

1           **SECTION 617.** 948.03 (5) of the statutes is repealed.

2           **SECTION 618.** 948.04 (1) of the statutes is amended to read:

3           948.04 (1) Whoever is exercising temporary or permanent control of a child and  
4 causes mental harm to that child by conduct which demonstrates substantial  
5 disregard for the mental well-being of the child is guilty of a Class C F felony.

6           **SECTION 619.** 948.04 (2) of the statutes is amended to read:

7           948.04 (2) A person responsible for the child's welfare is guilty of a Class C F  
8 felony if that person has knowledge that another person has caused, is causing or will  
9 cause mental harm to that child, is physically and emotionally capable of taking  
10 action which will prevent the harm, fails to take that action and the failure to act  
11 exposes the child to an unreasonable risk of mental harm by the other person or  
12 facilitates the mental harm to the child that is caused by the other person.

13           **SECTION 620.** 948.05 (1) (intro.) of the statutes is amended to read:

14           948.05 (1) (intro.) Whoever does any of the following with knowledge of the  
15 character and content of the sexually explicit conduct involving the child is guilty of  
16 a Class C F felony:

17           **SECTION 621.** 948.05 (1m) of the statutes, as affected by 2001 Wisconsin Act 16,  
18 is amended to read:

19           948.05 (1m) Whoever produces, performs in, profits from, promotes, imports  
20 into the state, reproduces, advertises, sells, distributes, or possesses with intent to  
21 sell or distribute, any recording of a child engaging in sexually explicit conduct is  
22 guilty of a Class C F felony if the person knows the character and content of the  
23 sexually explicit conduct involving the child and if the person knows or reasonably  
24 should know that the child engaging in the sexually explicit conduct has not attained  
25 the age of 18 years.

1           **SECTION 622.** 948.05 (2) of the statutes is amended to read:

2           948.05 (2) A person responsible for a child's welfare who knowingly permits,  
3 allows or encourages the child to engage in sexually explicit conduct for a purpose  
4 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class C F felony.

5           **SECTION 623.** 948.055 (2) (a) of the statutes is amended to read:

6           948.055 (2) (a) A Class C F felony if the child has not attained the age of 13  
7 years.

8           **SECTION 624.** 948.055 (2) (b) of the statutes is amended to read:

9           948.055 (2) (b) A Class D H felony if the child has attained the age of 13 years  
10 but has not attained the age of 18 years.

11           **SECTION 625.** 948.06 (intro.) of the statutes is amended to read:

12           **948.06 Incest with a child.** (intro.) Whoever does any of the following is  
13 guilty of a Class BC C felony:

14           **SECTION 626.** 948.07 (intro.) of the statutes is amended to read:

15           **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the  
16 following acts, causes or attempts to cause any child who has not attained the age  
17 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class  
18 BC D felony:

19           **SECTION 627.** 948.08 of the statutes is amended to read:

20           **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits  
21 or causes any child to practice prostitution or establishes any child in a place of  
22 prostitution is guilty of a Class BC D felony.

23           **SECTION 628.** 948.095 (2) (intro.) of the statutes is amended to read:

1           948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a  
2 child who has attained the age of 16 years and who is not the defendant's spouse is  
3 guilty of a Class D H felony if all of the following apply:

4           **SECTION 629.** 948.11 (2) (a) (intro.) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is amended to read:

6           948.11 (2) (a) (intro.) Whoever, with knowledge of the character and content of  
7 the material, sells, rents, exhibits, plays, distributes, or loans to a child any harmful  
8 material, with or without monetary consideration, is guilty of a Class E I felony if any  
9 of the following applies:

10          **SECTION 630.** 948.11 (2) (am) (intro.) of the statutes, as affected by 2001  
11 Wisconsin Act 16, is amended to read:

12          948.11 (2) (am) (intro.) Any person who has attained the age of 17 and who, with  
13 knowledge of the character and content of the description or narrative account,  
14 verbally communicates, by any means, a harmful description or narrative account  
15 to a child, with or without monetary consideration, is guilty of a Class E I felony if  
16 any of the following applies:

17          **SECTION 631.** 948.12 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin  
18 Act 16, is amended to read:

19          948.12 (1m) (intro.) Whoever possesses any undeveloped film, photographic  
20 negative, photograph, motion picture, videotape, or other recording of a child  
21 engaged in sexually explicit conduct under all of the following circumstances is guilty  
22 of a Class E I felony:

23          **SECTION 632.** 948.12 (2m) (intro.) of the statutes, as created by 2001 Wisconsin  
24 Act 16, is amended to read:

1           948.12 (2m) (intro.) Whoever exhibits or plays a recording of a child engaged  
2 in sexually explicit conduct, if all of the following apply, is guilty of a Class E I felony:

3           **SECTION 633.** 948.13 (2) of the statutes is amended to read:

4           948.13 (2) Whoever has been convicted of a serious child sex offense and  
5 subsequently engages in an occupation or participates in a volunteer position that  
6 requires him or her to work or interact primarily and directly with children under  
7 16 years of age is guilty of a Class C F felony. This subsection does not apply to a  
8 person who is exempt under a court order issued under sub. (2m).

9           **SECTION 634.** 948.20 of the statutes is amended to read:

10          **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,  
11 leaves any child in a place where the child may suffer because of neglect is guilty of  
12 a Class D G felony.

13          **SECTION 635.** 948.21 (1) of the statutes is amended to read:

14          948.21 (1) Any person who is responsible for a child's welfare who, through his  
15 or her actions or failure to take action, intentionally contributes to the neglect of the  
16 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class C D  
17 felony.

18          **SECTION 636.** 948.22 (2) of the statutes is amended to read:

19          948.22 (2) Any person who intentionally fails for 120 or more consecutive days  
20 to provide spousal, grandchild or child support which the person knows or reasonably  
21 should know the person is legally obligated to provide is guilty of a Class E I felony.  
22 A prosecutor may charge a person with multiple counts for a violation under this  
23 subsection if each count covers a period of at least 120 consecutive days and there is  
24 no overlap between periods.

