may be imposed is
6 increased by the same amount.

7 **SECTION 851.** 973.01 (2) (c) 2. of the statutes is created to read:

8 973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes
9 apply to a crime, the court shall apply them in the order listed in calculating the
10 maximum term of imprisonment for that crime:

- 11 a. Sections 939.621, 939.632, 939.645, 961.46, and 961.49.
12 b. Section 939.63.
13 c. Section 939.62 (1) or 961.48.

14 **SECTION 852.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)
15 and amended to read:

16 973.01 (2) (d) *Minimum and maximum term of extended supervision.* (intro.)
17 The term of extended supervision ~~that follows the term of confinement in prison~~ may
18 not be less than 25% of the length of the term of confinement in prison imposed under
19 par. (b). and, for a classified felony, is subject to whichever of the following limits is
20 applicable:

21 **SECTION 853.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

22 973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not
23 exceed 20 years.

24 2. For a Class C felony, the term of extended supervision may not exceed 15
25 years.

1 3. For a Class D felony, the term of extended supervision may not exceed 10
2 years.

3 4. For a Class E, F, or G felony, the term of extended supervision may not exceed
4 5 years.

5 5. For a Class H felony, the term of extended supervision may not exceed 3
6 years.

7 6. For a Class I felony, the term of extended supervision may not exceed 2 years.

8 **SECTION 854.** 973.01 (4) of the statutes is amended to read:

9 973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
10 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
11 confinement in prison portion of the sentence without reduction for good behavior.
12 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
13 and, if applicable, to reduction under s. 302.045 (3m), or 302.113 (9g).

14 **SECTION 855.** 973.01 (6) of the statutes is amended to read:

15 973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under
16 sub. (1) is not eligible for release on parole under that sentence.

17 **SECTION 856.** 973.0135 (1) (b) 2. of the statutes is amended to read:

18 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
19 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
20 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
21 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
22 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
23 948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

24 **SECTION 857.** 973.017 of the statutes is created to read:

1 **973.017 Bifurcated sentences; use of guidelines; consideration of**
2 **aggravating and mitigating factors.** (1) DEFINITION. In this section, “sentencing
3 decision” means a decision as to whether to impose a bifurcated sentence under s.
4 973.01 or place a person on probation and a decision as to the length of a bifurcated
5 sentence, including the length of each component of the bifurcated sentence, the
6 amount of a fine, and the length of a term of probation.

7 (2) GENERAL REQUIREMENT. When a court makes a sentencing decision
8 concerning a person convicted of a criminal offense committed on or after the
9 effective date of this subsection [revisor inserts date], the court shall consider all
10 of the following:

11 (a) If the offense is a felony, the sentencing guidelines adopted by the
12 sentencing commission under s. 973.30 or, if the sentencing commission has not
13 adopted a guideline for the offense, any applicable temporary sentencing guideline
14 adopted by the criminal penalties study committee created under 1997 Wisconsin
15 Act 283.

16 (ad) The protection of the public.

17 (ag) The gravity of the offense.

18 (ak) The rehabilitative needs of the defendant.

19 (b) Any applicable mitigating factors and any applicable aggravating factors,
20 including the aggravating factors specified in subs. (3) to (8).

21 (3) AGGRAVATING FACTORS; GENERALLY. When making a sentencing decision for
22 any crime, the court shall consider all of the following as aggravating factors:

23 (a) The fact that the person committed the crime while his or her usual
24 appearance was concealed, disguised, or altered, with the intent to make it less likely
25 that he or she would be identified with the crime.

1 (b) The fact that the person committed the crime using information that was
2 disclosed to him or her under s. 301.46.

3 (c) The fact that the person committed the crime for the benefit of, at the
4 direction of, or in association with any criminal gang, as defined in s. 939.22 (9), with
5 the specific intent to promote, further, or assist in any criminal conduct by criminal
6 gang members, as defined in s. 939.22 (9g).

7 (d) The fact that the person committed the felony while wearing a vest or other
8 garment designed, redesigned, or adapted to prevent bullets from penetrating the
9 garment.

