

1

**analysis INSERT 3** ✓

3. *Changes in property offenses.* Under current law, the penalties for certain property offenses in the criminal code (such as theft, criminal damage to property, receiving stolen property, issuing worthless checks, and various kinds of fraud) are based on the value of the property stolen, damaged, or otherwise involved in the offense. Before the enactment of the 2001-03 biennial budget bill (2001 Wisconsin Act 16), the threshold between misdemeanor and felony penalties for most of these crimes was \$1,000. Thus, if the value of the property involved was \$1,000 or less, the crime was a misdemeanor. If the value of the property involved was more than \$1,000, the crime was a felony. For some crimes, the severity of the felony penalties also depended on the dollar value of the property involved. Thus, before the enactment of Act 16, if a person committed the offense of theft and the value of the property involved was more than \$1,000 but not more than \$2,500, the person was guilty of a Class E felony. If the value of the property involved exceeded \$2,500, the person was guilty of a Class C felony. Act 16, however, replaced such three-tier classification schemes with two-tier systems, by abolishing the lower level felony offenses (such as the Class E version of theft). Act 16 also set the threshold between misdemeanors and felonies for most property offenses in the criminal code that are based on the dollar value of the property involved at \$2,500.

This bill restores the thresholds between misdemeanors and felonies for criminal code property offenses that are based on the dollar value of the property involved to their pre-Act 16 levels. The bill also establishes new four-tier classification schemes for those offenses which, before the enactment of Act 16, were governed by a three-tier classification scheme. To illustrate, under the bill, theft is penalized as follows:

<u>Dollar Value of Property Involved</u>	<u>Class of Misdemeanor or Felony</u>
\$1,000 or less	Class A misdemeanor
More than \$1,000 but not more than \$5,000	Class I felony
More than \$5,000 but not more than \$10,000	Class H felony
More than \$10,000	Class G felony

fit within margin

2

**analysis INSERT 6a** ✓

the protection of the public, the gravity of the offense, and the rehabilitative needs of the defendant, along with

No P

single space

5

**analysis INSERT 6b** ✓

1 The bill also requires the court to state the reasons for its sentencing decision  
 2 in open court and on the record, unless it determines that it is not in the interest of  
 3 the defendant for it to do so, in which case the court must state the reasons for its  
 4 sentencing decision in writing and include the written statement in the record.

5 **analysis INSERT 8a** ✓

6 H) The bill creates a procedure by which a prisoner who has been given a  
 7 bifurcated sentence and who has a terminal condition (defined as an incurable  
 8 condition caused by injury, disease, or illness, as a result of which the person has a  
 9 medical prognosis that his or her life expectancy is 6 months or less, even with  
 10 available life-sustaining treatment provided in accordance with the prevailing  
 11 standard of medical care) may petition the sentencing court for a modification of the  
 12 terms of the sentence. This procedure and the conditions under which and the  
 13 manner by which a court may modify a bifurcated sentence for such a person are  
 14 identical to those that are described in the second and third paragraphs of item 3-G,  
 15 except that the prisoner submit affidavits from two physicians setting forth a  
 16 diagnosis that the prisoner has a terminal condition.

17 **analysis INSERT 10a** ✓

18 The bill also requires the joint review committee to recommend standards and  
 19 procedures to be used by a court to modify a bifurcated sentence and to propose  
 20 legislation to implement those recommendations. Any legislation proposed by the  
 21 joint review committee may permit a court to modify a previously imposed bifurcated  
 22 sentence only by reducing the term of confinement in prison portion of the sentence  
 23 and lengthening the term of extended supervision imposed so that the total length  
 24 of the bifurcated sentence originally imposed does not change.

single space

the court



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4548/1  
MGD:all:ch 72

DOA:.....Steinmetz - Truth in sentencing trailer

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

ONLY changes  
are in back  
of bill

retrieve from hold

Don't gen

1 AN ACT ...; relating to: classification and elements of felony offenses and certain  
2 misdemeanor offenses; criminal sentences and commitments; modification of  
3 a bifurcated sentence in certain cases; revocation of extended supervision; the  
4 creation of a sentencing commission and temporary sentencing guidelines;  
5 making an appropriation; and providing penalties.