25          **SECTION 637.** 948.23 of the statutes is amended to read:

1           **948.23 Concealing death of child.** Any person who conceals the corpse of  
2 any issue of a woman's body with intent to prevent a determination of whether it was  
3 born dead or alive is guilty of a Class E I felony.

4           **SECTION 638.** 948.24 (1) (intro.) of the statutes is amended to read:

5           948.24 (1) (intro.) Whoever does any of the following is guilty of a Class D H  
6 felony:

7           **SECTION 639.** 948.30 (1) (intro.) of the statutes is amended to read:

8           948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the  
9 following is guilty of a Class C E felony:

10          **SECTION 640.** 948.30 (2) (intro.) of the statutes is amended to read:

11          948.30 (2) (intro.) Any person who, for any unlawful purposc, does any of the  
12 following is guilty of a Class B C felony:

13          **SECTION 641.** 948.31 (1) (b) of the statutes is amended to read:

14          948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally  
15 causes a child to leave, takes a child away or withholds a child for more than 12 hours  
16 beyond the court-approved period of physical placement or visitation period from a  
17 legal custodian with intent to deprive the custodian of his or her custody rights  
18 without the consent of the custodian is guilty of a Class C F felony. This paragraph  
19 is not applicable if the court has entered an order authorizing the person to so take  
20 or withhold the child. The fact that joint legal custody has been awarded to both  
21 parents by a court does not preclude a court from finding that one parent has  
22 committed a violation of this paragraph.

23          **SECTION 642.** 948.31 (2) of the statutes is amended to read:

24          948.31 (2) Whoever causes a child to leave, takes a child away or withholds a  
25 child for more than 12 hours from the child's parents or, in the case of a nonmarital

1 child whose parents do not subsequently intermarry under s. 767.60, from the child's  
2 mother or, if he has been granted legal custody, the child's father, without the consent  
3 of the parents, the mother or the father with legal custody, is guilty of a Class E I  
4 felony. This subsection is not applicable if legal custody has been granted by court  
5 order to the person taking or withholding the child.

6 **SECTION 643.** 948.31 (3) (intro.) of the statutes is amended to read:

7 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from  
8 the parent, who does any of the following is guilty of a Class C F felony:

9 **SECTION 644.** 948.35 of the statutes is repealed.

10 **SECTION 645.** 948.36 of the statutes is repealed.

11 **SECTION 646.** 948.40 (4) (a) of the statutes is amended to read:

12 948.40 (4) (a) If death is a consequence, the person is guilty of a Class C D  
13 felony; or

14 **SECTION 647.** 948.40 (4) (b) of the statutes is amended to read:

15 948.40 (4) (b) If the child's act which is encouraged or contributed to is a  
16 violation of a state or federal criminal law which is punishable as a felony, the person  
17 is guilty of a Class D H felony.

18 **SECTION 648.** 948.51 (3) (b) of the statutes is amended to read:

19 948.51 (3) (b) A Class E H felony if the act results in great bodily harm ~~or death~~  
20 to another.

21 **SECTION 649.** 948.51 (3) (c) of the statutes is created to read:

22 948.51 (3) (c) A Class G felony if the act results in the death of another.

23 **SECTION 650.** 948.60 (2) (b) of the statutes is amended to read:

1           948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,  
2           loans or gives a dangerous weapon to a person under 18 years of age is guilty of a  
3           Class E I felony.

4           **SECTION 651.** 948.60 (2) (c) of the statutes is amended to read:

5           948.60 (2) (c) Whoever violates par. (b) is guilty of a Class D H felony if the  
6           person under 18 years of age under par. (b) discharges the firearm and the discharge  
7           causes death to himself, herself or another.

8           **SECTION 652.** 948.605 (2) (a) of the statutes is amended to read:

9           948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
10          that the individual knows, or has reasonable cause to believe, is a school zone is  
11          guilty of a Class ~~A misdemeanor~~ I felony.

12          **SECTION 653.** 948.605 (3) (a) of the statutes is amended to read:

13          948.605 (3) (a) Any individual who knowingly, or with reckless disregard for  
14          the safety of another, discharges or attempts to discharge a firearm at a place the  
15          individual knows is a school zone is guilty of a Class D G felony.

16          **SECTION 654.** 948.605 (4) of the statutes is repealed.

17          **SECTION 655.** 948.61 (2) (b) of the statutes is amended to read:

18          948.61 (2) (b) A Class E I felony, if the violation is the person's 2nd or  
19          subsequent violation of this section within a 5-year period, as measured from the  
20          dates the violations occurred.

21          **SECTION 656.** 948.62 (1) (a) of the statutes is amended to read:

22          948.62 (1) (a) A Class ~~E felony~~ A misdemeanor, if the value of the property does  
23          not exceed \$500.

24          **SECTION 657.** 948.62 (1) (b) of the statutes is amended to read:

1           948.62 (1) (b) A Class D I felony, if the value of the property exceeds \$500 but  
2 does not exceed \$2,500.

3           **SECTION 658.** 948.62 (1) (bm) of the statutes is created to read:

4           948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,500 but  
5 does not exceed \$5,000.

6           **SECTION 659.** 948.62 (1) (c) of the statutes is amended to read:

7           948.62 (1) (c) A Class C G felony, if the value of the property exceeds \$2,500  
8 \$5,000.

9           **SECTION 660.** 949.03 (1) (b) of the statutes is amended to read:

10           949.03 (1) (b) The commission or the attempt to commit any crime specified in  
11 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
12 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
13 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,  
14 943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,  
15 948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

16           **SECTION 661.** 950.04 (1v) (g) of the statutes is amended to read:

17           950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
18 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
19 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

20           **SECTION 662.** 950.04 (1v) (nt) of the statutes is created to read:

21           950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
22 bifurcated sentence and provide a statement concerning modification of the  
23 bifurcated sentence, as provided under s. 302.113 (9g) (d).

