

1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
3 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of
4 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.
5 105-277, and P.L. 106-554, except that "Internal Revenue Code" does not include
6 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
7 applies for Wisconsin purposes at the same time as for federal purposes.
8 Amendments to the federal Internal Revenue Code enacted after
9 December 31, 1994, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1994, and before January 1, 1996, except that
11 changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding
12 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
13 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that
14 indirectly affect the provisions applicable to this subchapter made by P.L. 104-7, P.L.
15 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
16 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
17 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 223.** 71.42 (2) (j) of the statutes is amended to read:

19 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
20 January 1, 1997, "Internal Revenue Code" means the federal Internal Revenue Code
21 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
22 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
23 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,
24 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
25 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L.

1 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
2 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
3 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
4 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
5 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and
6 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
7 105-206 and, P.L. 105-277, and P.L. 106-554, except that "Internal Revenue Code"
8 does not include section 847 of the federal Internal Revenue Code. The Internal
9 Revenue Code applies for Wisconsin purposes at the same time as for federal
10 purposes. Amendments to the federal Internal Revenue Code enacted after
11 December 31, 1995, do not apply to this paragraph with respect to taxable years
12 beginning after December 31, 1995, and before January 1, 1997, except that
13 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
14 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
15 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes
16 that indirectly affect the provisions applicable to this subchapter made by P.L.
17 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
19 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal
20 purposes.

21 **SECTION 224.** 71.42 (2) (k) of the statutes is amended to read:

22 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
23 January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code
24 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.
25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66

1 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
2 amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36,
3 P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly
4 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
5 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
6 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
8 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
9 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
10 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and
11 P.L. 107-16, excluding section 431 of P.L. 107-16, except that "Internal Revenue
12 Code" does not include section 847 of the federal Internal Revenue Code. The
13 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
14 purposes. Amendments to the federal Internal Revenue Code enacted after
15 December 31, 1996, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1996, and before January 1, 1998, except that
17 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
18 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding
19 section 431 of P.L. 107-16, and changes that indirectly affect the provisions
20 applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.
21 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of
22 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 225.** 71.42 (2) (L) of the statutes is amended to read:

24 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
25 January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code

1 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.
2 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
3 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
4 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,
5 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
6 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
7 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding
8 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
9 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
10 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding
11 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,
12 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,
13 P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16,
14 excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not
15 include section 847 of the federal Internal Revenue Code. The Internal Revenue
16 Code applies for Wisconsin purposes at the same time as for federal purposes.
17 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,
18 do not apply to this paragraph with respect to taxable years beginning after
19 December 31, 1997, and before January 1, 1999, except that changes to the Internal
20 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,
21 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of
22 P.L. 107-16, and changes that indirectly affect the provisions applicable to this
23 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
24 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.
25 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

1 **SECTION 226.** 71.42 (2) (m) of the statutes is amended to read:

2 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before
3 January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code
4 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.
5 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
6 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
7 amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554,
8 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly
9 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
10 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
11 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
13 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
14 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
15 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
16 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16,
17 excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not
18 include section 847 of the federal Internal Revenue Code. The Internal Revenue
19 Code applies for Wisconsin purposes at the same time as for federal purposes.
20 Amendments to the federal Internal Revenue Code enacted after December 31, 1998,
21 do not apply to this paragraph with respect to taxable years beginning after
22 December 31, 1998, and before January 1, 2000, except that changes to the Internal
23 Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,
24 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
25 and changes that indirectly affect the provisions applicable to this subchapter made

1 by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
2 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin
3 purposes at the same time as for federal purposes.

4 **SECTION 227.** 71.42 (2) (n) of the statutes is amended to read:

5 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before
6 January 1, 2001, "Internal Revenue Code" means the federal Internal Revenue Code
7 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
10 amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,
11 and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected by
12 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
13 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
14 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
16 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
17 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
18 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,
19 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.
20 107-16, excluding section 431 of P.L. 107-16, except that "Internal Revenue Code"
21 does not include section 847 of the federal Internal Revenue Code. The Internal
22 Revenue Code applies for Wisconsin purposes at the same time as for federal
23 purposes. Amendments to the federal Internal Revenue Code enacted after
24 December 31, 1999, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1999, and before January 1, 2001, except that changes

1 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
2 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and
3 changes that indirectly affect the provisions applicable to this subchapter made by
4 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.
5 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the
6 same time as for federal purposes.

7 **SECTION 228.** 71.42 (2) (o) of the statutes is created to read:

8 71.42 (2) (o) For taxable years that begin after December 31, 2000, and before
9 January 1, 2002, "Internal Revenue Code" means the federal Internal Revenue Code
10 as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.
11 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
13 amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and
14 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
16 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
18 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
20 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
21 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
22 106-573, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, except
23 that "Internal Revenue Code" does not include section 847 of the federal Internal
24 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the
25 same time as for federal purposes. Amendments to the federal Internal Revenue

1 Code enacted after December 31, 2000, do not apply to this paragraph with respect
2 to taxable years beginning after December 31, 2000, and before January 1, 2002,
3 except that changes to the Internal Revenue Code made by P.L. 107-16, excluding
4 section 431 of P.L. 107-16, and P.L. 107-22, and changes that indirectly affect the
5 provisions applicable to this subchapter made by P.L. 107-16, excluding section 431
6 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes at the same time as
7 for federal purposes.

8 **SECTION 229.** 71.42 (2) (p) of the statutes is created to read:

9 71.42 (2) (p) For taxable years that begin after December 31, 2001, "Internal
10 Revenue Code" means the federal Internal Revenue Code as amended to
11 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
13 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,
14 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
15 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding
16 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
17 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
18 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,
20 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,
21 P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,
22 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.
23 107-22, except that "Internal Revenue Code" does not include section 847 of the
24 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin
25 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 2001, do not apply to this
2 paragraph with respect to taxable years beginning after December 31, 2001.

3 **SECTION 230.** 71.45 (2) (a) 13. of the statutes is renumbered 71.45 (2) (a) 13. a.
4 and amended to read:

5 71.45 (2) (a) 13. a. By For taxable years that begin after December 31, 2000,
6 and before January 1, 2002, by adding or subtracting, as appropriate, the difference
7 between the depreciation deduction under the federal Internal Revenue Code as
8 amended to December 31, 1999 2000, and the depreciation deduction under the
9 federal Internal Revenue Code in effect for the taxable year for which the return is
10 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,
11 except that property first placed in service by the taxpayer on or after
12 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
13 1985 stats., is required to be depreciated under the Internal Revenue Code as
14 amended to December 31, 1980, and property first placed in service in taxable year
15 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
16 stats., is required to be depreciated under the Internal Revenue Code as amended
17 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
18 Code as amended to December 31, 1980.

19 **SECTION 231.** 71.45 (2) (a) 13. b. of the statutes is created to read:

20 71.45 (2) (a) 13. b. For taxable years that begin after December 31, 2001, by
21 adding or subtracting, as appropriate, the difference between the depreciation
22 deduction under the federal Internal Revenue Code as amended to December 31,
23 2001, and the depreciation deduction under the federal Internal Revenue Code in
24 effect for the taxable year for which the return is filed, so as to reflect the fact that
25 the insurer may choose between these 2 deductions, except that property first placed

1 in service by the taxpayer on or after January 1, 1983, but before January 1, 1987,
2 that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under
3 the Internal Revenue Code as amended to December 31, 1980, and property first
4 placed in service in taxable year 1981 or thereafter but before January 1, 1987, that,
5 under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the Internal
6 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
7 under the Internal Revenue Code as amended to December 31, 1980.

8 **SECTION 232.** 71.83 (2) (b) of the statutes is amended to read:

9 71.83 (2) (b) *Felony.* 1. 'False income tax return; fraud.' Any person, other than
10 a corporation or limited liability company, who renders a false or fraudulent income
11 tax return with intent to defeat or evade any assessment required by this chapter
12 ~~shall be is~~ guilty of a Class H felony and may be ~~fin~~ed not more than \$10,000 or
13 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
14 the cost of prosecution. In this subdivision, "return" includes a separate return filed
15 by a spouse with respect to a taxable year for which a joint return is filed under s.
16 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
17 the spouses with respect to a taxable year for which a separate return is filed under
18 s. 71.03 (2) (m) after the filing of that joint return.

19 2. 'Officer of a corporation; false franchise or income tax return.' Any officer
20 of a corporation or manager of a limited liability company required by law to make,
21 render, sign or verify any franchise or income tax return, who makes any false or
22 fraudulent franchise or income tax return, with intent to defeat or evade any
23 assessment required by this chapter ~~shall be is~~ guilty of a Class H felony and may
24 be ~~fin~~ed not more than \$10,000 or ~~imprisoned for not more than 7 years and 6 months~~
25 ~~or both, together with assessed~~ the cost of prosecution.

1 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
2 depositing or concealing any property upon which a levy is authorized with intent
3 to evade or defeat the assessment or collection of any tax administered by the
4 department is guilty of a Class I felony and may be fined not more than \$5,000 or
5 ~~imprisoned for not more than 4 years and 6 months or both, together with assessed~~
6 the costs cost of prosecution.

7 4. 'Fraudulent claim for credit.' ~~The A~~ claimant who ~~filed~~ files a claim for credit
8 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was
9 filed with fraudulent intent and any person who ~~assisted, with fraudulent intent,~~
10 assists in the preparation or filing of the false or excessive claim or supplied
11 information upon which the false or excessive claim was prepared, ~~with fraudulent~~
12 ~~intent, is guilty of a Class H felony and may be fined not more than \$10,000 or~~
13 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
14 the cost of prosecution.

15 **SECTION 233.** 73.0305 of the statutes, as affected by 2001 Wisconsin Act 16, is
16 amended to read:

17 **73.0305 Revenue limits and ~~intradistrict transfer aid calculations~~ levy**
18 **limit.** ~~The~~ Annually by the 4th Monday in June, the department of revenue shall
19 annually determine and certify to the state superintendent of public instruction, ~~no~~
20 ~~later than the 4th Monday in June,~~ the allowable rate of increase under subch. VII
21 of ch. 121, and shall determine and certify to each technical college district board the
22 allowable rate of increase under s. 38.16 (1) (b) 1. The allowable rate of increase is
23 the percentage change in the consumer price index for all urban consumers, U.S. city
24 average, between the preceding March 31 and the 2nd preceding March 31, as
25 computed by the federal department of labor.

1 **SECTION 234.** 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 79.01 (1) There is established an account in the general fund entitled the
4 “Expenditure Restraint Program Account.” There shall be appropriated to that
5 account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000
6 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and
7 in the year 2001; \$57,570,000 in 2002; and ~~\$58,145,700 in 2003 and in each year~~
8 thereafter, less reductions under s. 79.085.