*Analysis by the Legislative Reference Bureau*

**CRIMES**

**FELONY PENALTIES**

Under current law, crimes punishable by imprisonment of more than one year are felonies. Virtually every felony created in the criminal code is put in one of six classes (Class A, B, BC, C, D, or E), and each class has a specific maximum term of imprisonment and a maximum fine. Class A felonies are punishable by life imprisonment. For other classified felonies committed before December 31, 1999, the maximum terms of imprisonment are as follows:

Class B	40 years
Class BC	20 years
Class C	10 years

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 (1h) (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 and (d) ✓  
8 (2d) (b) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) and (c) ✓  
9 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.), and (d) ✓  
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 (i) and  
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 (a) and  
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 (a) and ✓  
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

1 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32  
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., <sup>973.075 (i) (b) 1m. e. and (2) (d), ✓</sup> 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),  
14 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3.,  
15 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2.,  
16 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a),  
17 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49  
18 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9)  
19 (c), 49.795 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 50.065 (1) (e) 1., 51.15 (12), 55.06  
20 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
21 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),  
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),  
24 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)  
25 (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)

1 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85  
2 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
3 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129  
4 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
5 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b),  
6 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.048  
7 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11 (1g) (a) 2., 302.11  
8 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b), 302.114 (9) (bm),  
9 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
10 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),  
11 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175  
12 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
13 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),  
14 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
15 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),  
16 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208  
17 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78  
18 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50  
19 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62  
20 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2),  
21 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02  
22 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
23 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),  
24 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),  
25 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20

1 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b)  
 2 (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.),  
 3 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a),  
 4 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.),  
 5 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29,  
 6 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295  
 7 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2)  
 8 (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43  
 9 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)  
 10 (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
 11 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),  
 12 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),  
 13 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2)  
 14 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38  
 15 (2), 942.09 (2) (intro.), 943.01 (2) (intro.), <sup>✓ and (d)</sup> 943.01 (2d) (b) (intro.), 943.01 (2g) (intro.), <sup>✓ and (c)</sup>  
 16 943.011 (2) (intro.), 943.012 (intro.), <sup>✓ and (d)</sup> 943.013 (2) (intro.), 943.014 (2), 943.015 (2)  
 17 (intro.), 943.017 (2) (intro.), <sup>✓ and (d)</sup> 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, <sup>✓</sup>  
 18 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, <sup>943.20(3)(a),</sup>  
 19 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d)  
 20 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208  
 21 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) <sup>(a) and ✓</sup> (b), 943.23 (1g), 943.23  
 22 (2), 943.23 (3), 943.23 (4m), 943.23 (5), <sup>✓ (1) and</sup> 943.24 (2), 943.25 (1), 943.25 (2) (intro.),  
 23 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3),  
 24 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) <sup>✓ (a) and</sup> (c), 943.38  
 25 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) <sup>(a) and ✓</sup> (b), 943.40 (intro.), 943.41 (8) (b),

1 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4)  
2 (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (c), 943.60  
3 (1), 943.61 (5) (c), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3g., 943.70 (2) (b) 3r.,  
4 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4.,  
5 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05 (1) (intro.), 944.06, 944.16  
6 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (1m)  
7 (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03  
8 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.),  
9 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m)  
10 (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425  
11 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g),  
12 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60  
13 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r)  
14 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
15 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02  
16 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03  
17 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05  
18 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.),  
19 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.), 948.11 (2) (am) (intro.), 948.12 (1m)  
20 (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24  
21 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)  
22 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),  
23 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1)  
24 (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a),  
25 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1)

1 (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41  
2 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3.,  
3 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f)  
4 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1)  
5 (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (hm) (intro.),  
6 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm) 3., 961.41 (1) (hm) 4., 961.41  
7 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41 (1) (im) 2., 961.41 (1) (im) 3.,  
8 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b),  
9 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm)  
10 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3.,  
11 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41  
12 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m)  
13 (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2.,  
14 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2.,  
15 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m) (hm) 1., 961.41 (1m) (hm)  
16 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m) (i), 961.41 (1m) (im) (intro.),  
17 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im) 3., 961.41 (1m) (im) 4.,  
18 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2)  
19 (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),  
20 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43  
21 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)  
22 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 967.04 (9),  
23 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)  
24 (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2)  
25 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01

## SECTION 9459

973.075 (1) (b) 1m. e. and (2) (d), ✓

1 (2) (b) 5., 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.09 (2) (b)  
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  
6 (9) (ag), 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17  
7 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title),  
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),  
9 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm), 943.23 (3m), 943.34  
10 (1) (bf) and (bm), 943.50 (4) (bf) and (bm), 943.61 (5) (bf), 943.62 (4) (bf), 946.50 (5d),  
11 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c),  
12 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h)  
13 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b),  
14 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b)  
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.