10 (e) 1. Subject to subd. 2., the fact that the person committed the felony with the
11 intent to influence the policy of a governmental unit or to punish a governmental unit
12 for a prior policy decision, if any of the following circumstances also applies to the
13 felony committed by the person:

14 a. The person caused bodily harm, great bodily harm, or death to another.

15 b. The person caused damage to the property of another and the total property
16 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.
17 b., property is reduced in value by the amount that it would cost either to repair or
18 to replace it, whichever is less.

19 c. The person used force or violence or the threat of force or violence.

20 2. a. In this subdivision, "labor dispute" includes any controversy concerning
21 terms, tenure, or conditions of employment or concerning the association or
22 representation of persons in negotiating, fixing, maintaining, changing, or seeking
23 to arrange terms or conditions of employment, regardless of whether the disputants
24 stand in the proximate relation of employer and employee.

1 b. Subdivision 1. does not apply to conduct arising out of or in connection with
2 a labor dispute.

3 **(4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH**
4 **CERTAIN DISEASES.** (a) In this subsection:

5 1. “HIV” means any strain of human immunodeficiency virus, which causes
6 acquired immunodeficiency syndrome.

7 2. “Serious sex crime” means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2),
8 or 948.025.

9 3. “Sexually transmitted disease” means syphilis, gonorrhea, hepatitis B,
10 hepatitis C, or chlamydia.

11 4. “Significantly exposed” means sustaining a contact which carries a potential
12 for transmission of a sexually transmitted disease or HIV by one or more of the
13 following:

14 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;
15 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
16 amniotic fluid; or other body fluid that is visibly contaminated with blood.

17 b. Exchange, during the accidental or intentional infliction of a penetrating
18 wound, including a needle puncture, of blood; semen; vaginal secretions;
19 cerebrospinal, synovial, pleural, peritoneal, pericardial, or amniotic fluid; or other
20 body fluid that is visibly contaminated with blood.

21 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where
22 a significant breakdown in the epidermal barrier has occurred, of blood; semen;
23 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
24 amniotic fluid; or other body fluid that is visibly contaminated with blood.

1 (b) When making a sentencing decision concerning a person convicted of a
2 serious sex crime, the court shall consider as an aggravating factor the fact that the
3 serious sex crime was committed under all of the following circumstances:

4 1. At the time that he or she committed the serious sex crime, the person
5 convicted of committing the serious sex crime had a sexually transmitted disease or
6 acquired immunodeficiency syndrome or had had a positive test for the presence of
7 HIV, antigen, or nonantigenic products of HIV or an antibody to HIV.

8 2. At the time that he or she committed the serious sex crime, the person
9 convicted of committing the serious sex crime knew that he or she had a sexually
10 transmitted disease or acquired immunodeficiency syndrome or that he or she had
11 had a positive test for the presence of HIV, antigen, or nonantigenic products of HIV
12 or an antibody to HIV.

13 3. The victim of the serious sex crime was significantly exposed to HIV or to the
14 sexually transmitted disease, whichever is applicable, by the acts constituting the
15 serious sex crime.

16 (5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON. (a)

17 In this subsection:

18 1. "Elder person" means any individual who is 62 years of age or older.

19 2. "Violent felony" means any felony under s. 940.19 (2), (4), (5), or (6), 940.225
20 (1), (2), or (3), 940.23, or 943.32.

21 (b) When making a sentencing decision concerning a person convicted of a
22 violent felony, the court shall consider as an aggravating factor the fact that the
23 victim of the violent felony was an elder person. This paragraph applies even if the
24 person mistakenly believed that the victim had not attained the age of 62 years.

1 (6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN
2 PERSONS. (a) In this subsection, “person responsible for the welfare the child”
3 includes the child’s parent, stepparent, guardian, foster parent, or treatment foster
4 parent; an employee of a public or private residential home, institution, or agency;
5 any other person legally responsible for the child’s welfare in a residential setting;
6 or a person employed by one who is legally responsible for the child’s welfare to
7 exercise temporary control or care for the child.

8 (b) When making a sentencing decision concerning a person convicted of a
9 violation of s. 948.02 (1) or (2), 948.025 (1), or 948.03 (2) or (3), the court shall consider
10 as an aggravating factor the fact that the person was a person responsible for the
11 welfare of the child who was the victim of the violation.