9 **SECTION 235.** 79.02 (1) of the statutes is amended to read:

10 79.02 (1) The department of administration, upon certification by the
11 department of revenue, shall distribute shared revenue payments to each
12 municipality and county on the 4th Monday in July and the 3rd Monday in
13 November, except that in 2003, shared revenue payments shall be distributed on
14 June 30 and on the 3rd Monday in November.

15 **SECTION 236.** 79.02 (2) (b) of the statutes is amended to read:

16 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
17 municipality’s or county’s estimated payments under ss. 79.03, 79.04, 79.058, and
18 79.06 and 100% of the municipality’s estimated payments under s. 79.05, except that
19 in July 2002, each county and municipality shall receive payments equal to the
20 amount determined under s. 79.085 (1) (b) and (2), multiplied by the July 2002
21 payment factor. In this paragraph, “July 2002 payment factor” means the amount
22 that is equal to \$580,000,000, less any amount expended from the appropriation
23 account under s. 20.855 (4) (rm) during the 2001–02 fiscal year, divided by
24 \$679,415,800. Payments in July 2002 shall be made from the appropriation account
25 under s. 20.855 (4) (rb).

1 **SECTION 237.** 79.02 (2) (c) of the statutes is created to read:

2 79.02 (2) (c) Subject to s. 59.605 (4), on June 30, 2003, each county and
3 municipality shall receive payments equal to the amount determined under s. 79.085
4 (1) (b) and (2), multiplied by the June 2003 payment factor. In this paragraph, "June
5 2003 payment factor" means the amount that is equal to the moneys available, as
6 determined by the department of administration, from the appropriation account
7 under s. 20.855 (4) (rb), divided by \$679,415,800. Payments in June 2003 shall be
8 made from the appropriation account under s. 20.855 (4) (rb).

9 **SECTION 238.** 79.02 (3) of the statutes is amended to read:

10 79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
11 November shall equal that municipality's or county's entitlement to shared revenues
12 under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the
13 amount distributed to the municipality or county in July or, for distributions in 2003,
14 on June 30, 2003. The total amount of the payments in July and November 2002
15 shall be \$679,415,800. The total amount of the payments in June and November
16 2003 shall be \$679,415,800.

17 **SECTION 239.** 79.03 (1) of the statutes is amended to read:

18 79.03 (1) Each Ending with the distributions in 2003, each municipality and
19 county is entitled to shared revenue, consisting of an amount determined on the basis
20 of population under sub. (2), plus an amount determined under sub. (3).

21 **SECTION 240.** 79.03 (3c) (b) (intro.) of the statutes is amended to read:

22 79.03 (3c) (b) *Eligibility.* (intro.) -A- Ending with the distributions in 2003, a
23 municipality is eligible for a payment under this subsection if all of the following
24 conditions are met:

1 **SECTION 241.** 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
4 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
5 paid to each eligible municipality shall be paid on a prorated basis. The total amount
6 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
7 in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001;
8 \$11,110,000 in 2002; and \$11,221,100 in 2003 ~~and in each year thereafter, less~~
9 reductions under s. 79.085.

10 **SECTION 242.** 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
11 is amended to read:

12 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
13 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
14 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
15 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
16 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
17 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
18 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
19 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
20 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
21 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ~~ss.~~ 20.835
22 (1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less reductions under
23 s. 79.085, and \$170,671,600 to counties, less reductions under s. 79.085. In 2003 ~~and~~
24 ~~subsequent years,~~ the total amounts to be distributed under ss. 79.03, 79.04, and
25 79.06 from s. ~~ss.~~ 20.835 (1) (d) and 20.855 (4) (rb) are ~~\$776,783,700~~ \$769,092,800 to

1 municipalities and ~~\$172,378,300~~ \$170,671,600 to counties, less reductions under s.
2 79.085.

3 **SECTION 243.** 79.03 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
4 is amended to read:

5 79.03 (5) (a) In 2002 and ~~2003~~, each municipality shall receive a shared
6 revenue payment that is equal to the amount of the payment it received in the
7 previous year, multiplied by 101% and less reductions under s. 79.085.

8 **SECTION 244.** 79.03 (6) of the statutes is created to read:

9 79.03 (6) Beginning in 2004, no municipality or county may receive payments
10 under subs. (2) and (3) and no municipality may receive a payment under sub. (3c).

11 **SECTION 245.** 79.04 (1) (intro.) of the statutes, as affected by 2001 Wisconsin
12 Act 16, is amended to read:

13 79.04 (1) (intro.) Annually, ending with the distributions in 2003, the
14 department of administration, upon certification by the department of revenue, shall
15 distribute to a municipality having within its boundaries a production plant or a
16 general structure, including production plants and general structures under
17 construction, used by a light, heat, or power company assessed under s. 76.28 (2) or
18 76.29 (2), except property described in s. 66.0813 unless the production plant is
19 owned or operated by a local governmental unit located outside of the municipality,
20 or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by
21 a municipal electric company under s. 66.0825 the amount determined as follows:

22 **SECTION 246.** 79.04 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
23 is amended to read:

24 79.04 (2) (a) Annually, ending with the distributions in 2003, the department
25 of administration, upon certification by the department of revenue, shall distribute

1 from the shared revenue account to any county having within its boundaries a
2 production plant or a general structure, including production plants and general
3 structures under construction, used by a light, heat, or power company assessed
4 under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the
5 production plant is owned or operated by a local governmental unit that is located
6 outside of the municipality in which the production plant is located, or by an electric
7 cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal
8 electric company under s. 66.0825 an amount determined by multiplying by 6 mills
9 in the case of property in a town and by 3 mills in the case of property in a city or
10 village the first \$125,000,000 of the amount shown in the account, plus leased
11 property, of each public utility except qualified wholesale electric companies, as
12 defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either
13 “production plant, exclusive of land” and “general structures”, or “work in progress”
14 for production plants and general structures under construction, in the case of light,
15 heat, and power companies, electric cooperatives, or municipal electric companies,
16 for all property within the municipality in accordance with the system of accounts
17 established by the public service commission or rural electrification administration,
18 less depreciation thereon as determined by the department of revenue and less the
19 value of treatment plant and pollution abatement equipment, as defined under s.
20 70.11 (21) (a), as determined by the department of revenue plus an amount from the
21 shared revenue account determined by multiplying by 6 mills in the case of property
22 in a town, and 3 mills in the case of property in a city or village, of the total original
23 cost of production plant, general structures, and work-in-progress less depreciation,
24 land, and approved waste treatment facilities of each qualified wholesale electric
25 company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of

1 all property within the municipality. The total of amounts, as depreciated, from the
2 accounts of all public utilities for the same production plant is also limited to not
3 more than \$125,000,000. The amount distributable to a county in any year shall not
4 exceed \$100 times the population of the county.

5 **SECTION 247.** 79.04 (4) (a) of the statutes is amended to read:

6 79.04 (4) (a) Annually, ending with the distributions in 2003, in addition to the
7 amount distributed under sub. (1), the department of administration shall distribute
8 \$50,000 to a municipality if spent nuclear fuel is stored within the municipality on
9 December 31 of the preceding year. If a spent nuclear fuel storage facility is located
10 within one mile of a municipality, that municipality shall receive \$10,000 annually
11 and the municipality where that storage facility is located shall receive \$40,000
12 annually.

13 **SECTION 248.** 79.04 (4) (b) of the statutes is amended to read:

14 79.04 (4) (b) Annually, ending with the distributions in 2003, in addition to the
15 amount distributed under sub. (2), the department of administration shall distribute
16 \$50,000 to a county if spent nuclear fuel is stored within the county on December 31
17 of the preceding year. If a spent nuclear fuel storage facility is located at a production
18 plant located in more than one county, the payment shall be apportioned according
19 to the formula under sub. (1) (c) 2., except that the formula, as it applies to
20 municipalities in that subdivision, applies to counties in this paragraph. The
21 payment under this paragraph may not be less than \$10,000 annually.

22 **SECTION 249.** 79.04 (5) of the statutes is created to read:

23 79.04 (5) Beginning in 2004, no municipality or county may receive a payment
24 under this section.

25 **SECTION 250.** 79.05 (2) (intro.) of the statutes is amended to read:

1 79.05 (2) (intro.) ~~A- Ending with the distributions in 2003,~~ a municipality is
2 eligible for a payment under sub. (3) if it fulfills all of the following requirements:

3 **SECTION 251.** 79.05 (7) of the statutes is created to read:

4 79.05 (7) Beginning in 2004, no municipality may receive a payment under this
5 section.

6 **SECTION 252.** 79.058 (1) of the statutes is amended to read:

7 79.058 (1) ~~Each Ending with the distributions in 2003,~~ each county is entitled
8 to a mandate relief payment equal to the per person distribution under sub. (2) times
9 the county's population for the year in which the statement under s. 79.015 is
10 provided as determined under s. 16.96 (2).

11 **SECTION 253.** 79.058 (3) (d) of the statutes, as created by 2001 Wisconsin Act
12 16, is amended to read:

13 79.058 (3) (d) In 2002, \$20,971,400, less reductions under s. 79.085.

14 **SECTION 254.** 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

16 79.058 (3) (e) In 2003 ~~and subsequent years \$21,181,100, \$20,971,400, less~~
17 reductions under s. 79.085.

18 **SECTION 255.** 79.058 (4) of the statutes is created to read:

19 79.058 (4) Beginning in 2004, no county may receive a payment under this
20 section.

21 **SECTION 256.** 79.06 (1) (b) of the statutes is amended to read:

22 79.06 (1) (b) If the payments to any municipality or county under s. 79.03,
23 excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except after
24 the reductions under s. 79.085 in 2002, are less than 95% of the combined payments
25 to the municipality or county under this section and s. 79.03, excluding payments

1 under s. 79.03 (3c), for the previous year, the municipality or county has an aids
2 deficiency. The amount of the aids deficiency is the amount by which 95% of the
3 combined payments to the municipality or county under this section and s. 79.03,
4 excluding payments under s. 79.03 (3c), in the previous year exceeds the payments
5 to the municipality or county under s. 79.03, excluding payments under s. 79.03 (3c),
6 in the current year.

7 **SECTION 257.** 79.06 (3) of the statutes is created to read:

8 79.06 (3) SUNSET. Beginning in 2004, no municipality or county may receive
9 a payment under this section.

10 **SECTION 258.** 79.085 of the statutes is created to read:

11 **79.085 Reductions.** (1) CALCULATION. (a) The department of revenue shall
12 determine the amount of the payments under ss. 79.03 (2), (3), (3c), and (5) (a), 79.04,
13 79.05, and 79.06 to be distributed to each municipality in 2002 and the amount of the
14 payments under ss. 79.03 (2) and (3), 79.04, 79.058, and 79.06 to be distributed to
15 each county in 2002.