18

(END)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4548(2)  
MGD:all:ch

3

~~retrieve from hold~~

DOA:.....Steinmetz - Truth in sentencing trailer

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

only  
changes  
at pp 213 ✓  
+ 220 ✓

Don't gen

- 1 AN ACT ...; relating to: classification and elements of felony offenses and certain
- 2 misdemeanor offenses; criminal sentences and commitments; modification of
- 3 a bifurcated sentence in certain cases; revocation of extended supervision; the
- 4 creation of a sentencing commission and temporary sentencing guidelines;
- 5 making an appropriation; and providing penalties.

*Analysis by the Legislative Reference Bureau*

**CRIMES**

**FELONY PENALTIES**

Under current law, crimes punishable by imprisonment of more than one year are felonies. Virtually every felony created in the criminal code is put in one of six classes (Class A, B, BC, C, D, or E), and each class has a specific maximum term of imprisonment and a maximum fine. Class A felonies are punishable by life imprisonment. For other classified felonies committed before December 31, 1999, the maximum terms of imprisonment are as follows:

Class B	40 years
Class BC	20 years
Class C	10 years

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.) and (d),  
8 943.01 (2d) (b) (intro.), 943.01 (2g) (intro.) and (c), 943.011 (2) (intro.), 943.012  
9 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.) and  
10 (d), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1),  
11 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (c),  
12 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2),  
13 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208  
14 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (a) and (b), 943.23 (1g), 943.23 (2),  
15 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (1) and (2), 943.25 (1), 943.25 (2) (intro.),  
16 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3),  
17 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a) and (c),  
18 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a) and (b), 943.40 (intro.),  
19 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4)  
20 (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50  
21 (4) (a) and (c), 943.60 (1), 943.61 (5) (a) and (c), 943.62 (4) <sup>(a) and</sup> (c), 943.70 (2) (b) 2., 943.70  
22 (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  
23 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05  
24 (1) (intro.), 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),  
25 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.),

1 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12  
2 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32  
3 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1),  
4 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44  
5 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b),  
6 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a),  
7 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2),  
8 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x)  
9 (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c),  
10 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1),  
11 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b),  
12 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.),  
13 948.11 (2) (am) (intro.), 948.12 (1m) (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20,  
14 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.),  
15 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3)  
16 (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62  
17 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m),  
18 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)  
19 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41  
20 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1.,  
21 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f)  
22 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1)  
23 (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41  
24 (1) (h) 3., 961.41 (1) (hm) (intro.), 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm)  
25 3., 961.41 (1) (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41

1 (1) (im) 2., 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.),  
2 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41  
3 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41  
4 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m)  
5 (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.),  
6 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41  
7 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m)  
8 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m)  
9 (hm) 1., 961.41 (1m) (hm) 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m)  
10 (i), 961.41 (1m) (im) (intro.), 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im)  
11 3., 961.41 (1m) (im) 4., 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2) (intro.), 961.41 (2)  
12 (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),  
13 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43  
14 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)  
15 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 968.255 (1) (a)  
16 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 973.01 (2)  
17 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01  
18 (2) (b) 5., 973.03 (3) (e) 1. and 2., 973.075 (1) (b) 1m. e. and (2) (d), 973.09 (2) (b) 1.,  
19 and 977.06 (2) (b) of the statutes; the repeal and recreation of section 944.15 (title)  
20 of the statutes; and the creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04  
21 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title),  
22 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3)  
23 (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm),  
24 943.23 (3m), 943.34 (1) (bf) and (bm), 943.50 (4) (bf) and (bm), 943.61 (5) (bf), 943.62  
25 (4) (bf), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2)

1 (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h)  
2 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b),  
3 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b)  
4 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., and 973.017 of the statutes first  
5 apply to offenses committed on the effective date of this subsection.

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

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

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

15 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES.

16 (a) The treatment of section 13.525 (5) and (5m) of the statutes and SECTION  
17 9332 (1) of this act take effect on January 1, 2003.

18 (b) The repeal of section 13.525 (5m) of the statutes takes effect on January 1,  
19 2004.