12 (7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.
13 When making a sentencing decision concerning a person convicted of a violation of
14 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact
15 that, at the time of the violation, there was a minor passenger under 16 years of age
16 or an unborn child in the person’s motor vehicle.

17 (8) AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES. (a) *Distribution*
18 *or delivery to prisoners.* 1. In this paragraph, “precinct” means a place where any
19 activity is conducted by a prison, jail, or house of correction.

20 2. When making a sentencing decision concerning a person convicted of
21 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the
22 fact that the violation involved delivering, distributing, or possessing with intent to
23 deliver or distribute a controlled substance or controlled substance analog to a
24 prisoner within the precincts of any prison, jail, or house of correction.

1 (b) *Distribution or delivery on public transit vehicles.* When making a
2 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m),
3 the court shall consider as an aggravating factor the fact that the violation involved
4 delivering, distributing, or possessing with intent to deliver or distribute a controlled
5 substance included in schedule I or II or a controlled substance analog of any
6 controlled substance included in schedule I or II and that the person knowingly used
7 a public transit vehicle during the violation.

8 (9) **AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME.** The aggravating factors
9 listed in this section are not elements of any crime. A prosecutor is not required to
10 charge any aggravating factor or otherwise allege the existence of an aggravating
11 factor in any pleading for a court to consider the aggravating factor when making a
12 sentencing decision.

13 (10) **USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL.** The requirement
14 under sub. (2) (a) that a court consider sentencing guidelines adopted by the
15 sentencing commission or the criminal penalties study committee does not require
16 a court to make a sentencing decision that is within any range or consistent with a
17 recommendation specified in the guidelines, and there is no right to appeal a court's
18 sentencing decision based on the court's decision to depart in any way from any
19 guideline. In any appeal from a court's sentencing decision, the appellate court may
20 reverse the sentencing decision only if it determines that the sentencing court
21 erroneously exercised its discretion in making the sentencing decision.

22 (10m) **STATEMENT OF REASONS FOR SENTENCING DECISION.** (a) The court shall
23 state the reasons for its sentencing decision and, except as provided in par. (b), shall
24 do so in open court and on the record.

1 (b) If the court determines that it is not in the interest of the defendant for it
2 to state the reasons for its sentencing decision in the defendant's presence, the court
3 shall state the reasons for its sentencing decision in writing and include the written
4 statement in the record.

5 **SECTION 858.** 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

6 973.03 (3) (e) 1. A crime which is a Class A ~~or~~ B, or C felony.

7 2. A crime which is a Class ~~C~~ D, E, F, or G felony listed in s. 969.08 (10) (b), but
8 not including any crime specified in s. 943.10.

9 **SECTION 859.** 973.03 (3) (e) 3. of the statutes is repealed.

10 **SECTION 860.** 973.032 (4) (c) 2. of the statutes is amended to read:

11 973.032 (4) (c) 2. The person is sentenced for the escape ~~under s. 946.42 (4) (b)~~
12 to a sentence of imprisonment concurrent with the sentence to the intensive
13 sanctions program.

14 **SECTION 861.** 973.075 (1) (b) 1m. e. of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 973.075 (1) (b) 1m. e. To cause more than ~~\$2,500~~ \$1,000 worth of criminal
17 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

18 **SECTION 862.** 973.075 (2) (d) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 973.075 (2) (d) The officer has probable cause to believe that the property was
21 derived from or realized through a crime or that the property is a vehicle which was
22 used to transport any property or weapon used or to be used or received in the
23 commission of any felony, which was used in the commission of a crime relating to
24 a submerged cultural resource in violation of s. 44.47, or which was used to cause

1 more than ~~\$2,500~~ \$1,000 worth of criminal damage to cemetery property in violation
2 of s. 943.01 (2) (d) or 943.012.

3 **SECTION 863.** 973.09 (2) (b) 1. of the statutes is amended to read:

4 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one
5 year nor more than either the ~~statutory~~ maximum term of ~~imprisonment~~
6 confinement in prison for the crime or 3 years, whichever is greater.