24           **SECTION 663.** 951.18 (1) of the statutes is amended to read:



1           951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,  
2           951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a  
3           Class C forfeiture. Any person who violates any of these provisions within 3 years  
4           after a humane officer issues an abatement order under s. 173.11 prohibiting the  
5           violation of that provision is subject to a Class A forfeiture. Any person who  
6           intentionally or negligently violates any of those sections is guilty of a Class A  
7           misdemeanor. Any person who intentionally violates s. 951.02, resulting in the  
8           mutilation, disfigurement or death of an animal, is guilty of a Class E I felony. Any  
9           person who intentionally violates s. 951.02 or 951.06, knowing that the animal that  
10          is the victim is used by a law enforcement agency to perform agency functions or  
11          duties and causing injury to the animal, is guilty of a Class E I felony.

12           **SECTION 664.** 951.18 (2) of the statutes is amended to read:

13           951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A  
14          misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class E I  
15          felony for the first violation and is guilty of a Class D H felony for the 2nd or  
16          subsequent violation.

17           **SECTION 665.** 951.18 (2m) of the statutes is amended to read:

18           951.18 (2m) Any person who violates s. 951.095 is subject to a Class B  
19          forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing  
20          that the animal that is the victim is used by a law enforcement agency or fire  
21          department to perform agency or department functions or duties, is guilty of a Class  
22          A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the  
23          animal that is the victim is used by a law enforcement agency or fire department to  
24          perform agency or department functions or duties and causing injury to the animal,  
25          is guilty of a Class E I felony. Any person who intentionally violates s. 951.095,

1 knowing that the animal that is the victim is used by a law enforcement agency or  
2 fire department to perform agency or department functions or duties and causing  
3 death to the animal, is guilty of a Class D H felony.

4 **SECTION 666.** 961.41 (1) (intro.) of the statutes is amended to read:

5 961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY. (intro.) Except as  
6 authorized by this chapter, it is unlawful for any person to manufacture, distribute  
7 or deliver a controlled substance or controlled substance analog. Any person who  
8 violates this subsection ~~with respect to~~ is subject to the following penalties:

9 **SECTION 667.** 961.41 (1) (a) of the statutes is amended to read:

10 961.41 (1) (a) Schedule I and II narcotic drugs generally. Except as provided  
11 in par. (d), if a person violates this subsection with respect to a controlled substance  
12 included in schedule I or II which is a narcotic drug, or a controlled substance analog  
13 of a controlled substance included in schedule I or II which is a narcotic drug, may  
14 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6  
15 months or both the person is guilty of a Class E felony.

16 **SECTION 668.** 961.41 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is amended to read:

18 961.41 (1) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as  
19 provided in pars. (cm) and (e) to (hm), if a person violates this subsection with respect  
20 to any other controlled substance included in schedule I, II, or III, or a controlled  
21 substance analog of any other controlled substance included in schedule I or II, may  
22 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
23 or both the person is guilty of a Class H felony.

24 **SECTION 669.** 961.41 (1) (cm) (intro.) of the statutes is amended to read:

1           961.41 (1) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If the person violates  
2 this subsection with respect to cocaine or cocaine base, or a controlled substance  
3 analog of cocaine or cocaine base, is subject to the following penalties if and the  
4 amount manufactured, distributed, or delivered is:

5           **SECTION 670.** 961.41 (1) (cm) 1. of the statutes is renumbered 961.41 (1) (cm)  
6 1r. and amended to read:

7           961.41 (1) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
8 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
9 for not more than 15 years is guilty of a Class F felony.

10          **SECTION 671.** 961.41 (1) (cm) 1g. of the statutes is created to read:

11          961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

12          **SECTION 672.** 961.41 (1) (cm) 2. of the statutes is amended to read:

13          961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person  
14 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~  
15 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

16          **SECTION 673.** 961.41 (1) (cm) 3. of the statutes is amended to read:

17          961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person  
18 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than 3~~  
19 ~~years nor more than 30 years~~ is guilty of a Class D felony.

20          **SECTION 674.** 961.41 (1) (cm) 4. of the statutes is amended to read:

21          961.41 (1) (cm) 4. More than 40 grams ~~but not more than 100 grams,~~ the person  
22 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than 5~~  
23 ~~years nor more than 45 years~~ is guilty of a Class C felony.

24          **SECTION 675.** 961.41 (1) (cm) 5. of the statutes is repealed.

25          **SECTION 676.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

1           961.41 (1) (d) Heroin. (intro.) ~~Heroin~~ If the person violates this subsection with  
2 respect to heroin or a controlled substance analog of heroin is subject to the following  
3 penalties if and the amount manufactured, distributed or delivered is:

4           **SECTION 677.** 961.41 (1) (d) 1. of the statutes is amended to read:

5           961.41 (1) (d) 1. Three grams or less, the person ~~shall be fined not less than~~  
6 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~  
7 ~~and 6 months~~ is guilty of a Class F felony.

8           **SECTION 678.** 961.41 (1) (d) 2. of the statutes is amended to read:

9           961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person  
10 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
11 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class  
12 E felony.

13           **SECTION 679.** 961.41 (1) (d) 3. of the statutes is amended to read:

14           961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person  
15 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
16 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
17 D felony.

18           **SECTION 680.** 961.41 (1) (d) 4. of the statutes is amended to read:

19           961.41 (1) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person  
20 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
21 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
22 felony.

23           **SECTION 681.** 961.41 (1) (d) 5. of the statutes is repealed.

24           **SECTION 682.** 961.41 (1) (d) 6. of the statutes is repealed.

25           **SECTION 683.** 961.41 (1) (e) (intro.) of the statutes is amended to read:

1           961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and  
2 methcathinone. (intro.) ~~Phencyclidine~~ If the person violates this subsection with  
3 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a  
4 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or  
5 methcathinone, is subject to the following penalties if and the amount  
6 manufactured, distributed, or delivered is:

7           **SECTION 684.** 961.41 (1) (e) 1. of the statutes is amended to read:

8           961.41 (1) (e) 1. ~~Three grams or less, the person shall be fined not less than~~  
9 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
10 ~~6 months~~ is guilty of a Class F felony.

11           **SECTION 685.** 961.41 (1) (e) 2. of the statutes is amended to read:

12           961.41 (1) (e) 2. ~~More than 3 grams but not more than 10 grams, the person~~  
13 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
14 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
15 E felony.