16 (b) The department of revenue shall reduce the amount of the payments to be
17 distributed to each municipality and county, as determined under par. (a), by
18 subtracting from such payments an amount based on population, as determined by
19 the department, so that the total amount of the reduction to all such payments in
20 2002 is \$350,000,000, except that the reduction applied to any county's or
21 municipality's payment shall not exceed the amount determined under par. (a) to be
22 distributed to the municipality or county in 2002. Notwithstanding s. 79.005 (2), to
23 calculate reductions under this paragraph, the department shall estimate
24 population by using the 2000 federal decennial census.

1 (c) The amount of the payments under ss. 79.03 (2), (3), and (3c), 79.04, 79.05,
2 and 79.06 to be distributed to each municipality in 2003 and the amount of the
3 payments under ss. 79.03 (2) and (3), 79.04, 79.058, and 79.06 to be distributed to
4 each county in 2003 shall be equal to the amount of such payments distributed to the
5 municipality or county in 2002 as calculated under par. (b).

6 (2) REDUCTION PRIORITY. (a) For payments to counties in 2002 and 2003, after
7 the department of revenue calculates the total reduction of payments to counties
8 under sub. (1) (b), the department shall reduce the following payments, consistent
9 with the calculation under par. (b), in the following order:

- 10 1. Payments from the appropriation account under s. 20.835 (1) (f).
- 11 2. Payments from the appropriation account under s. 20.835 (1) (d).

12 (b) For payments to municipalities in 2002 and 2003, after the department of
13 revenue calculates the total reduction of payments to municipalities under sub. (1)
14 (b), the department shall reduce the following payments, consistent with the
15 calculation under par. (b), in the following order:

- 16 1. Payments from the appropriation account under s. 20.835 (1) (d).
- 17 2. Payments from the appropriation account under s. 20.835 (1) (b).
- 18 3. Payments from the appropriation account under s. 20.835 (1) (c).

19 **SECTION 259.** 86.192 (4) of the statutes is amended to read:

20 86.192 (4) Any person who violates this section ~~shall be fined not more than~~
21 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
22 if the injury, defacement or removal causes the death of a person.

23 **SECTION 260.** 93.29 of the statutes is repealed.

24 **SECTION 261.** 97.43 (4) of the statutes is amended to read:

1 97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~
2 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
3 guilty of a Class H felony.

4 **SECTION 262.** 97.45 (2) of the statutes is amended to read:

5 97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~
6 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
7 guilty of a Class H felony.

8 **SECTION 263.** 100.171 (7) (b) of the statutes is amended to read:

9 100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~
10 ~~more than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class~~
11 I felony. A person intentionally violates this section if the violation occurs after the
12 department or a district attorney has notified the person by certified mail that the
13 person is in violation of this section.

14 **SECTION 264.** 100.2095 (6) (d) of the statutes is amended to read:

15 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less
16 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
17 9 months or both. Each day of violation constitutes a separate offense.

18 **SECTION 265.** 100.26 (2) of the statutes is amended to read:

19 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~
20 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
21 ~~6 months or both is guilty of a Class I felony.~~

22 **SECTION 266.** 100.26 (5) of the statutes, as affected by 2001 Wisconsin Act 16,
23 is amended to read:

1 100.26 (5) Any person violating s. 100.18 (9) ~~shall~~ may be fined not less than
2 \$100 ~~nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months
3 or both. Each day of violation constitutes a separate offense.

4 **SECTION 267.** 100.26 (7) of the statutes is amended to read:

5 100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than ~~\$500~~
6 ~~nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
7 both for each offense. Each unlawful advertisement published, printed or mailed on
8 separate days or in separate publications, hand bills or direct mailings is a separate
9 violation of this section.

10 **SECTION 268.** 101.10 (4) (b) of the statutes, as created by 2001 Wisconsin Act
11 3, is amended to read:

12 101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)
13 ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~
14 ~~months, or both, for each violation is guilty of a Class I felony.~~ Notwithstanding s.
15 101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

16 **SECTION 269.** 101.143 (10) (b) of the statutes is amended to read:

17 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
18 or service provider who intentionally destroys a document that is relevant to a claim
19 for reimbursement under this section ~~may be fined not more than \$10,000 or~~
20 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

21 **SECTION 270.** 101.9204 (2) of the statutes is amended to read:

22 101.9204 (2) Any person who knowingly makes a false statement in an
23 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
24 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

25 **SECTION 271.** 101.94 (8) (b) of the statutes is amended to read:

1 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
2 knowingly and wilfully violates this subchapter in a manner which threatens the
3 health or safety of a purchaser ~~shall~~ may be fined not more than ~~\$1,000~~ \$10,000 or
4 imprisoned for not more than ~~2-years~~ 9 months or both.

5 **SECTION 272.** 102.835 (11) of the statutes is amended to read:

6 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in
7 removing, depositing or concealing any property upon which a levy is authorized
8 under this section with intent to evade or defeat the assessment or collection of any
9 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
10 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
11 costs of prosecution.

12 **SECTION 273.** 102.835 (18) of the statutes is amended to read:

13 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
14 employer may discharge or otherwise discriminate with respect to the terms and
15 conditions of employment against any employee by reason of the fact that his or her
16 earnings have been subject to levy for any one levy or because of compliance with any
17 provision of this section. Whoever wilfully violates this subsection may be fined not
18 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

19 **SECTION 274.** 102.85 (3) of the statutes is amended to read:

20 102.85 (3) An employer who violates an order to cease operations under s.
21 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
22 ~~years or both~~ is guilty of a Class I felony.

23 **SECTION 275.** 108.225 (11) of the statutes is amended to read:

24 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
25 removing, depositing or concealing any property upon which a levy is authorized

1 under this section with intent to evade or defeat the assessment or collection of any
2 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
3 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
4 costs of prosecution.

5 **SECTION 276.** 108.225 (18) of the statutes is amended to read:

6 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
7 employer may discharge or otherwise discriminate with respect to the terms and
8 conditions of employment against any employec by reason of the fact that his or her
9 earnings have been subject to levy for any one levy or because of compliance with any
10 provision of this section. Whoever wilfully violates this subsection may be fined not
11 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than 2 years 9 months or both.

12 **SECTION 277.** 110.07 (5) (a) of the statutes is amended to read:

13 110.07 (5) (a) In this subsection, "bulletproof garment" ~~has the meaning given~~
14 ~~in s. 939.64 (1) means a vest or other garment designed, redesigned, or adapted to~~
15 prevent bullets from penetrating through the garment.

16 **SECTION 278.** 114.20 (18) (c) of the statutes is amended to read:

17 114.20 (18) (c) Any person who knowingly makes a false statement in any
18 application or in any other document required to be filed with the department, or who
19 knowingly foregoes the submission of any application, document, or any registration
20 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
21 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

22 **SECTION 279.** 115.28 (40) of the statutes is repealed.

23 **SECTION 280.** 115.31 (2g) of the statutes is amended to read:

24 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
25 revoke a license granted by the state superintendent, without a hearing, if the

1 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.
2 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any
3 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
4 violation that occurs on or after the effective date of this subsection [revisor inserts
5 date].

6 **SECTION 281.** 118.19 (4) (a) of the statutes is amended to read:

7 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
8 may not grant a license, for 6 years following the date of the conviction, to any person
9 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except
10 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a
11 violation that occurs on or after September 12, 1991, ~~for 6 years following the date~~
12 ~~of the conviction, and~~ or any Class E, F, G, or H felony under ch. 940 or 948, except
13 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this
14 paragraph [revisor inserts date]. The state superintendent may grant the license
15 only if the person establishes by clear and convincing evidence that he or she is
16 entitled to the license.

17 **SECTION 282.** 118.30 (1m) (d) of the statutes is amended to read:

18 118.30 (1m) (d) If the school board operates high school grades, beginning in
19 the ~~2002-03~~ 2004-05 school year administer the high school graduation
20 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
21 the school district, including pupils enrolled in charter schools located in the school
22 district, in the 11th and 12th grades. The school board shall administer the
23 examination at least twice each school year and may administer the examination
24 only to pupils enrolled in the 11th and 12th grades.

25 **SECTION 283.** 118.30 (1r) (d) of the statutes is amended to read:

1 118.30 (1r) (d) If the charter school operates high school grades, beginning in
2 the ~~2002-03~~ 2004-05 school year, administer the high school graduation
3 examination adopted by the operator of the charter school under sub. (1g) (b) to all
4 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the
5 charter school shall administer the examination at least twice each school year and
6 may administer the examination only to pupils enrolled in the 11th and 12th grades.

7 **SECTION 284.** 118.33 (1) (f) of the statutes is amended to read:

8 118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high
9 school grades shall develop a written policy specifying criteria for granting a high
10 school diploma that are in addition to the requirements under par. (a). The criteria
11 shall include the pupil's score on the examination administered under s. 118.30 (1m)
12 (d), the pupil's academic performance, and the recommendations of teachers. Except
13 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
14 in the school district.

15 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
16 (2r) that operates high school grades shall develop a policy specifying criteria for
17 granting a high school diploma. The criteria shall include the pupil's score on the
18 examination administered under s. 118.30 (1r) (d), the pupil's academic
19 performance, and the recommendations of teachers.

20 3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an
21 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to
22 any pupil unless the pupil has satisfied the criteria specified in the school board's or
23 charter school's policy under subd. 1. or 2.

24 **SECTION 285.** 121.07 (7) (a) of the statutes is amended to read:

1 121.07 (7) (a) The "primary guaranteed valuation per member" is \$2,000,000
2 \$1,930,000.

3 **SECTION 286.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin
4 Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

5 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state
6 school aids, other than the amounts appropriated under s. 20.255 (2) and (cv),
7 property taxes levied for school districts and aid paid to school districts under s.
8 79.095 (4), less the all of the following:

9 a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a
10 school board's increasing the services that it provides by adding responsibility for
11 providing a service transferred to it from another school board, less the.

12 b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3., less the

13 c. The amount of any revenue limit increase under s. 121.91 (4) (j), less the.

14 d. The amount of any revenue limit increase under s. 121.91 (4) (h), less the.

15 e. The amount of any property taxes levied for the purpose of s. 120.13 (19), and
16 less an.

17 f. An amount equal to 45% of the amount estimated to be paid under s. 119.23
18 (4) and (4m).

19 **SECTION 287.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

20 121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service
21 on debt that has been approved by a referendum exceeds \$490,000,000.

22 **SECTION 288.** 121.15 (3m) (c) of the statutes is amended to read:

23 121.15 (3m) (c) By June 30, ~~1999~~ 2004, and ~~annually~~ biennially by June 30
24 thereafter, the joint committee on finance shall determine the amount appropriated
25 under s. 20.255 (2) (ac) in the following school year.