7 **SECTION 864.** 973.15 (2m) of the statutes is created to read:

8 973.15 (2m) (a) *Definitions.* In this subsection:

9 1. “Determinate sentence” means a bifurcated sentence imposed under s.
10 973.01 or a life sentence under which a person is eligible for release to extended
11 supervision under s. 973.014 (1g) (a) 1. or 2.

12 2. “Indeterminate sentence” means a sentence to the Wisconsin state prisons
13 other than one of the following:

14 a. A determinate sentence.

15 b. A sentence under which the person is not eligible for release on parole under
16 s. 939.62 (2m) (c) or 973.014 (1) (c).

17 3. “Period of confinement in prison,” with respect to any sentence to the
18 Wisconsin state prisons, means any time during which a person is incarcerated
19 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113
20 (3), or 302.114 (3) and any period of confinement in prison required to be served under
21 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

22 (b) *Determinate sentences imposed to run concurrent with or consecutive to*
23 *determinate sentences.* 1. If a court provides that a determinate sentence is to run
24 concurrent with another determinate sentence, the person sentenced shall serve the

1 periods of confinement in prison under the sentences concurrently and the terms of
2 extended supervision under the sentences concurrently.

3 2. If a court provides that a determinate sentence is to run consecutive to
4 another determinate sentence, the person sentenced shall serve the periods of
5 confinement in prison under the sentences consecutively and the terms of extended
6 supervision under the sentences consecutively and in the order in which the
7 sentences have been pronounced.

8 (c) *Determinate sentences imposed to run concurrent with or consecutive to*
9 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run
10 concurrent with an indeterminate sentence, the person sentenced shall serve the
11 period of confinement in prison under the determinate sentence concurrent with the
12 period of confinement in prison under the indeterminate sentence and the term of
13 extended supervision under the determinate sentence concurrent with the parole
14 portion of the indeterminate sentence.

15 2. If a court provides that a determinate sentence is to run consecutive to an
16 indeterminate sentence, the person sentenced shall serve the period of confinement
17 in prison under the determinate sentence consecutive to the period of confinement
18 in prison under the indeterminate sentence and the parole portion of the
19 indeterminate sentence consecutive to the term of extended supervision under the
20 determinate sentence.

21 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*
22 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run
23 concurrent with a determinate sentence, the person sentenced shall serve the period
24 of confinement in prison under the indeterminate sentence concurrent with the
25 period of confinement in prison under the determinate sentence and the parole

1 portion of the indeterminate sentence concurrent with the term of extended
2 supervision required under the determinate sentence.

3 2. If a court provides that an indeterminate sentence is to run consecutive to
4 a determinate sentence, the person sentenced shall serve the period of confinement
5 in prison under the indeterminate sentence consecutive to the period of confinement
6 in prison under the determinate sentence and the parole portion of the
7 indeterminate sentence consecutive to the term of extended supervision under the
8 determinate sentence.

9 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent
10 determinate sentences and extended supervision is revoked in each case, or if a
11 person is serving a determinate sentence concurrent with an indeterminate sentence
12 and both extended supervision and parole are revoked, the person shall concurrently
13 serve any periods of confinement in prison required under those sentences under s.
14 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

15 **SECTION 865.** 973.155 (1) (b) of the statutes is amended to read:

16 973.155 (1) (b) The categories in par. (a) include custody of the convicted
17 offender which is in whole or in part the result of a probation, extended supervision
18 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed
19 upon the person for the same course of conduct as that resulting in the new
20 conviction.

21 **SECTION 866.** 973.30 of the statutes is created to read:

22 **973.30 Sentencing commission.** (1) DUTIES. The sentencing commission
23 shall do all of the following:

24 (a) Select an executive director having appropriate training and experience to
25 study sentencing practices and prepare proposed sentencing guidelines.

1 (b) Monitor and compile data regarding sentencing practices in the state.

2 (c) Adopt advisory sentencing guidelines for felonies committed on or after the
3 effective date of this paragraph [revisor inserts date], to promote public safety, to
4 reflect changes in sentencing practices and to preserve the integrity of the criminal
5 justice and correctional systems.