16           **SECTION 686.** 961.41 (1) (e) 3. of the statutes is amended to read:

17           961.41 (1) (e) 3. ~~More than 10 grams but not more than 50 grams, the person~~  
18 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
19 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
20 D felony.

21           **SECTION 687.** 961.41 (1) (e) 4. of the statutes is amended to read:

22           961.41 (1) (e) 4. ~~More than 50 grams but not more than 200 grams, the person~~  
23 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
24 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
25 felony.

1           **SECTION 688.** 961.41 (1) (e) 5. of the statutes is repealed.

2           **SECTION 689.** 961.41 (1) (e) 6. of the statutes is repealed.

3           **SECTION 690.** 961.41 (1) (em) of the statutes is repealed.

4           **SECTION 691.** 961.41 (1) (f) (intro.) of the statutes is amended to read:

5           961.41 (1) (f) Lysergic acid diethylamide. (intro.) Lysergie If the person violates  
6 this subsection with respect to lysergic acid diethylamide or a controlled substance  
7 analog of lysergic acid diethylamide is subject to the following penalties if and the  
8 amount manufactured, distributed, or delivered is:

9           **SECTION 692.** 961.41 (1) (f) 1. of the statutes is amended to read:

10           961.41 (1) (f) 1. One gram or less, the person ~~shall be fined not less than \$1,000~~  
11 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and 6~~  
12 ~~months~~ is guilty of a Class G felony.

13           **SECTION 693.** 961.41 (1) (f) 2. of the statutes is amended to read:

14           961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person ~~shall~~  
15 ~~be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not~~  
16 ~~less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class F felony.

17           **SECTION 694.** 961.41 (1) (f) 3. of the statutes is amended to read:

18           961.41 (1) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~  
19 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
20 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

21           **SECTION 695.** 961.41 (1) (g) (intro.) of the statutes is amended to read:

22           961.41 (1) (g) Psilocin and psilocybin. (intro.) Psilocin If the person violates  
23 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
24 of psilocin or psilocybin, is subject to the following penalties if and the amount  
25 manufactured, distributed or delivered is:

1           **SECTION 696.** 961.41 (1) (g) 1. of the statutes is amended to read:

2           961.41 (1) (g) 1. One hundred grams or less, the person shall be fined not less  
3 than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7  
4 years and 6 months is guilty of a Class G felony.

5           **SECTION 697.** 961.41 (1) (g) 2. of the statutes is amended to read:

6           961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person  
7 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
8 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class  
9 F felony.

10          **SECTION 698.** 961.41 (1) (g) 3. of the statutes is amended to read:

11          961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than  
12 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
13 nor more than 22 years and 6 months is guilty of a Class E felony.

14          **SECTION 699.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

15          961.41 (1) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If the  
16 person violates this subsection with respect to tetrahydrocannabinols, included  
17 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
18 subject to the following penalties if and the amount manufactured, distributed or  
19 delivered is:

20          **SECTION 700.** 961.41 (1) (h) 1. of the statutes is amended to read:

21          961.41 (1) (h) 1. Five Two hundred grams or less, or ~~10~~ 4 or fewer plants  
22 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor  
23 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months  
24 is guilty of a Class I felony.

25          **SECTION 701.** 961.41 (1) (h) 2. of the statutes is amended to read:

## SECTION 701

1           961.41 (1) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000 grams,  
2           or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than ~~50~~ 20  
3           plants containing tetrahydrocannabinols, the person shall be ~~fined not less than~~  
4           ~~\$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor~~  
5           ~~more than 7 years and 6 months~~ is guilty of a Class H felony.

6           **SECTION 702.** 961.41 (1) (h) 3. of the statutes is amended to read:

7           961.41 (1) (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,  
8           or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50  
9           plants containing tetrahydrocannabinols, the person shall be ~~fined not less than~~  
10          ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~  
11          ~~nor more than 15 years~~ is guilty of a Class G felony.

12          **SECTION 703.** 961.41 (1) (h) 4. of the statutes is created to read:

13          961.41 (1) (h) 4. More than 2,500 grams but not more than 10,000 grams, or  
14          more than 50 plants containing tetrahydrocannabinols but not more than 200 plants  
15          containing tetrahydrocannabinols, the person is guilty of a Class F felony.

16          **SECTION 704.** 961.41 (1) (h) 5. of the statutes is created to read:

17          961.41 (1) (h) 5. More than 10,000 grams, or more than 200 plants containing  
18          tetrahydrocannabinols, the person is guilty of a Class E felony.

19          **SECTION 705.** 961.41 (1) (hm) (intro.) of the statutes, as affected by 2001  
20          Wisconsin Act 16, is amended to read:

21          961.41 (1) (hm) Certain other schedule I controlled substances and ketamine.  
22          (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect  
23          to ~~gamma-hydroxybutyric~~ acid, ~~gamma-butyrolactone,~~  
              ~~3,4-methylenedioxymethamphetamine,~~  
24          ~~4-bromo-2,5-dimethoxy-beta-phenylethylamine,~~ ~~4-methylthioamphetamine,~~



1 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
2 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,  
3 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
4 ~~subject to the following penalties if and~~ the amount manufactured, distributed, or  
5 delivered is:

6 **SECTION 706.** 961.41 (1) (hm) 1. of the statutes, as created by 2001 Wisconsin  
7 Act 16, is amended to read:

8 961.41 (1) (hm) 1. Three grams or less, the person ~~shall be fined not less than~~  
9 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
10 ~~6 months~~ is guilty of a Class F felony.

11 **SECTION 707.** 961.41 (1) (hm) 2. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is amended to read:

13 961.41 (1) (hm) 2. More than 3 grams but not more than 10 grams, the person  
14 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
15 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
16 E felony.

17 **SECTION 708.** 961.41 (1) (hm) 3. of the statutes, as created by 2001 Wisconsin  
18 Act 16, is amended to read:

19 961.41 (1) (hm) 3. More than 10 grams but not more than 50 grams, the person  
20 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
21 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
22 D felony.