1 **SECTION 289.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and
2 amended to read:

3 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
4 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
5 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

6 **SECTION 290.** 125.075 (2) (b) of the statutes is created to read:

7 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
8 underage person dies.

9 **SECTION 291.** 125.085 (3) (a) 2. of the statutes is amended to read:

10 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
11 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
12 ~~3 years or both~~ is guilty of a Class I felony.

13 **SECTION 292.** 125.105 (2) (b) of the statutes is amended to read:

14 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
15 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
16 ~~and 6 months or both~~ is guilty of a Class H felony.

17 **SECTION 293.** 125.66 (3) of the statutes is amended to read:

18 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
19 holding appropriate permits under this chapter, or any person who sells such liquor,
20 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~
21 ~~both. Second or subsequent convictions shall be punished by both the fine and~~
22 ~~imprisonment~~ is guilty of a Class F felony.

23 **SECTION 294.** 125.68 (12) (b) of the statutes is amended to read:

1 125.68 (12) (b) Whoever violates par. (a) ~~shall be fined not less than \$1,000 nor~~
2 ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~
3 ~~or both~~ is guilty of a Class F felony.

4 **SECTION 295.** 125.68 (12) (c) of the statutes is amended to read:

5 125.68 (12) (c) Any person causing the death of another human being through
6 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
7 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~
8 ~~for not more than 15 years~~ is guilty of a Class E felony.

9 **SECTION 296.** 132.20 (2) of the statutes is amended to read:

10 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
11 in this state in a counterfeit mark or in any goods or service bearing or provided
12 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,
13 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
14 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~
15 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
16 person may be fined not more than \$1,000,000.

17 **SECTION 297.** 133.03 (1) of the statutes is amended to read:

18 133.03 (1) Every contract, combination in the form of trust or otherwise, or
19 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
20 contract or engages in any combination or conspiracy in restraint of trade or
21 commerce is guilty of a Class H felony, except that, notwithstanding the maximum
22 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if
23 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~
24 ~~imprisoned for not more than 7 years and 6 months or both.~~

25 **SECTION 298.** 133.03 (2) of the statutes is amended to read:

1 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
2 combines or conspires with any other person or persons to monopolize any part of
3 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
4 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
5 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
6 ~~or imprisoned for not more than 7 years and 6 months or both.~~

7 **SECTION 299.** 134.05 (4) of the statutes is amended to read:

8 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
9 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
10 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
11 9 months or both.

12 **SECTION 300.** 134.16 of the statutes is amended to read:

13 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
14 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
15 brokerage or deposit company, corporation or institution, or of any person, company
16 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
17 business in any way, or any person engaged in such business in whole or in part, who
18 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
19 money, or any bills, notes or other paper circulating as money, or any notes, drafts,
20 bills of exchange, bank checks or other commercial paper for safekeeping or for
21 collection, when he or she knows or has good reason to know that such bank, company
22 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
23 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
24 ~~not more than \$10,000~~ is guilty of a Class F felony.

25 **SECTION 301.** 134.20 (1) (intro.) of the statutes is amended to read:

1 required or authorized by law to be acknowledged or sworn to before any notary
2 public, within this state, shall be attested by a clear impression of the official seal or
3 imprint of the rubber stamp of said officer, and in addition thereto shall be written
4 or stamped either the day, month and year when the commission of said notary public
5 will expire, or that such commission is permanent.

6 **SECTION 309.** Subchapter II (title) of chapter 137 [precedes 137.04] of the
7 statutes is amended to read:

8 **CHAPTER 137**

9 **SUBCHAPTER II**

10 **ELECTRONIC SIGNATURES**

11 **TRANSACTIONS AND RECORDS:**

12 **ELECTRONIC NOTARIZATION**

13 **AND ACKNOWLEDGEMENT**

14 **SECTION 310.** 137.04 of the statutes is repealed.

15 **SECTION 311.** 137.05 (title) of the statutes is renumbered 137.25 (title) and
16 amended to read:

17 **137.25 (title) Submission of written documents records to**
18 **governmental units; interoperability.**

19 **SECTION 312.** 137.05 of the statutes is renumbered 137.25 (1) and amended to
20 read:

21 137.25 (1) Unless otherwise ~~prohibited~~ provided by law, with the consent of a
22 governmental unit of this state that is to receive a record, any document record that
23 is required by law to be submitted in writing to a that governmental unit and that
24 requires a written signature may be submitted by ~~transforming the document into~~
25 as an electronic format, but only with the consent of the governmental unit that is

1 ~~to receive the document record, and if submitted as an electronic record may~~
2 ~~incorporate an electronic signature.~~

3 **SECTION 313.** 137.06 of the statutes is repealed.

4 **SECTION 314.** 137.11 to 137.24 of the statutes are created to read:

5 **137.11 Definitions.** In this subchapter:

6 (1) “Agreement” means the bargain of the parties in fact, as found in their
7 language or inferred from other circumstances and from rules, regulations, and
8 procedures given the effect of agreements under laws otherwise applicable to a
9 particular transaction.

10 (2) “Automated transaction” means a transaction conducted or performed, in
11 whole or in part, by electronic means or by the use of electronic records, in which the
12 acts or records of one or both parties are not reviewed by an individual in the ordinary
13 course in forming a contract, performing under an existing contract, or fulfilling an
14 obligation required by the transaction.

15 (3) “Computer program” means a set of statements or instructions to be used
16 directly or indirectly in an information processing system in order to bring about a
17 certain result.

18 (4) “Contract” means the total legal obligation resulting from the parties’
19 agreement as affected by this subchapter and other applicable law.

20 (5) “Electronic” means relating to technology having electrical, digital,
21 magnetic, wireless, optical, electromagnetic, or similar capabilities.

22 (6) “Electronic agent” means a computer program or an electronic or other
23 automated means used independently to initiate an action or respond to electronic
24 records or performances in whole or in part, without review or action by an
25 individual.

1 (7) “Electronic record” means a record that is created, generated, sent,
2 communicated, received, or stored by electronic means.

3 (8) “Electronic signature” means an electronic sound, symbol, or process
4 attached to or logically associated with a record and executed or adopted by a person
5 with the intent to sign the record.

6 (9) “Governmental unit” means:

7 (a) An agency, department, board, commission, office, authority, institution, or
8 instrumentality of the federal government or of a state or of a political subdivision
9 of a state or special purpose district within a state, regardless of the branch or
10 branches of government in which it is located.

11 (b) A political subdivision of a state or special purpose district within a state.

12 (c) An association or society to which appropriations are made by law.

13 (d) Any body within one or more of the entities specified in pars. (a) to (c) that
14 is created or authorized to be created by the constitution, by law, or by action of one
15 or more of the entities specified in pars. (a) to (c).

16 (e) Any combination of any of the entities specified in pars. (a) to (d).

17 (10) “Information” means data, text, images, sounds, codes, computer
18 programs, software, databases, or the like.

19 (11) “Information processing system” means an electronic system for creating,
20 generating, sending, receiving, storing, displaying, or processing information.

21 (12) “Record” means information that is inscribed on a tangible medium or that
22 is stored in an electronic or other medium and is retrievable in perceivable form.

23 (13) “Security procedure” means a procedure employed for the purpose of
24 verifying that an electronic signature, record, or performance is that of a specific
25 person or for detecting changes or errors in the information in an electronic record.

1 The term includes a procedure that requires the use of algorithms or other codes,
2 identifying words or numbers, encryption, callback, or other acknowledgment
3 procedures.

4 (14) "State" means a state of the United States, the District of Columbia,
5 Puerto Rico, the U.S. Virgin Islands, or any territory or insular possession subject
6 to the jurisdiction of the United States. The term includes an Indian tribe or band,
7 or Alaskan native village, which is recognized by federal law or formally
8 acknowledged by a state.

9 (15) "Transaction" means an action or set of actions occurring between 2 or
10 more persons relating to the conduct of business, commercial, or governmental
11 affairs.

12 **137.115 Relation to federal law.** For the purpose of satisfying 15 USC 7002
13 (a) (2) (B) as that statute relates to this subchapter, this state acknowledges the
14 existence of the Electronic Signatures in Global and National Commerce Act, 15 USC
15 7001 to 7031.

16 **137.12 Application.** (1) Except as otherwise provided in subs. (2) and (2m)
17 and except in s. 137.25, this subchapter applies to electronic records and electronic
18 signatures relating to a transaction.

19 (2) Except as otherwise provided in sub. (3), this subchapter does not apply to
20 a transaction to the extent it is governed by:

21 (a) Any law governing the execution of wills or the creation of testamentary
22 trusts; or

23 (b) Chapters 401 and 403 to 410, other than ss. 401.107 and 401.206.

24 (2m) This subchapter does not apply to any of the following records or any
25 transaction evidenced by any of the following records:

1 (a) Deeds.

2 (b) Records governed by any law relating to adoption, divorce, or other matters
3 of family law.

4 (c) Notices provided by a court.

5 (d) Court orders or judgements.

6 (e) Official court documents, including, but not limited to, briefs, pleadings,
7 affidavits, memorandum decisions, and other writings, required to be executed in
8 connection with court proceedings.

9 (f) Records required by law to accompany any transportation or handling of
10 hazardous materials, pesticides, or other toxic or dangerous materials.

11 (g) Notices of cancelation or termination of utility services, including heat,
12 water, basic local telecommunications services, and power.

13 (h) Notices of default, acceleration, repossession, foreclosure, or eviction, or the
14 right to cure, under a credit agreement secured by, or a rental agreement for, a
15 primary residence of an individual.

16 (i) Notices of the cancellation or termination of health insurance or benefits or
17 life insurance benefits other than annuities.

18 (j) Notices of the recall of a product, or the material failure of a product, that
19 risks endangering health or safety.

20 (3) This subchapter applies to an electronic record or electronic signature
21 otherwise excluded from the application of this subchapter under sub. (2) to the
22 extent it is governed by a law other than those specified in sub. (2).

23 (4) A transaction subject to this subchapter is also subject to other applicable
24 substantive law.

1 (5) This subchapter applies to the state of Wisconsin, unless otherwise
2 expressly provided.

3 **137.13 Use of electronic records and electronic signatures; variation**
4 **by agreement.** (1) This subchapter does not require a record or signature to be
5 created, generated, sent, communicated, received, stored, or otherwise processed or
6 used by electronic means or in electronic form.

7 (2) This subchapter applies only to transactions between parties each of which
8 has agreed to conduct transactions by electronic means. Whether the parties agree
9 to conduct a transaction by electronic means is determined from the context and
10 surrounding circumstances, including the parties' conduct.

11 (3) A party that agrees to conduct a transaction by electronic means may refuse
12 to conduct other transactions by electronic means. The right granted by this
13 subsection may not be waived by agreement.