6 (d) Provide information to the legislature, state agencies, and the public
7 regarding the costs to and other needs of the department which result from
8 sentencing practices.

9 (e) Provide information to judges and lawyers about the sentencing guidelines.

10 (f) Publish and distribute to all circuit judges hearing criminal cases an annual
11 report regarding its work, which shall include all sentencing guidelines and all
12 changes in existing sentencing guidelines adopted during the 12 months preceding
13 the report.

14 (g) Study whether race is a basis for imposing sentences in criminal cases and
15 submit a report and recommendations on this issue to the governor, to each house
16 of the legislature under s. 13.172 (2), and to the supreme court.

17 (h) Assist the legislature in assessing the cost of enacting new or revising
18 existing statutes affecting criminal sentencing.

19 (i) At least semiannually, submit reports to all circuit judges, and to the chief
20 clerk of each house of the legislature for distribution to the appropriate standing
21 committees under s. 13.172 (3), containing statistics regarding criminal sentences
22 imposed in this state. Each report shall have a different focus and need not contain
23 statistics regarding every crime. Each report shall contain information regarding
24 sentences imposed statewide and in each of the following geographic areas:

25 1. Milwaukee County.

1 2. Dane and Rock counties.

2 3. Brown, Outagamie, Calumet, and Winnebago counties.

3 4. Racine and Kenosha counties.

4 5. All other counties.

5 (j) Study how sentencing options affect various types of offenders and offenses.

6 (2) **STAFF.** Subject to authorization under s. 16.505, the sentencing commission
7 may hire staff to assist it in the performance of its duties.

8 (3) **SUNSET.** This section does not apply after December 31, 2007.

9 **SECTION 867.** 977.05 (4) (jm) of the statutes is created to read:

10 977.05 (4) (jm) At the request of an inmate determined by the state public
11 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent
12 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113
13 (9g) before a program review committee and the sentencing court, if the state public
14 defender determines the case should be pursued.

15 **SECTION 868.** 977.06 (2) (b) of the statutes is amended to read:

16 977.06 (2) (b) A person who makes a false representation that he or she does
17 not believe is true for purposes of qualifying for assignment of counsel ~~shall be fined~~
18 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
19 is guilty of a Class I felony.

20 **SECTION 869.** 978.13 (1) (intro.) of the statutes is amended to read:

21 978.13 (1) (intro.) The Subject to sub. (1m), the state shall assume financial
22 responsibility for all of the following:

23 **SECTION 870.** 978.13 (1) (b) of the statutes is amended to read:

24 978.13 (1) (b) In counties having a population of 500,000 or more, the salary
25 and fringe benefit costs of 2 clerk positions providing clerical services to the

1 prosecutors in the district attorney's office handling cases involving felony violations
2 under ch. 961. The state treasurer shall pay the amount authorized under this
3 ~~paragraph~~ subsection to the county treasurer pursuant to a voucher submitted by
4 the district attorney to the department of administration from the appropriation
5 under s. 20.475 (1) (i). ~~The amount paid under this paragraph may not exceed~~
6 ~~\$75,200 in the 1999–2000 fiscal year and \$77,500 in the 2000–01 fiscal year.~~

7 **SECTION 871.** 978.13 (1) (c) of the statutes is amended to read:

8 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
9 fringe benefit costs of clerk positions in the district attorney's office necessary for the
10 prosecution of violent crime cases primarily involving felony violations under s.
11 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
12 940.06, 940.225, 943.23 (1g), ~~(1m)~~ and ~~(1r)~~ and 943.32 (2). The state treasurer shall
13 pay the amount authorized under this ~~paragraph~~ subsection to the county treasurer
14 pursuant to a voucher submitted by the district attorney to the secretary of
15 administration from the appropriation under s. 20.475 (1) (i). ~~The amount paid~~
16 ~~under this paragraph may not exceed \$94,400 in the 1999–2000 fiscal year and~~
17 ~~\$97,200 in the 2000–01 fiscal year.~~