23 **SECTION 709.** 961.41 (1) (hm) 4. of the statutes, as created by 2001 Wisconsin  
24 Act 16, is amended to read:

1           961.41 (1) (hm) 4. ~~More than 50 grams but not more than 200 grams~~, the person  
2 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
3 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
4 felony.

5           **SECTION 710.** 961.41 (1) (hm) 5. of the statutes, as created by 2001 Wisconsin  
6 Act 16, is repealed.

7           **SECTION 711.** 961.41 (1) (hm) 6. of the statutes, as created by 2001 Wisconsin  
8 Act 16, is repealed.

9           **SECTION 712.** 961.41 (1) (i) of the statutes is amended to read:

10           961.41 (1) (i) Schedule IV drugs generally. Except as provided in par. (im), if  
11 a person violates this subsection with respect to a substance included in schedule IV,  
12 may be fined not more than \$10,000 or imprisoned for not more than 4 years and 6  
13 months or both the person is guilty of a Class H felony.

14           **SECTION 713.** 961.41 (1) (im) (intro.) of the statutes, as affected by 2001  
15 Wisconsin Act 16, is amended to read:

16           961.41 (1) (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~  
17 ~~following penalties if~~ If a person violates this subsection with respect to  
18 flunitrazepam and the amount manufactured, distributed, or delivered is:

19           **SECTION 714.** 961.41 (1) (im) 1. of the statutes, as created by 2001 Wisconsin  
20 Act 16, is amended to read:

21           961.41 (1) (im) 1. Three grams or less, the person ~~shall be fined not less than~~  
22 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
23 ~~6 months~~ is guilty of a Class F felony.

24           **SECTION 715.** 961.41 (1) (im) 2. of the statutes, as created by 2001 Wisconsin  
25 Act 16, is amended to read:

1           961.41 (1) (im) 2. More than 3 grams but not more than 10 grams, the person  
2 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
3 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
4 E felony.

5           **SECTION 716.** 961.41 (1) (im) 3. of the statutes, as created by 2001 Wisconsin  
6 Act 16, is amended to read:

7           961.41 (1) (im) 3. More than 10 grams but not more than 50 grams, the person  
8 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
9 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
10 D felony.

11           **SECTION 717.** 961.41 (1) (im) 4. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is amended to read:

13           961.41 (1) (im) 4. More than 50 grams but not more than 200 grams, the person  
14 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
15 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
16 felony.

17           **SECTION 718.** 961.41 (1) (im) 5. of the statutes, as created by 2001 Wisconsin  
18 Act 16, is repealed.

19           **SECTION 719.** 961.41 (1) (im) 6. of the statutes, as created by 2001 Wisconsin  
20 Act 16, is repealed.

21           **SECTION 720.** 961.41 (1) (j) of the statutes is amended to read:

22           961.41 (1) (j) Schedule V drugs. ~~-A- If a person violates this subsection with~~  
23 ~~respect to a substance included in schedule V, may be fined not more than \$5,000 or~~  
24 ~~imprisoned for not more than 2 years or both~~ the person is guilty of a Class I felony.

25           **SECTION 721.** 961.41 (1m) (intro.) of the statutes is amended to read:

1           **961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.**  
2 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,  
3 with intent to manufacture, distribute or deliver, a controlled substance or a  
4 controlled substance analog. Intent under this subsection may be demonstrated by,  
5 without limitation because of enumeration, evidence of the quantity and monetary  
6 value of the substances possessed, the possession of manufacturing implements or  
7 paraphernalia, and the activities or statements of the person in possession of the  
8 controlled substance or a controlled substance analog prior to and after the alleged  
9 violation. Any person who violates this subsection ~~with respect to~~ is subject to the  
10 following penalties:

11           **SECTION 722.** 961.41 (1m) (a) of the statutes is amended to read:

12           **961.41 (1m) (a)** *Schedule I and II narcotic drugs generally.* Except as provided  
13 in par. (d), if a person violates this subsection with respect to a controlled substance  
14 included in schedule I or II which is a narcotic drug or a controlled substance analog  
15 of a controlled substance included in schedule I or II which is a narcotic drug, may  
16 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6  
17 months or both the person is guilty of a Class E felony.

18           **SECTION 723.** 961.41 (1m) (b) of the statutes, as affected by 2001 Wisconsin Act  
19 16, is amended to read:

20           **961.41 (1m) (b)** *Schedule I, II, and III nonnarcotic drugs generally.* Except as  
21 provided in pars. (cm) and (e) to (hm), if a person violates this subsection with respect  
22 to any other controlled substance included in schedule I, II, or III, or a controlled  
23 substance analog of any other controlled substance included in schedule I or II, may  
24 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
25 or both the person is guilty of a Class H felony.

1           **SECTION 724.** 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

2           961.41 (1m) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If a person violates  
3 this subsection with respect to cocaine or cocaine base, or a controlled substance  
4 analog of cocaine or cocaine base, ~~is subject to the following penalties if and the~~  
5 amount possessed, with intent to manufacture, distribute or deliver, is:

6           **SECTION 725.** 961.41 (1m) (cm) 1. of the statutes is renumbered 961.41 (1m)  
7 (cm) 1r. and amended to read:

8           961.41 (1m) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
9 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
10 ~~for not more than 15 years~~ is guilty of a Class F felony.

11           **SECTION 726.** 961.41 (1m) (cm) 1g. of the statutes is created to read:

12           961.41 (1m) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

13           **SECTION 727.** 961.41 (1m) (cm) 2. of the statutes is amended to read:

14           961.41 (1m) (cm) 2. More than 5 grams but not more than 15 grams, the person  
15 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~  
16 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

17           **SECTION 728.** 961.41 (1m) (cm) 3. of the statutes is amended to read:

18           961.41 (1m) (cm) 3. More than 15 grams but not more than 40 grams, the  
19 person ~~shall be fined not more than \$500,000 and shall be imprisoned for not less~~  
20 ~~than 3 years nor more than 30 years~~ is guilty of a Class D felony.