14 (4) Except as otherwise provided in this subchapter, the effect of any provision
15 of this subchapter may be varied by agreement. Use of the words "unless otherwise
16 agreed," or words of similar import, in this subchapter shall not be interpreted to
17 preclude other provisions of this subchapter from being varied by agreement.

18 (5) Whether an electronic record or electronic signature has legal consequences
19 is determined by this subchapter and other applicable law.

20 **137.14 Construction.** This subchapter shall be construed and applied:

21 (1) To facilitate electronic transactions consistent with other applicable law;

22 (2) To be consistent with reasonable practices concerning electronic
23 transactions and with the continued expansion of those practices; and

24 (3) To effectuate its general purpose to make uniform the law with respect to
25 the subject of this subchapter among states enacting laws substantially similar to

1 the Uniform Electronic Transactions Act as approved and recommended by the
2 National Conference of Commissioners on Uniform State Laws in 1999.

3 **137.15 Legal recognition of electronic records, electronic signatures,**
4 **and electronic contracts.** (1) A record or signature may not be denied legal effect
5 or enforceability solely because it is in electronic form.

6 (2) A contract may not be denied legal effect or enforceability solely because an
7 electronic record was used in its formation.

8 (3) If a law requires a record to be in writing, an electronic record satisfies that
9 requirement in that law.

10 (4) If a law requires a signature, an electronic signature satisfies that
11 requirement in that law.

12 **137.16 Provision of information in writing; presentation of records.**

13 (1) If parties have agreed to conduct a transaction by electronic means and a law
14 requires a person to provide, send, or deliver information in writing to another
15 person, a party may satisfy the requirement with respect to that transaction if the
16 information is provided, sent, or delivered, as the case may be, in an electronic record
17 capable of retention by the recipient at the time of receipt. An electronic record is not
18 capable of retention by the recipient if the sender or its information processing
19 system inhibits the ability of the recipient to print or store the electronic record.

20 (2) If a law other than this subchapter requires a record to be posted or
21 displayed in a certain manner, to be sent, communicated, or transmitted by a
22 specified method, or to contain information that is formatted in a certain manner,
23 then:

24 (a) The record shall be posted or displayed in the manner specified in the other
25 law.

1 (b) Except as otherwise provided in sub. (4) (b), the record shall be sent,
2 communicated, or transmitted by the method specified in the other law.

3 (c) The record shall contain the information formatted in the manner specified
4 in the other law.

5 (3) If a sender inhibits the ability of a recipient to store or print an electronic
6 record, the electronic record is not enforceable against the recipient.

7 (4) The requirements of this section may not be varied by agreement, but:

8 (a) To the extent a law other than this subchapter requires information to be
9 provided, sent, or delivered in writing but permits that requirement to be varied by
10 agreement, the requirement under sub. (1) that the information be in the form of an
11 electronic record capable of retention may also be varied by agreement; and

12 (b) A requirement under a law other than this subchapter to send,
13 communicate, or transmit a record by 1st-class or regular mail or with postage
14 prepaid may be varied by agreement to the extent permitted by the other law.

15 **137.17 Attribution and effect of electronic records and electronic**
16 **signatures.** (1) An electronic record or electronic signature is attributable to a
17 person if the electronic record or electronic signature was created by the act of the
18 person. The act of the person may be shown in any manner, including a showing of
19 the efficacy of any security procedure applied to determine the person to which the
20 electronic record or electronic signature was attributable.

21 (2) The effect of an electronic record or electronic signature that is attributed
22 to a person under sub. (1) is determined from the context and surrounding
23 circumstances at the time of its creation, execution, or adoption, including the
24 parties' agreement, if any, and otherwise as provided by law.

1 **137.18 Effect of change or error.** (1) If a change or error in an electronic
2 record occurs in a transmission between parties to a transaction, then:

3 (a) If the parties have agreed to use a security procedure to detect changes or
4 errors and one party has conformed to the procedure, but the other party has not, and
5 the nonconforming party would have detected the change or error had that party also
6 conformed, the conforming party may avoid the effect of the changed or erroneous
7 electronic record.

8 (b) In an automated transaction involving an individual, the individual may
9 avoid the effect of an electronic record that resulted from an error made by the
10 individual in dealing with the electronic agent of another person if the electronic
11 agent did not provide an opportunity for the prevention or correction of the error and,
12 at the time the individual learns of the error, the individual:

13 1. Promptly notifies the other person of the error and that the individual did
14 not intend to be bound by the electronic record received by the other person;

15 2. Takes reasonable steps, including steps that conform to the other person's
16 reasonable instructions, to return to the other person or, if instructed by the other
17 person, to destroy the consideration received, if any, as a result of the erroneous
18 electronic record; and

19 3. Has not used or received any benefit or value from the consideration, if any,
20 received from the other person.

21 (2) If neither sub. (1) (a) nor (b) applies, the change or error has the effect
22 provided by other law, including the law of mistake, and the parties' contract, if any.

23 (3) Subsections (1) (b) and (2) may not be varied by agreement.

24 **137.19 Notarization and acknowledgement.** If a law requires a signature
25 or record to be notarized, acknowledged, verified, or made under oath, the

1 requirement is satisfied if, consistent with any applicable rules promulgated under
2 s. 137.01 (4) (a), the electronic signature of the person authorized to administer the
3 oath or to make the notarization, acknowledgment, or verification, together with all
4 other information required to be included by other applicable law, is attached to or
5 logically associated with the signature or record.

6 **137.20 Retention of electronic records; originals.** (1) Except as provided
7 in sub. (6), if a law requires that a record be retained, the requirement is satisfied
8 by retaining the information set forth in the record as an electronic record which:

9 (a) Accurately reflects the information set forth in the record after it was first
10 generated in its final form as an electronic record or otherwise; and

11 (b) Remains accessible for later reference.

12 (2) A requirement to retain a record in accordance with sub. (1) does not apply
13 to any information the sole purpose of which is to enable the record to be sent,
14 communicated, or received.

15 (3) A person may comply with sub. (1) by using the services of another person
16 if the requirements of that subsection are satisfied.

17 (4) Except as provided in sub. (6), if a law requires a record to be presented or
18 retained in its original form, or provides consequences if the record is not presented
19 or retained in its original form, a person may comply with that law by using an
20 electronic record that is retained in accordance with sub. (1).

21 (5) Except as provided in sub. (6), if a law requires retention of a check, that
22 requirement is satisfied by retention of an electronic record containing the
23 information on the front and back of the check in accordance with sub. (1).

24 (6) (a) Except as provided in par. (b), a record retained as an electronic record
25 in accordance with sub. (1) satisfies a law requiring a person to retain a record for

1 evidentiary, audit, or like purposes, unless a law enacted after the effective date of
2 this paragraph [revisor inserts date], specifically prohibits the use of an electronic
3 record for the specified purpose.

4 (b) A governmental unit that has custody of a record is also further subject to
5 the retention requirements for public records of state agencies and the records of the
6 University of Wisconsin Hospitals and Clinics Authority established under ss. 16.61
7 and 16.611 and the retention requirements for documents of local governmental
8 units established under s. 16.612.

9 (7) The public records board may promulgate rules prescribing standards
10 consistent with this subchapter for retention of records by state agencies, the
11 University of Wisconsin Hospitals and Clinics Authority and local governmental
12 units.

13 (8) This section does not preclude the public records board, the department of
14 electronic government, or any other governmental unit of this state from specifying
15 additional requirements for the retention of any record of another governmental unit
16 subject to its jurisdiction.

17 **137.21 Admissibility in evidence.** In a proceeding, a record or signature
18 may not be excluded as evidence solely because it is in electronic form.

19 **137.22 Automated transactions.** In an automated transaction:

20 (1) A contract may be formed by the interaction of electronic agents of the
21 parties, even if no individual was aware of or reviewed the electronic agent's actions
22 or the resulting terms and agreements.

23 (2) A contract may be formed by the interaction of an electronic agent and an
24 individual, acting on the individual's own behalf or for another person, including by
25 an interaction in which the individual performs actions that the individual is free to

1 refuse to perform and which the individual knows or has reason to know will cause
2 the electronic agent to complete the transaction or performance.

3 (3) The terms of a contract under sub. (1) or (2) are governed by the substantive
4 law applicable to the contract.

5 **137.23 Time and place of sending and receipt.** (1) Unless otherwise
6 agreed between the sender and the recipient, an electronic record is sent when it:

7 (a) Is addressed properly or otherwise directed properly to an information
8 processing system that the recipient has designated or uses for the purpose of
9 receiving electronic records or information of the type sent and from which the
10 recipient is able to retrieve the electronic record;

11 (b) Is in a form capable of being processed by that system; and

12 (c) Enters an information processing system outside the control of the sender
13 or of a person that sent the electronic record on behalf of the sender or enters a region
14 of the information processing system designated or used by the recipient which is
15 under the control of the recipient.

16 (2) Unless otherwise agreed between a sender and the recipient, an electronic
17 record is received when:

18 (a) It enters an information processing system that the recipient has
19 designated or uses for the purpose of receiving electronic records or information of
20 the type sent and from which the recipient is able to retrieve the electronic record;
21 and

22 (b) It is in a form capable of being processed by that system.

23 (3) Subsection (2) applies even if the place where the information processing
24 system is located is different from the place where the electronic record is deemed
25 to be received under sub. (4).

1 (4) Unless otherwise expressly provided in the electronic record or agreed
2 between the sender and the recipient, an electronic record is deemed to be sent from
3 the sender's place of business and to be received at the recipient's place of business.
4 For purposes of this subsection:

5 (a) If the sender or recipient has more than one place of business, the place of
6 business of that person is the place having the closest relationship to the underlying
7 transaction.

8 (b) If the sender or the recipient does not have a place of business, the place of
9 business is the sender's or recipient's residence, as the case may be.

10 (5) An electronic record is received under sub. (2) even if no individual is aware
11 of its receipt.

12 (6) Receipt of an electronic acknowledgment from an information processing
13 system described in sub. (2) establishes that a record was received but, by itself, does
14 not establish that the content sent corresponds to the content received.

15 (7) If a person is aware that an electronic record purportedly sent under sub.
16 (1), or purportedly received under sub. (2), was not actually sent or received, the legal
17 effect of the sending or receipt is determined by other applicable law. Except to the
18 extent permitted by the other law, the requirements of this subsection may not be
19 varied by agreement.

20 **137.24 Transferable records.** (1) In this section, "transferable record"
21 means an electronic record that would be a note under ch. 403 or a document under
22 ch. 407 if the electronic record were in writing.

23 (1m) An electronic record qualifies as a transferable record under this section
24 only if the issuer of the electronic record expressly has agreed that the electronic
25 record is a transferable record.