18 **SECTION 872.** 978.13 (1) (d) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
21 and fringe benefit costs of 2 clerk positions providing clerical services to the
22 prosecutors in the district attorney's office handling cases involving the unlawful
23 possession or use of firearms. The state treasurer shall pay the amount authorized
24 under this ~~paragraph~~ subsection to the county treasurer from the appropriation
25 under s. 20.475 (1) (f) pursuant to a voucher submitted by the district attorney to the

1 department of administration. ~~The amount paid under this paragraph may not~~
2 ~~exceed the amount appropriated under s. 20.475 (1) (f).~~

3 **SECTION 873.** 978.13 (1m) of the statutes is created to read:

4 978.13 (1m) The amount paid under sub. (1) (b) and (c) combined may not
5 exceed the amount appropriated under s. 20.475 (1) (i). The amount paid under sub.
6 (1) (d) may not exceed the amount appropriated under s. 20.475 (1) (f).

7 **SECTION 874.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

8 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~
9 The committee shall submit a report of its findings and recommendations to the
10 legislature in the manner provided under section 13.172 (2) of the statutes and to the
11 governor. The report shall include any proposed legislation that is necessary to
12 implement the recommendations made by the committee in its report.

13 **SECTION 9101. Nonstatutory provisions; administration.**

14 (1) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (27)
15 (c) 1. of the statutes, as created by this act, the initial members of the sentencing
16 commission shall be appointed for the following terms:

17 (a) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
18 created by this act, one of whom is not employed by any unit of federal, state, or local
19 government, one circuit judge, and one district attorney, for terms expiring on
20 January 1, 2004.

21 (b) Three members appointed under section 15.105 (27) (a) 3. of the statutes,
22 as created by this act, one of whom is not employed by any unit of federal, state, or
23 local government, and one circuit judge, for terms expiring on January 1, 2005.

1 (c) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
2 created by this act, one representative of crime victims, and one attorney in private
3 practice, for terms expiring on January 1, 2006.

4 (2) POSITION AUTHORIZATION. There is authorized for the sentencing commission
5 1.0 FTE GPR executive director position, 1.0 FTE GPR deputy director position, and
6 4.0 FTE GPR other positions to be funded from the appropriation under section
7 20.505 (4) (dr) of the statutes, as created by this act.

8 (3) CRIMINAL PENALTIES STUDY COMMITTEE. Until the members of the sentencing
9 commission created under section 973.30 of the statutes, as created by this act, are
10 appointed, the criminal penalties study committee shall provide information to
11 lawyers, judges, the legislature, and the public regarding changes made in the
12 substance and structure of criminal penalties to be imposed under this act.

13 **SECTION 9332. Initial applicability; legislature.**

14 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section
15 13.525 (5) of the statutes first applies to bills introduced on the effective date of this
16 subsection.

17 **SECTION 9359. Initial applicability; other.**

18 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32
19 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),
20 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195
21 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),
22 943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,
23 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)
24 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41
25 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)

1 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41
2 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)
3 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48
4 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.
5 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the
6 renumbering and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3)
7 (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a)
8 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d)
9 of the statutes; the amendment of sections 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a),
10 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c),
11 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80
12 (3m), 36.25 (6) (d), 47.03 (3) (d), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141
13 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a),
14 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9) (c), 49.795
15 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b),
16 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4),
17 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.10
18 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85
19 (3), 108.225 (11), 108.225 (18), 114.20 (18) (c), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66
20 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4),
21 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),
22 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9)
23 (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3),
24 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21
25 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004

1 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53
2 (4) (c) 2., 301.45 (6) (a) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155
3 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3)
4 (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b),
5 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e),
6 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,
7 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),
8 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),
9 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07,
10 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b),
11 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.),
12 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),
13 939.62 (1) (b), 939.62 (1) (c), 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2),
14 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2)
15 (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1)
16 (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5),
17 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195
18 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b),
19 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2)
20 (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22
21 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23
22 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m.,
23 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,
24 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305
25 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m),