21           **SECTION 729.** 961.41 (1m) (cm) 4. of the statutes is amended to read:

22           961.41 (1m) (cm) 4. More than 40 grams but not more than 100 grams, the  
23 person ~~shall be fined not more than \$500,000 and shall be imprisoned for not less~~  
24 ~~than 5 years nor more than 45 years~~ is guilty of a Class C felony.

25           **SECTION 730.** 961.41 (1m) (cm) 5. of the statutes is repealed.

1           **SECTION 731.** 961.41 (1m) (d) (intro.) of the statutes is amended to read:

2           961.41 (1m) (d) Heroin. (intro.) ~~Heroin~~ If a person violates this subsection with  
3 respect to heroin or a controlled substance analog of heroin ~~is subject to the following~~  
4 ~~penalties if~~ and the amount possessed, with intent to manufacture, distribute or  
5 deliver, is:

6           **SECTION 732.** 961.41 (1m) (d) 1. of the statutes is amended to read:

7           961.41 (1m) (d) 1. Three grams or less, the person ~~shall be fined not less than~~  
8 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years~~  
9 ~~and 6 months~~ is guilty of a Class F felony.

10          **SECTION 733.** 961.41 (1m) (d) 2. of the statutes is amended to read:

11          961.41 (1m) (d) 2. More than 3 grams but not more than 10 grams, the person  
12 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~  
13 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class  
14 E felony.

15          **SECTION 734.** 961.41 (1m) (d) 3. of the statutes is amended to read:

16          961.41 (1m) (d) 3. More than 10 grams but not more than 50 grams, the person  
17 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
18 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
19 D felony.

20          **SECTION 735.** 961.41 (1m) (d) 4. of the statutes is amended to read:

21          961.41 (1m) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person  
22 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
23 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
24 felony.

25          **SECTION 736.** 961.41 (1m) (d) 5. of the statutes is repealed.

1           **SECTION 737.** 961.41 (1m) (d) 6. of the statutes is repealed.

2           **SECTION 738.** 961.41 (1m) (e) (intro.) of the statutes is amended to read:

3           961.41 (1m) (e) Phencyclidine, amphetamine, methamphetamine, and  
4 methcathinone. (intro.) Phencyclidine If a person violates this subsection with  
5 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a  
6 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or  
7 methcathinone, is subject to the following penalties if and the amount possessed,  
8 with intent to manufacture, distribute, or deliver, is:

9           **SECTION 739.** 961.41 (1m) (e) 1. of the statutes is amended to read:

10           961.41 (1m) (e) 1. Three grams or less, the person shall be fined not less than  
11 ~~\$1,000 nor more than \$100,000~~ and may be imprisoned for not more than 7 years and  
12 ~~6 months~~ is guilty of a Class F felony.

13           **SECTION 740.** 961.41 (1m) (e) 2. of the statutes is amended to read:

14           961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person  
15 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~  
16 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
17 E felony.

18           **SECTION 741.** 961.41 (1m) (e) 3. of the statutes is amended to read:

19           961.41 (1m) (e) 3. More than 10 grams but not more than 50 grams, the person  
20 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
21 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
22 D felony.

23           **SECTION 742.** 961.41 (1m) (e) 4. of the statutes is amended to read:

24           961.41 (1m) (e) 4. More than 50 grams but not more than 200 grams, the person  
25 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~

1 ~~for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C~~  
2 ~~felony.~~

3 SECTION 743. 961.41 (1m) (e) 5. of the statutes is repealed.

4 SECTION 744. 961.41 (1m) (e) 6. of the statutes is repealed.

5 SECTION 745. 961.41 (1m) (em) of the statutes is repealed.

6 SECTION 746. 961.41 (1m) (f) (intro.) of the statutes is amended to read:

7 961.41 (1m) (f) Lysergic acid diethylamide. (intro.) Lysergie If a person violates  
8 this subsection with respect to lysergic acid diethylamide or a controlled substance  
9 analog of lysergic acid diethylamide is subject to the following penalties if and the  
10 amount possessed, with intent to manufacture, distribute or deliver, is:

11 SECTION 747. 961.41 (1m) (f) 1. of the statutes is amended to read:

12 961.41 (1m) (f) 1. One gram or less, the person shall be ~~fined not less than~~  
13 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and~~  
14 ~~6 months is guilty of a Class G felony.~~

15 SECTION 748. 961.41 (1m) (f) 2. of the statutes is amended to read:

16 961.41 (1m) (f) 2. More than one gram but not more than 5 grams, the person  
17 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~  
18 ~~for not less than 6 months nor more than 7 years and 6 months is guilty of a Class~~  
19 ~~F felony.~~

20 SECTION 749. 961.41 (1m) (f) 3. of the statutes is amended to read:

21 961.41 (1m) (f) 3. More than 5 grams, the person shall be ~~fined not less than~~  
22 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
23 ~~nor more than 22 years and 6 months is guilty of a Class E felony.~~

24 SECTION 750. 961.41 (1m) (g) (intro.) of the statutes is amended to read:



1           961.41 (1m) (g) Psilocin and psilocybin. (intro.) ~~Psilocin~~ If a person violates  
2 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
3 of psilocin or psilocybin, is subject to the following penalties if and the amount  
4 possessed, with intent to manufacture, distribute or deliver, is:

5           **SECTION 751.** 961.41 (1m) (g) 1. of the statutes is amended to read:

6           961.41 (1m) (g) 1. One hundred grams or less, the person shall be fined not less  
7 ~~than \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7~~  
8 ~~years and 6 months~~ is guilty of a Class G felony.

9           **SECTION 752.** 961.41 (1m) (g) 2. of the statutes is amended to read:

10           961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the  
11 ~~person shall be fined not less than \$1,000 nor more than \$200,000 and shall be~~  
12 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months~~ is guilty  
13 of a Class F felony.

14           **SECTION 753.** 961.41 (1m) (g) 3. of the statutes is amended to read:

15           961.41 (1m) (g) 3. More than 500 grams, the person shall be fined not less than  
16 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
17 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

18           **SECTION 754.** 961.41 (1m) (h) (intro.) of the statutes is amended to read:

19           961.41 (1m) (h) Tetrahydrocannabinols. (intro.) ~~Tetrahydrocannabinols~~ If a  
20 person violates this subsection with respect to tetrahydrocannabinols, included  
21 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
22 ~~subject to the following penalties if and~~ the amount possessed, with intent to  
23 manufacture, distribute, or deliver, is:

24           **SECTION 755.** 961.41 (1m) (h) 1. of the statutes is amended to read:

1           961.41 (1m) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants  
2 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor  
3 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months  
4 is guilty of a Class I felony.