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

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



1 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)  
2 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41  
3 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)  
4 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41  
5 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)  
6 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48  
7 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.  
8 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the  
9 renumbering and amendment of sections 49.95 (1), 125.075 (2), 302.113 (9) (a),  
10 302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)  
11 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2)  
12 (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections 6.18,  
13 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  
14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),  
15 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3.,  
16 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2.,  
17 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a),  
18 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49  
19 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9)  
20 (c), 49.795 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 50.065 (1) (e) 1., 51.15 (12), 55.06  
21 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
22 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),  
23 100.26 (7), 101.10 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),  
24 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c),  
25 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)

1 (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)  
2 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85  
3 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
4 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129  
5 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
6 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b),  
7 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.048  
8 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11 (1g) (a) 2., 302.11  
9 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b), 302.114 (9) (bm),  
10 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
11 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),  
12 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175  
13 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
14 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),  
15 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
16 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),  
17 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208  
18 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78  
19 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50  
20 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62  
21 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2),  
22 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02  
23 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
24 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),  
25 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),

1 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20  
2 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b)  
3 (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.),  
4 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a),  
5 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.),  
6 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29,  
7 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295  
8 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2)  
9 (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43  
10 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)  
11 (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
12 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),  
13 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),  
14 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2)  
15 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38  
16 (2), 942.09 (2) (intro.), 943.01 (2) (intro.) and (d), 943.01 (2d) (b) (intro.), 943.01 (2g)  
17 (intro.) and (c), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2),  
18 943.015 (2) (intro.), 943.017 (2) (intro.) and (d), 943.017 (2m) (b) (intro.), 943.02 (1)  
19 (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10  
20 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d)  
21 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.),  
22 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2)  
23 (c), 943.21 (3) (a) and (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5),  
24 943.24 (1) and (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28  
25 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31,

1 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a) and (c), 943.38 (1) (intro.), 943.38 (2),  
2 943.39 (intro.), 943.395 (2) (a) and (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c),  
3 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4)  
4 (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (a) and (c), 943.60 (1),  
5 943.61 (5) (a) and (c), 943.62 (4) <sup>✓ (a) and</sup> (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3g., 943.70 (2) (b)  
6 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b)  
7 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05 (1) (intro.), 944.06,  
8 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03  
9 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.),  
10 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1)  
11 (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41  
12 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b),  
13 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.),  
14 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2),  
15 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r)  
16 (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82  
17 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015,  
18 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03  
19 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1)  
20 (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07  
21 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.), 948.11 (2) (am) (intro.),  
22 948.12 (1m) (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2),  
23 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31  
24 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60  
25 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b),

1 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.),  
2 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm)  
3 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41  
4 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2.,  
5 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f)  
6 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1)  
7 (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41  
8 (1) (hm) (intro.), 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm) 3., 961.41 (1)  
9 (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41 (1) (im) 2.,  
10 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m)  
11 (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm)  
12 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2.,  
13 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41  
14 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m)  
15 (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1.,  
16 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1.,  
17 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m) (hm) 1.,  
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19 (1m) (im) (intro.), 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im) 3., 961.41  
20 (1m) (im) 4., 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2)  
21 (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g)  
22 (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3.,  
23 961.42 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472  
24 (2), 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3),  
25 967.04 (9), 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a),

1 969.08 (10) (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1),  
2 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b)  
3 4., 973.01 (2) (b) 5., 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2.,  
4 973.075 (1) (b) 1m. e. and (2) (d), 973.09 (2) (b) 1., 977.06 (2) (b), 978.13 (1) (intro.),  
5 978.13 (1) (b), 978.13 (1) (c), and 978.13 (1) (d) of the statutes; the repeal and  
6 recreation of section 944.15 (title) of the statutes; the creation of sections 49.95 (1)  
7 (e) and (f), 125.075 (2) (b), 302.113 (7m), 302.113 (9) (ag), 302.113 (9) (at), 302.113 (9)  
8 (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114 (9) (ag), 302.114 (9) (d),  
9 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm),  
10 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1)  
11 (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3)  
12 (i), 940.09 (1c), 943.20 (3) (bf) and (bm), 943.23 (3m), 943.34 (1) (bf) and (bm), 943.50  
13 (4) (bf) and (bm), 943.61 (5) (bf), 943.62 (4) (bf), 946.50 (5d), 946.50 (5h), 946.50 (5p),  
14 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v)  
15 (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41  
16 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b)  
17 7., 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  
18 (2) (d) 1. to 6., 973.017, 973.15 (2m), and 978.13 (1m) of the statutes; and SECTION  
19 9359 (1), (2), and (3) of this act take effect on the first day of the 7th month beginning  
20 after publication.

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(END)