1 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.),
2 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a),
3 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e),
4 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1),
5 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2)
6 (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3),
7 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 942.09 (2) (intro.), 943.01 (2) (intro.), 943.01
8 (2d) (b) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)
9 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.),
10 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.),
11 943.10 (2) (intro.), 943.12, 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20
12 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207
13 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21
14 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25
15 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1),
16 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),
17 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40
18 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c),
19 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2)
20 (b) 2., 943.50 (4) (c), 943.60 (1), 943.61 (5) (c), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70
21 (2) (b) 3g., 943.70 (2) (b) 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70
22 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05
23 (1) (intro.), 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),
24 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.),
25 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12

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2 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1),
3 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44
4 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b),
5 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a),
6 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2),
7 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x)
8 (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c),
9 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1),
10 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b),
11 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.),
12 948.11 (2) (am) (intro.), 948.12 (1m) (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20,
13 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.),
14 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3)
15 (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62
16 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m),
17 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)
18 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41
19 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1.,
20 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f)
21 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1)
22 (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41
23 (1) (h) 3., 961.41 (1) (hm) (intro.), 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm)
24 3., 961.41 (1) (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41
25 (1) (im) 2., 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.),

1 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41
2 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41
3 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m)
4 (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.),
5 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41
6 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m)
7 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m)
8 (hm) 1., 961.41 (1m) (hm) 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m)
9 (i), 961.41 (1m) (im) (intro.), 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im)
10 3., 961.41 (1m) (im) 4., 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2) (intro.), 961.41 (2)
11 (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),
12 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43
13 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)
14 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 968.255 (1) (a)
15 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 973.01 (2)
16 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01
17 (2) (b) 5., 973.03 (3) (e) 1. and 2., 973.09 (2) (b) 1., and 977.06 (2) (b) of the statutes;
18 the repeal and recreation of section 944.15 (title) of the statutes; and the creation of
19 sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32
20 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f),
21 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h),
22 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm), 943.23 (3m), 943.34 (1) (bf) and
23 (bm), 943.50 (4) (bf) and (bm), 943.61 (5) (bf), 943.62 (4) (bf), 946.50 (5d), 946.50 (5h),
24 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm),
25 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m)

1 (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7.,
2 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01
3 (2) (d) 1. to 6., and 973.017 of the statutes first apply to offenses committed on the
4 effective date of this subsection.

5 (2) RETURNING PERSONS TO PRISON UPON REVOCATION. The treatment of sections
6 302.113 (9) (a), (at), (b), (c), and (g) and 302.114 (9) (a), (b), (bm), and (f) of the statutes
7 first applies to persons who are the subjects of extended supervision revocation
8 proceedings that are commenced by the department of corrections on the effective
9 date of this subsection.

10 (3) CONCURRENT AND CONSECUTIVE SENTENCES. The treatment of section 973.15
11 (2m) of the statutes first applies to persons sentenced for crimes committed on the
12 effective date of this subsection.

13 **SECTION 9432. Effective dates; legislature.**

14 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES.

15 (a) The treatment of section 13.525 (5) and (5m) of the statutes and SECTION
16 9332 (1) of this act take effect on January 1, 2003.

17 (b) The repeal of section 13.525 (5m) of the statutes takes effect on January 1,
18 2004.

19 **SECTION 9459. Effective dates; other.**

20 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32
21 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),
22 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195
23 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),
24 943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,
25 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)

1 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41
2 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)
3 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41
4 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)
5 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48
6 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.
7 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the
8 renumbering and amendment of sections 49.95 (1), 125.075 (2), 302.113 (9) (a),
9 302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)
10 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2)
11 (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections 6.18,
12 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14
13 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),
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16 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a),
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22 100.26 (7), 101.10 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),
23 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c),
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23 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1)
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2 1., 977.06 (2) (b), 978.13 (1) (intro.), 978.13 (1) (b), 978.13 (1) (c), and 978.13 (1) (d)
3 of the statutes; the repeal and recreation of section 944.15 (title) of the statutes; the
4 creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 302.113 (7m), 302.113 (9) (ag),
5 302.113 (9) (at), 302.113 (9) (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114
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8 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g),
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12 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h)
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15 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.017, 973.15 (2m), and 978.13
16 (1m) of the statutes; and SECTION 9359 (1), (2), and (3) of this act take effect on the
17 first day of the 7th month beginning after publication.

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(END)