5           **SECTION 756.** 961.41 (1m) (h) 2. of the statutes is amended to read:

6           961.41 (1m) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000  
7 grams, or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than  
8 ~~50~~ 20 plants containing tetrahydrocannabinols, the person shall be fined not less  
9 than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3  
10 months nor more than 7 years and 6 months is guilty of a Class H felony.

11           **SECTION 757.** 961.41 (1m) (h) 3. of the statutes is amended to read:

12           961.41 (1m) (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,  
13 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50  
14 plants containing tetrahydrocannabinols, the person shall be fined not less than  
15 \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year  
16 nor more than 15 years is guilty of a Class G felony.

17           **SECTION 758.** 961.41 (1m) (h) 4. of the statutes is created to read:

18           961.41 (1m) (h) 4. More than 2,500 grams but not more than 10,000 grams, or  
19 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants  
20 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

21           **SECTION 759.** 961.41 (1m) (h) 5. of the statutes is created to read:

22           961.41 (1m) (h) 5. More than 10,000 grams, or more than 200 plants containing  
23 tetrahydrocannabinols, the person is guilty of a Class E felony.

24           **SECTION 760.** 961.41 (1m) (hm) (intro.) of the statutes, as created by 2001  
25 Wisconsin Act 16, is amended to read:

1           961.41 (1m) (hm) Certain other schedule I controlled substances and ketamine.  
2 (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect  
3 to gamma-hydroxybutyric acid, gamma-butyrolactone,  
4 3,4-methylenedioxymethamphetamine  
5 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,  
6 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
7 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine  
8 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
9 subject to the following penalties if the amount possessed, with intent to  
10 manufacture, distribute, or deliver is:

11           **SECTION 761.** 961.41 (1m) (hm) 1. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is amended to read:

13           961.41 (1m) (hm) 1. Three grams or less, the person ~~shall be fined not less than~~  
14 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
15 ~~6 months is guilty of a Class F felony.~~

16           **SECTION 762.** 961.41 (1m) (hm) 2. of the statutes, as created by 2001 Wisconsin  
17 Act 16, is amended to read:

18           961.41 (1m) (hm) 2. More than 3 grams but not more than 10 grams, the person  
19 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
20 ~~for not less than 6 months nor more than 7 years and 6 months is guilty of a Class~~  
21 E felony.

22           **SECTION 763.** 961.41 (1m) (hm) 3. of the statutes, as created by 2001 Wisconsin  
23 Act 16, is amended to read:

24           961.41 (1m) (hm) 3. More than 10 grams but not more than 50 grams, the  
25 ~~person shall be fined not less than \$1,000 nor more than \$500,000 and shall be~~

1 ~~imprisoned for not less than one year nor more than 22 years and 6 months is guilty~~  
2 ~~of a Class D felony.~~

3 **SECTION 764.** 961.41 (1m) (hm) 4. of the statutes, as created by 2001 Wisconsin  
4 Act 16, is amended to read:

5 961.41 (1m) (hm) 4. More than 50 grams but ~~not more than 200 grams~~, the  
6 person shall be fined ~~not less than \$1,000 nor more than \$500,000~~ and shall be  
7 ~~imprisoned for not less than 3 years nor more than 22 years and 6 months is guilty~~  
8 ~~of a Class C felony.~~

9 **SECTION 765.** 961.41 (1m) (hm) 5. of the statutes, as created by 2001 Wisconsin  
10 Act 16, is repealed.

11 **SECTION 766.** 961.41 (1m) (hm) 6. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is repealed.

13 **SECTION 767.** 961.41 (1m) (i) of the statutes is amended to read:

14 961.41 (1m) (i) Schedule IV drugs generally. Except as provided in par. (im),  
15 if a person violates this subsection with respect to a substance included in schedule  
16 IV, may be fined not more than \$10,000 or imprisoned for not more than 4 years and  
17 6 months or both the person is guilty of a Class H felony.

18 **SECTION 768.** 961.41 (1m) (im) (intro.) of the statutes, as affected by 2001  
19 Wisconsin Act 16, is amended to read:

20 961.41 (1m) (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~  
21 ~~following penalties if~~ If a person violates this subsection with respect to  
22 flunitrazepam and the amount possessed, with intent to manufacture, distribute, or  
23 deliver, is:

24 **SECTION 769.** 961.41 (1m) (im) 1. of the statutes, as created by 2001 Wisconsin  
25 Act 16, is amended to read:

1           961.41 (1m) (im) 1. Three grams or less, the person shall be fined not less than  
2           \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and  
3           6 months is guilty of a Class F felony.

4           **SECTION 770.** 961.41 (1m) (im) 2. of the statutes, as created by 2001 Wisconsin  
5           Act 16, is amended to read:

6           961.41 (1m) (im) 2. More than 3 grams but not more than 10 grams, the person  
7           shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
8           for not less than 6 months nor more than 7 years and 6 months is guilty of a Class  
9           E felony.

10          **SECTION 771.** 961.41 (1m) (im) 3. of the statutes, as created by 2001 Wisconsin  
11          Act 16, is amended to read:

12          961.41 (1m) (im) 3. More than 10 grams but not more than 50 grams, the person  
13          shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
14          for not less than one year nor more than 22 years and 6 months is guilty of a Class  
15          D felony.

16          **SECTION 772.** 961.41 (1m) (im) 4. of the statutes, as created by 2001 Wisconsin  
17          Act 16, is amended to read:

18          961.41 (1m) (im) 4. More than 50 grams but not more than 200 grams, the  
19          person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
20          imprisoned for not less than 3 years nor more than 22 years and 6 months is guilty  
21          of a Class C felony.