1 (2) A person has control of a transferable record if a system employed for
2 evidencing the transfer of interests in the transferable record reliably establishes
3 that person as the person to which the transferable record was issued or transferred.

4 (3) A system satisfies the requirements of sub. (2), and a person is deemed to
5 have control of a transferable record, if the transferable record is created, stored, and
6 assigned in such a manner that:

7 (a) A single authoritative copy of the transferable record exists which is unique,
8 identifiable, and, except as otherwise provided in pars. (d) to (f), unalterable;

9 (b) The authoritative copy identifies the person asserting control as the person
10 to which the transferable record was issued or, if the authoritative copy indicates
11 that the transferable record has been transferred, the person to which the
12 transferable record was most recently transferred;

13 (c) The authoritative copy is communicated to and maintained by the person
14 asserting control or its designated custodian;

15 (d) Copies or revisions that add or change an identified assignee of the
16 authoritative copy can be made only with the consent of the person asserting control;

17 (e) Each copy of the authoritative copy and any copy of a copy is readily
18 identifiable as a copy that is not the authoritative copy; and

19 (f) Any revision of the authoritative copy is readily identifiable as authorized
20 or unauthorized.

21 (4) Except as otherwise agreed, a person having control of a transferable record
22 is the holder, as defined in s. 401.201 (20), of the transferable record and has the same
23 rights and defenses as a holder of an equivalent record or writing under chs. 401 to
24 411, including, if the applicable statutory requirements under s. 403.302 (1),
25 407.501, or 409.308 are satisfied, the rights and defenses of a holder in due course,

1 a holder to which a negotiable record of title has been duly negotiated, or a purchaser,
2 respectively. Delivery, possession, and endorsement are not required to obtain or
3 exercise any of the rights under this subsection.

4 (5) Except as otherwise agreed, an obligor under a transferable record has the
5 same rights and defenses as an equivalent obligor under equivalent records or
6 writings under chs. 401 to 411.

7 (6) If requested by a person against which enforcement is sought, the person
8 seeking to enforce the transferable record shall provide reasonable proof that the
9 person is in control of the transferable record. Proof may include access to the
10 authoritative copy of the transferable record and related business records sufficient
11 to review the terms of the transferable record and to establish the identity of the
12 person having control of the transferable record.

13 **SECTION 315.** 137.25 (2) of the statutes is created to read:

14 137.25 (2) The department of electronic government shall promulgate rules
15 concerning the use of electronic records and electronic signatures by governmental
16 units, which shall govern the use of electronic records or signatures by governmental
17 units, unless otherwise provided by law. The rules shall include standards regarding
18 the receipt of electronic records or electronic signatures that promote consistency
19 and interoperability with other standards adopted by other governmental units of
20 this state and other states and the federal government and nongovernmental
21 persons interacting with governmental units of this state. The standards may
22 include alternative provisions if warranted to meet particular applications.

23 **SECTION 316.** 139.44 (1) of the statutes is amended to read:

24 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
25 any stamp or procures or causes the same to be done, or who knowingly utters,

1 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
2 affixes the same to any package or container of cigarettes, or who possesses with the
3 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
4 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
5 ~~years~~ is guilty of a Class G felony.

6 **SECTION 317.** 139.44 (1m) of the statutes is amended to read:

7 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
8 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
9 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

10 **SECTION 318.** 139.44 (2) of the statutes is amended to read:

11 139.44 (2) Any person who makes or signs any false or fraudulent report or who
12 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
13 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor
14 more than \$5,000 \$10,000 or imprisoned ~~for not less than 90 days nor more than 2~~
15 ~~years~~ 9 months or both.

16 **SECTION 319.** 139.44 (8) (c) of the statutes is amended to read:

17 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
18 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
19 Class I felony.

20 **SECTION 320.** 139.85 (1) of the statutes is amended to read:

21 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
22 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may
23 be fined not less than \$1,000 nor more than \$5,000 \$10,000 or imprisoned for not less
24 ~~than 90 days nor more than one year~~ 9 months or both.

25 **SECTION 321.** 139.95 (2) of the statutes is amended to read:

1 (1s) “Electronic chain letter” means an electronic mail message that is sent to
2 more than one recipient with a request that each recipient send copies of the message
3 to other recipients.

4 (2) “Electronic mail service provider” means any person that is an intermediary
5 in sending or receiving electronic mail and that provides to Internet users the ability
6 to send or receive electronic mail.

7 (3) “Electronic mail solicitation” means an electronic mail message that a
8 person sends for personal gain or compensation, or in the expectation of personal
9 gain or compensation, to encourage another person to purchase property, goods or
10 services or to visit a Web site.

11 (4) “Home page” means the first page of a Web site that is displayed when a
12 person visits the computer address of the Web site.

13 (5) “Internet domain name” means a name identifying the Internet address of
14 a person on the Internet that the person has registered with an organization that
15 assigns and maintains names for Internet addresses, including the Internet
16 Network Information Center, the U.S. Domain Name Registration Services, or any
17 successor organization.

18 (6) “Internet user” means a person that maintains an electronic mail address
19 with an electronic mail service provider.

20 (7) “Public Web site” means a Web site that is accessible at no charge to a person
21 who visits the Web site.

22 (8) “Resident” means an individual who is a resident of this state.

23 (9) “Send” means to initiate the transmission of an electronic mail message, but
24 does not include any transmission of the message by an electronic mail service
25 provider.

1 (10) "Solicitation or chain letter policy" means the policy of an electronic mail
2 service provider regarding the sending of electronic mail solicitations or electronic
3 chain letters by or to the provider's Internet users.

4 (11) "Web site" means a collection of related computer files on the Internet that
5 is located at an Internet address.

6 **141.02 Electronic mail. (1) SOLICITATION OR CHAIN LETTER POLICY VIOLATIONS.**

7 (a) Subject to par. (b):

8 1. No Internet user of an electronic mail service provider may send an electronic
9 mail solicitation or electronic chain letter that uses the equipment of the provider in
10 a manner that violates the provider's solicitation or chain letter policy.

11 2. No person may send an electronic mail solicitation or electronic chain letter
12 to an Internet user that uses the equipment of the Internet user's electronic mail
13 service provider in a manner that violates the provider's solicitation or chain letter
14 policy.

15 (b) The prohibitions under par. (a) apply only to a solicitation or chain letter
16 policy that an electronic mail service provider displays on the home page of the
17 provider's Web site and makes available in printed form at no charge upon request.

18 (c) An electronic mail service provider who is injured by a violation of par. (a)
19 that occurs more than 30 days after the solicitation or chain letter policy is displayed
20 on the provider's home page may bring an action against the person who violated par.

21 (a) and is entitled to each of the following:

22 1. The greater of the amount of actual damages, \$15,000 or an amount equal
23 to \$50 for each electronic mail solicitation or electronic chain letter that uses the
24 provider's equipment in a manner that violates the provider's solicitation or chain
25 letter policy.

1 2. Notwithstanding s. 814.04, costs, disbursements, and reasonable attorney
2 fees.

3 **(1m) ELECTRONIC MAIL SOLICITATIONS.** (a) No person may send an electronic mail
4 solicitation unless the person includes with the solicitation a return electronic mail
5 address or notice of a toll-free telephone number that the recipient of the solicitation
6 may use to notify the person that the recipient does not want to receive electronic
7 mail solicitations.

8 (b) If a recipient of an electronic mail solicitation uses a return electronic mail
9 address or toll-free telephone number specified in par. (a) to notify the person that
10 sent the electronic mail solicitation that the recipient does not want to receive an
11 electronic mail solicitation, the person may not send another electronic mail
12 solicitation to the recipient. A recipient who receives an electronic mail solicitation
13 that violates this paragraph may complain to the department.

14 (c) The department shall investigate each complaint concerning a violation of
15 par. (b). The department or any district attorney may on behalf of the state bring an
16 action for temporary or permanent injunctive or other relief for any violation of par.
17 (b), or for the penalties specified in par. (d), or for both.

18 (d) Any person who violates par. (b) may be required to forfeit not more than
19 \$10 for each electronic mail solicitation that violates par. (b), subject to a maximum
20 forfeiture of \$1,000 for each day in which a violation occurs.

21 **(2) PROHIBITED REPRESENTATIONS.** (a) No person may knowingly send an
22 electronic mail message that represents the message is from another person without
23 the consent of that person, or that represents the message is from an Internet domain
24 name without the consent of the person who has registered the name.

25 (b) 1. Whoever violates par. (a) is guilty of a Class I felony.

1 2. Whoever violates par. (a) after having been convicted under this subsection
2 is guilty of a Class H Felony.

3 **141.03 Internet privacy. (1) CONSENT REQUIRED.** (a) A person that maintains
4 a Web site for the purpose of doing business in this state may not disclose to another
5 person, for money or anything else of value, any information about a resident that
6 is obtained from the resident's use of the Internet, including from an electronic mail
7 message sent by the resident, without the consent of the resident.

8 (b) A person that maintains a Web site for the purpose of doing business in this
9 state may not request a child to provide information through the Internet to the
10 person that includes personal information about the child without making a
11 reasonable effort to obtain the consent of the child's parent or legal guardian. For
12 purposes of this paragraph, a "reasonable effort to obtain consent" includes requiring
13 a child's parent or guardian to mail or send a facsimile consent form to the person,
14 provide a credit card number to the person, or provide an electronic signature, as
15 defined in s. 137.11 (8), to the person.

16 (c) A person who violates par. (a) or (b) may be required to forfeit not more than
17 \$10,000 for each violation. Each disclosure of or request for information about one
18 resident or child constitutes a separate violation.

19 (d) The department of justice may commence an action in circuit court in the
20 name of the state to restrain by temporary or permanent injunction any act or
21 practice constituting a violation of par. (a) or (b).

22 **(2) WEB SITE ACCESS.** (a) A person that maintains a Web site for the purpose
23 of doing business in this state shall do each of the following:

24 1. Display a notice on the home page of the Web site that states whether the
25 person collects any information about visitors to the Web site and that describes any

1 information that is collected and the purposes for which it is collected, including a
2 description of any information that is sold or provided to 3rd parties. A notice
3 required under this paragraph shall be in an easily comprehensible format.

4 2. If the person sells or provides information about visitors to the Web site to
5 3rd parties, allow a visitor to notify the person, at the time that the visitor visits the
6 Web site, whether or not the visitor consents to the sale or provision of such
7 information.

8 (b) If a visitor notifies a person under par. (a) that the visitor does not consent
9 to the sale or provision of information specified in par. (a), the person may not sell
10 or provide the information to 3rd parties.

11 (c) For purposes of par. (a), a person does not maintain a Web site for the
12 purpose of doing business in this state if the person's involvement with the Web site
13 is limited only to providing access to the Internet for another person that maintains
14 the Web site for the purpose of doing business in this state.