22          **SECTION 773.** 961.41 (1m) (im) 5. of the statutes, as created by 2001 Wisconsin  
23          Act 16, is repealed.

24          **SECTION 774.** 961.41 (1m) (im) 6. of the statutes, as created by 2001 Wisconsin  
25          Act 16, is repealed.

1           **SECTION 775.** 961.41 (1m) (j) of the statutes is amended to read:

2           961.41 (1m) (j) Schedule V drugs. ~~A. If a person violates this subsection with~~  
3           ~~respect to a substance included in schedule V, may be fined not more than \$5,000 or~~  
4           ~~imprisoned for not more than 2 years or both~~ the person is guilty of a Class I felony.

5           **SECTION 776.** 961.41 (1n) (c) of the statutes is amended to read:

6           961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~  
7           ~~\$250,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

8           **SECTION 777.** 961.41 (1q) of the statutes is amended to read:

9           961.41 (1q) PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.  
10          Under s. 961.49 (2), 1999 stats., and subs. (1) (h) and (1m) (h) ~~and s. 961.49 (2),~~ if  
11          different penalty provisions apply to a person depending on whether the weight of  
12          tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is  
13          considered, the greater penalty provision applies.

14          **SECTION 778.** 961.41 (1r) of the statutes is amended to read:

15          961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under  
16          s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m) ~~and s. 961.49 (2) (b),~~ an amount  
17          includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid  
18          diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,  
19          methcathinone or tetrahydrocannabinols or any controlled substance analog of any  
20          of these substances together with any compound, mixture, diluent, plant material  
21          or other substance mixed or combined with the controlled substance or controlled  
22          substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)  
23          (h), the amount of tetrahydrocannabinols means anything included under s. 961.14  
24          (4) (t) and includes the weight of any marijuana.

25          **SECTION 779.** 961.41 (2) (intro.) of the statutes is amended to read:

1           961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this  
2 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or  
3 possess with intent to distribute or deliver, a counterfeit substance. Any person who  
4 violates this subsection ~~with respect to~~ is subject to the following penalties:

5           **SECTION 780.** 961.41 (2) (a) of the statutes is amended to read:

6           961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. ~~-A- If a person~~  
7 violates this subsection with respect to a counterfeit substance included in schedule  
8 I or II which is a narcotic drug, may be fined not more than \$25,000 or imprisoned  
9 for not more than 22 years and 6 months or both the person is guilty of a Class E  
10 felony.

11           **SECTION 781.** 961.41 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
12 16, is amended to read:

13           961.41 (2) (b) Counterfeit schedule I, II, III, and IV drugs. Except as provided  
14 in pars. (a) and (bm), and (cm), if a person violates this subsection with respect to any  
15 other counterfeit substance included in schedule I, II or, III, may be fined not more  
16 than \$15,000 or imprisoned for not more than 7 years and 6 months or both or IV, the  
17 person is guilty of a Class H felony.

18           **SECTION 782.** 961.41 (2) (c) of the statutes is repealed.

19           **SECTION 783.** 961.41 (2) (cm) (title) of the statutes is created to read:

20           961.41 (2) (cm) (title) Counterfeit flunitrazepam.

21           **SECTION 784.** 961.41 (2) (d) of the statutes is amended to read:

22           961.41 (2) (d) Counterfeit schedule V drugs. ~~-A- If a person violates this~~  
23 subsection with respect to a counterfeit substance included in schedule V, may be  
24 fined not more than \$5,000 or imprisoned for not more than 2 years or both the person  
25 is guilty of a Class I felony.

1           **SECTION 785.** 961.41 (3g) (a) 1. of the statutes is renumbered 961.41 (3g) (am)  
2 and amended to read:

3           961.41 (3g) (am) Schedule I and II narcotic drugs. ~~Except as provided in subd.~~  
4 ~~2., if the~~ If a person possesses a controlled substance included in schedule I or II  
5 which is a narcotic drug, or possesses a controlled substance analog of a controlled  
6 substance included in schedule I or II which is a narcotic drug, the person may, upon  
7 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2  
8 years or both, and, for a 2nd or subsequent offense, the person may be fined not more  
9 than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I  
10 felony.

11           **SECTION 786.** 961.41 (3g) (a) 2. of the statutes is repealed.

12           **SECTION 787.** 961.41 (3g) (a) 3. of the statutes is repealed.

13           **SECTION 788.** 961.41 (3g) (b) of the statutes is amended to read:

14           961.41 (3g) (b) Other drugs generally. Except as provided in pars. (c), (d), ~~(dm)~~,  
15 (e) and (f), if the person possesses or attempts to possess a controlled substance or  
16 controlled substance analog, other than a controlled substance included in schedule  
17 I or II that is a narcotic drug or a controlled substance analog of a controlled  
18 substance included in schedule I or II that is a narcotic drug, the person is guilty of  
19 a misdemeanor, punishable under s. 939.61.

20           **SECTION 789.** 961.41 (3g) (c) of the statutes is amended to read:

21           961.41 (3g) (c) Cocaine and cocaine base. If a person possess or attempts to  
22 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine  
23 base, the person shall be fined not more than \$5,000 and may be imprisoned for not  
24 more than one year in the county jail upon a first conviction and is guilty of a Class  
25 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense



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

**SECTION 792**

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, methamphctamine, 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) (h), 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) (h), 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) (a) and (c), 943.70 (2) (b)  
22 2., 943.70 (2) (b) 3g., 943.70 (2) (b) 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b)  
23 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2)  
24 (b), 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,  
25 944.33 (2), 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02

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2 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.),  
3 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425  
4 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.),  
5 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1)  
6 (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r)  
7 (a), 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)  
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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

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2 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41  
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6 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41  
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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  
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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  
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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  
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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)

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4 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129  
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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  
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17 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208  
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19 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50  
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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.),  
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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)  
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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)  
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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) (a) and (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3g., 943.70  
6 (2) (b) 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70  
7 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05 (1) (intro.),  
8 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.),  
9 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1)  
10 (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.),  
11 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.),  
12 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m)  
13 (b), 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.,  
18 961.41 (1m) (hm) 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m) (i), 961.41  
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)