15 (d) A person who violates par. (a) or (b) may be required to forfeit not more than
16 \$10,000 for each violation.

17 **SECTION 324.** 146.345 (3) of the statutes is amended to read:

18 146.345 (3) Any person who violates this section is guilty of a Class H felony,
19 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
20 person may be fined not more than \$50,000 or imprisoned for not more than 7 years
21 and 6 months or both.

22 **SECTION 325.** 146.35 (5) of the statutes is amended to read:

23 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
24 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
25 felony.

1 **SECTION 326.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

2 **SECTION 327.** 146.50 (1) (ag) of the statutes is created to read:

3 146.50 (1) (ag) "Act of terrorism" means a felony under ch. 939 to 951 that is
4 committed with intent to terrorize and is committed under any of the following
5 circumstances:

6 1. The person committing the felony causes bodily harm, great bodily harm, or
7 death to another.

8 2. The person committing the felony causes damage to the property of another
9 and the total property damaged is reduced in value by \$25,000 or more. For purposes
10 of this subdivision, property is reduced in value by the amount that it would cost
11 either to repair or replace it, whichever is less.

12 3. The person committing the felony uses force or violence or the threat of force
13 or violence.

14 **SECTION 328.** 146.50 (1) (hr) of the statutes is created to read:

15 146.50 (1) (hr) "Governmental unit" means the United States; the state; any
16 county, city, village, or town; or any political subdivision, department, division,
17 board, or agency of the United States, the state, or any county, city, village, or town.

18 **SECTION 329.** 146.50 (1) (ig) of the statutes is created to read:

19 146.50 (1) (ig) "Intent to terrorize" means intent to influence the policy of a
20 governmental unit by intimidation or coercion, to punish a governmental unit for a
21 prior policy decision, to affect the conduct of a governmental unit by homicide or
22 kidnapping, or to intimidate or coerce a civilian population.

23 **SECTION 330.** 146.50 (6) (a) 2. of the statutes is amended to read:

24 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
25 training, including training for response to acts of terrorism, prescribed by the

1 department or have presented evidence satisfactory to the department of sufficient
2 education and training in the field of emergency care.

3 **SECTION 331.** 146.50 (6) (b) 2. of the statutes is amended to read:

4 146.50 (6) (b) 2. The department, in conjunction with the technical college
5 system board, shall promulgate rules specifying training, education, or examination
6 requirements, including requirements for training for response to acts of terrorism,
7 for license renewals for emergency medical technicians.

8 **SECTION 332.** 146.50 (8) (b) 3. of the statutes is amended to read:

9 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
10 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
11 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
12 acts of terrorism, and that is approved by the department.

13 **SECTION 333.** 146.50 (8) (c) of the statutes is amended to read:

14 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
15 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
16 satisfactorily complete a first responder refresher course that meets or exceeds the
17 guidelines issued by the National Highway Traffic Safety Administration under 23
18 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
19 is approved by the department.

20 **SECTION 334.** 146.55 (1) (a) of the statutes is amended to read:

21 146.55 (1) (a) "Ambulance service" means the business of transporting sick,
22 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) (am), to
23 or from facilities or institutions providing health services.

24 **SECTION 335.** 146.60 (9) (am) of the statutes is amended to read:

1 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person shall
2 may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more
3 than 2 years 9 months or both.

4 **SECTION 336.** 146.70 (10) (a) of the statutes is amended to read:

5 146.70 (10) (a) Any person who intentionally dials the telephone number “911”
6 to report an emergency, knowing that the fact situation which he or she reports does
7 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
8 than 90 days or both for the first offense and shall be ~~fined not more than \$10,000~~
9 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
10 felony for any other offense committed within 4 years after the first offense.

11 **SECTION 337.** 154.15 (2) of the statutes is amended to read:

12 154.15 (2) Any person who, with the intent to cause a withholding or
13 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
14 the declarant, illegally falsifies or forges the declaration of another or conceals a
15 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
16 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
17 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
18 felony.

19 **SECTION 338.** 154.29 (2) of the statutes is amended to read:

20 154.29 (2) Any person who, with the intent to cause the withholding or
21 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
22 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation
23 under s. 154.21 of a do-not-resuscitate order or any responsible person who
24 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~

1 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
2 felony.

3 **SECTION 339.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
4 16, is amended to read:

5 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
6 enforcement officer, except on a temporary or probationary basis, unless the person
7 has satisfactorily completed a preparatory program of law enforcement training
8 approved by the board and has been certified by the board as being qualified to be
9 a law enforcement or tribal law enforcement officer. The program shall include 400
10 hours of training, except the program for law enforcement officers who serve as
11 rangers for the department of natural resources includes 240 hours of training. The
12 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
13 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~
14 ~~ensure that there is an adequate amount of training for each program to enable the~~
15 ~~person to deal effectively with domestic abuse incidents, including training that~~
16 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~
17 ~~The training under this subdivision shall include training on emergency detention~~
18 ~~standards and procedures under s. 51.15, emergency protective placement~~
19 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
20 ~~developmental disabilities agencies and other resources that may be available to~~
21 ~~assist the officer in interpreting the emergency detention and emergency protective~~
22 ~~placement standards, making emergency detentions and emergency protective~~
23 ~~placements and locating appropriate facilities for the emergency detentions and~~
24 ~~emergency protective placements of persons. The training under this subdivision~~
25 ~~shall include at least one hour of instruction on recognizing the symptoms of~~

1 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~
2 ~~persons who have Alzheimer's disease or other related dementias. The training~~
3 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
4 ~~and driving techniques established under par. (em) 2. b.~~ The period of temporary or
5 probationary employment established at the time of initial employment shall not be
6 extended by more than one year for an officer lacking the training qualifications
7 required by the board. The total period during which a person may serve as a law
8 enforcement and tribal law enforcement officer on a temporary or probationary basis
9 without completing a preparatory program of law enforcement training approved by
10 the board shall not exceed 2 years, except that the board shall permit part-time law
11 enforcement and tribal law enforcement officers to serve on a temporary or
12 probationary basis without completing a program of law enforcement training
13 approved by the board to a period not exceeding 3 years. For purposes of this section,
14 a part-time law enforcement or tribal law enforcement officer is a law enforcement
15 or tribal law enforcement officer who routinely works not more than one-half the
16 normal annual work hours of a full-time employee of the employing agency or unit
17 of government. Law enforcement training programs including municipal, county
18 and state programs meeting standards of the board are acceptable as meeting these
19 training requirements.

20 **SECTION 340.** 165.85 (4) (b) 1d. of the statutes is created to read:

21 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
22 all of the following:

23 a. An adequate amount of training to enable the person being trained to deal
24 effectively with domestic abuse incidents, including training that addresses the
25 emotional and psychological effect that domestic abuse has on victims.

1 b. Training on emergency detention standards and procedures under s. 51.15,
2 emergency protective placement standards and procedures under s. 55.06 (11), and
3 information on mental health and developmental disabilities agencies and other
4 resources that may be available to assist the officer in interpreting the emergency
5 detention and emergency protective placement standards, making emergency
6 detentions and emergency protective placements, and locating appropriate facilities
7 for the emergency detentions and emergency protective placements of persons.

8 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
9 disease or other related dementias and interacting with and assisting persons who
10 have Alzheimer's disease or other related dementias.

11 d. Training on police pursuit standards, guidelines, and driving techniques
12 established under par. (cm) 2. b.

13 e. Training on responding to an act of terrorism, as defined in s. 146.50 (1) (ag).

14 **SECTION 341.** 166.20 (11) (b) of the statutes is amended to read:

15 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
16 release of a hazardous substance covered under 42 USC 11004 as required under sub.
17 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following
18 penalties:

19 1. For the first offense, the person is guilty of a Class I felony, except that,
20 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
21 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3
22 years or both.

23 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,
24 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the

1 ~~person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not~~
2 ~~more than 3 years or both.~~

3 SECTION 342. 167.10 (9) (g) of the statutes is amended to read:

4 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
5 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~
6 ~~than 15 years or both~~ is guilty of a Class G felony.

7 SECTION 343. 175.20 (3) of the statutes is amended to read:

8 175.20 (3) Any person who violates any of the provisions of this section shall
9 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be
10 imprisoned for not less than ~~30 days nor more than 2 years~~ 9 months or both. In
11 addition, the court may revoke the license or licenses of the person or persons
12 convicted.

13 SECTION 344. 180.0129 (2) of the statutes is amended to read:

14 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~
15 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

16 SECTION 345. 181.0129 (2) of the statutes is amended to read:

17 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~
18 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
19 felony.

20 SECTION 346. 185.825 of the statutes is amended to read:

21 185.825 Penalty for false document. Whoever causes a document to be
22 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
23 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
24 Class I felony.

25 SECTION 347. 201.09 (2) of the statutes is amended to read:

1 201.09 (2) Every director, president, secretary or other official or agent of any
2 public service corporation, who shall practice fraud or knowingly make any false
3 statement to secure a certificate of authority to issue any security, or issue under a
4 certificate so obtained and with knowledge of such fraud, or false statement, or
5 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall
6 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
7 ~~15 years or both~~ is guilty of a Class I felony.

8 **SECTION 348.** 214.93 of the statutes is amended to read:

9 **214.93 False statements.** A person may not knowingly make, cause, or allow
10 another person to make or cause to be made, a false statement, under oath if required
11 by this chapter or on any report or statement required by the division or by this
12 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
13 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

14 **SECTION 349.** 215.02 (6) (b) of the statutes is amended to read:

15 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any
16 debtor of any association or any information about the private account or
17 transactions of such association, discloses any fact obtained in the course of any
18 examination of any association, or discloses examination or other confidential
19 information obtained from any state or federal regulatory authority, including an
20 authority of this state or another state, for financial institutions, mortgage bankers,
21 insurance or securities, except as provided in par. (a), he or she is guilty of a Class
22 I felony and shall forfeit his or her office or position and ~~may be fined not less than~~
23 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~
24 ~~3 years or both.~~

25 **SECTION 350.** 215.12 of the statutes is amended to read:

1 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
2 director, employee or agent of any association who steals, abstracts, or wilfully
3 misapplies any property of the association, whether owned by it or held in trust, or
4 who, without authority, issues or puts forth any certificate of savings accounts,
5 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
6 in any book, record, report or statement of the association with intent to injure or
7 defraud the association or any person or corporation, or to deceive any officer or
8 director of the association, or any other person, or any agent appointed to examine
9 the affairs of such association, or any person who, with like intent, aids or abets any
10 officer, director, employee or agent in the violation of this section, ~~shall be imprisoned~~
11 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

12 **SECTION 351.** 215.21 (21) of the statutes is amended to read:

13 **215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS.** Every officer,
14 director, employee or agent of any association, or any appraiser making appraisals
15 for any association, who accepts or receives, or offers or agrees to accept or receive
16 anything of value in consideration of its loaning any money to any person; or any
17 person who offers, gives, presents or agrees to give or present anything of value to
18 any officer, director, employee or agent of any association or to any appraiser making
19 appraisals for any association in consideration of its loaning money to the person,
20 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
21 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
22 subsection prohibits an association from employing an officer, employee or agent to
23 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

24 **SECTION 352.** 218.21 (7) of the statutes is amended to read:

1 218.21 (7) Any person who knowingly makes a false statement in an
2 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
3 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
4 Class H felony.

5 **SECTION 353.** 220.06 (2) of the statutes is amended to read:

6 220.06 (2) If any employee in the division or any member of the banking review
7 board or any employee thereof discloses the name of any debtor of any bank or
8 licensee, or anything relative to the private account or transactions of such bank or
9 licensee, or any fact obtained in the course of any examination of any bank or
10 licensee, except as herein provided, that person is guilty of a Class I felony and shall
11 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~
12 ~~than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more~~
13 ~~than 3 years or both.~~

14 **SECTION 354.** 221.0625 (2) (intro.) of the statutes is amended to read:

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

18 **SECTION 355.** 221.0636 (2) of the statutes is amended to read:

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

21 **SECTION 356.** 221.0637 (2) of the statutes is amended to read:

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

25 **SECTION 357.** 221.1004 (2) of the statutes is amended to read:

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

4 **SECTION 358.** 224.30 (2) of the statutes is repealed.

5 **SECTION 359.** 227.01 (13) (sm) of the statutes is created to read:

6 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

7 **SECTION 360.** 227.118 of the statutes is created to read:

8 **227.118 Economic impact of administrative rules.** (1) When an agency
9 proposes a rule that may have an economic impact on a private person or a political
10 subdivision of the state, the department of administration shall prepare an economic
11 impact assessment of the proposed rule before the rule is submitted to the legislative
12 council staff under s. 227.15. The economic impact assessment shall evaluate the
13 costs and benefits of complying with the proposed rule and the potential impact of
14 the proposed rule on the policy decisions of private persons and political subdivisions
15 of the state. The economic impact assessment shall describe alternatives to the
16 proposed rule that will reduce any negative impact on private persons and political
17 subdivisions of the state. The preparation of an economic impact assessment under
18 this section does not eliminate the responsibility to comply with other sections of this
19 chapter, including ss. 227.114 and 227.115.

20 (2) The department of administration shall submit a copy of any economic
21 impact assessment prepared under sub. (1) to the agency that prepared the proposed
22 rule and to the legislative council staff at the same time that the agency submits the
23 proposed rule to the legislative council staff under s. 227.15.

24 **SECTION 361.** 227.19 (3) (intro.) of the statutes is amended to read:

1 227.19 (3) FORM OF REPORT. (intro.) The report required under sub. (2) shall be
2 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),
3 the material specified in s. 227.14 (2) to (4), a copy of the economic impact assessment
4 received under s. 227.118 (2), a copy of any recommendations of the legislative
5 council staff and an analysis. The analysis shall include:

6 **SECTION 362.** 227.19 (3) (f) of the statutes is created to read:

7 227.19 (3) (f) If an economic impact assessment regarding the proposed rule
8 was submitted with the report, an explanation of what changes, if any, that were
9 made in the proposed rule in response to that assessment.

10 **SECTION 363.** 230.08 (2) (L) 6. of the statutes is created to read:

11 230.08 (2) (L) 6. Sentencing commission.

12 **SECTION 364.** 230.08 (2) (of) of the statutes is created to read:

13 230.08 (2) (of) The executive director of the sentencing commission.

14 **SECTION 365.** 230.08 (2) (qm) of the statutes is created to read:

15 230.08 (2) (qm) The grants management specialist in the department of
16 commerce.

17 **SECTION 366.** 234.165 (2) (c) (intro.) of the statutes is amended to read:

18 234.165 (2) (c) (intro.) ~~Surplus~~ Except as provided in sub. (3), surplus may be
19 expended or encumbered only in accordance with the plan approved under par. (b),
20 except that the authority may transfer from one plan category to another:

21 **SECTION 367.** 234.165 (3) of the statutes is created to read:

22 234.165 (3) For the purpose of housing grants and loans under s. 16.33 and
23 housing organization grants under s. 16.336, in fiscal year 2001-02 the authority
24 shall transfer to the department of administration \$1,500,000 of its surplus and in
25 fiscal year 2002-03 and every fiscal year thereafter the authority shall transfer to

1 the department of administration \$3,300,300 of its surplus. The department of
2 administration shall credit all moneys transferred under this subsection to the
3 appropriation account under s. 20.505 (7) (j).

4 **SECTION 368.** 250.15 of the statutes is repealed.

5 **SECTION 369.** 253.06 (4) (b) of the statutes is amended to read:

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

11 **SECTION 370.** 285.87 (2) (b) of the statutes is amended to read:

12 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
13 another conviction under par. (a), the person ~~shall is guilty of a Class I felony, except~~
14 ~~that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may~~
15 ~~be fined not more than \$50,000 per day of violation or imprisoned for not more than~~
16 ~~3 years or both.~~

17 **SECTION 371.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

18 291.97 (2) (b) (intro.) Any person who wilfully does any of the following shall
19 ~~is guilty of a Class H felony, except that, notwithstanding the maximum fine specified~~
20 ~~in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than~~
21 ~~\$100,000 or imprisoned for not more than 7 years and 6 months or both:~~

22 **SECTION 372.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

23 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall
24 ~~is guilty of a Class I felony, except that, notwithstanding the maximum fine specified~~

1 ~~in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000~~
2 ~~or imprisoned for not more than 2 years or both.~~

3 2. For a 2nd or subsequent violation under par. (b), a person shall is guilty of
4 a Class F felony, except that, notwithstanding the maximum fine specified in s.
5 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
6 or imprisoned for not more than 15 years or both.

7 **SECTION 373.** 299.53 (4) (c) 2. of the statutes is amended to read:

8 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
9 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
10 or imprisoned for not more than one year in the county jail or both. For a 2nd or
11 subsequent violation, the person shall is guilty of a Class I felony, except that,
12 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
13 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

14 **SECTION 374.** 301.03 (11) of the statutes is repealed.

15 **SECTION 375.** 301.035 (2) of the statutes is amended to read:

16 301.035 (2) Assign hearing examiners from the division to preside over
17 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
18 (2) and ch. 304.

19 **SECTION 376.** 301.035 (4) of the statutes is amended to read:

20 301.035 (4) Supervise employees in the conduct of the activities of the division
21 and be the administrative reviewing authority for decisions of the division under ss.
22 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
23 ch. 304.

24 **SECTION 377.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

1 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
2 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
3 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 ~~(3)~~, (4) or (5), 940.195
4 ~~(3)~~, (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)
5 (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45
6 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,
7 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.43,
8 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or
9 948.30.

10 **SECTION 378.** 301.26 (4) (cm) 1. of the statutes is amended to read:

11 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
12 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
13 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured
14 correctional facilities, secured child caring institutions, alternate care providers,
15 aftercare supervision providers and corrective sanctions supervision providers for
16 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age
17 or over who has been placed in a secured correctional facility based on a delinquent
18 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or
19 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,
20 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2),
21 948.02 (1), 948.025, ~~(1), or 948.30 (2), 948.35 (1) (b) or 948.36~~ and for the care of any
22 juvenile 10 years of age or over who has been placcd in a secured correctional facility
23 or secured child caring institution for attempting or committing a violation of s.
24 940.01 or for committing a violation of s. 940.02 or 940.05.

25 **SECTION 379.** 301.45 (6) (a) 2. of the statutes is amended to read:

1 301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~
2 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class
3 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense
4 if, prior to committing the offense, the person has at any time been convicted of
5 knowingly failing to comply with any requirement to provide information under
6 subs. (2) to (4).

7 **SECTION 380.** 302.045 (3) of the statutes is amended to read:

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

16 **SECTION 381.** 302.095 (2) of the statutes is amended to read:

17 302.095 (2) Any officer or other person who delivers or procures to be delivered
18 or has in his or her possession with intent to deliver to any inmate confined in a jail
19 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts
20 of a jail or prison, or in any vehicle going into the premises belonging to a jail or
21 prison, any article or thing whatever, with intent that any inmate confined in the jail
22 or prison shall obtain or receive the same, or who receives from any inmate any
23 article or thing whatever with intent to convey the same out of a jail or prison,
24 contrary to the rules or regulations and without the knowledge or permission of the
25 sheriff or other keeper of the jail, in the case of a jail, or of the warden or

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

3 **SECTION 382.** 302.11 (1g) (a) 2. of the statutes is amended to read:

4 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
5 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
6 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
7 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),
8 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,
9 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

10 **SECTION 383.** 302.11 (1g) (b) 2. of the statutes, as affected by 2001 Wisconsin
11 Act 16, is amended to read:

12 302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or
13 treatment that the social service and clinical staff of the institution determines is
14 necessary for the inmate, ~~including pharmacological treatment using an~~
15 ~~antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious~~
16 ~~child sex offender as defined in s. 304.06 (1g) (a).~~ The parole commission may not
17 deny presumptive mandatory release to an inmate because of the inmate's refusal
18 to participate in a rehabilitation program under s. 301.047.

19 **SECTION 384.** 302.11 (1p) of the statutes is amended to read:

20 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1999 stats., for
21 a crime committed before December 31, 1999, is entitled to mandatory release,
22 except the inmate may not be released before he or she has complied with s. 961.49
23 (2), 1999 stats.

24 **SECTION 385.** 302.11 (1z) of the statutes is amended to read:

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

5 **SECTION 386.** 302.11 (3) of the statutes is amended to read:

6 302.11 (3) All consecutive sentences imposed for crimes committed before
7 December 31, 1999, shall be computed as one continuous sentence.

8 **SECTION 387.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and
9 amended to read:

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

18 **SECTION 388.** 302.11 (7) (ag) of the statutes is created to read:

19 302.11 (7) (ag) In this subsection “reviewing authority” means the division of
20 hearings and appeals in the department of administration, upon proper notice and
21 hearing, or the department of corrections, if the parolee waives a hearing.

22 **SECTION 389.** 302.11 (7) (b) of the statutes is amended to read:

23 302.11 (7) (b) A parolee returned to prison for violation of the conditions of
24 parole shall be incarcerated for the entire period of time determined by the
25 ~~department of corrections in the case of a waiver or the division of hearings and~~

1 ~~appeals in the department of administration in the case of a hearing under par. (a),~~
2 reviewing authority unless paroled earlier under par. (c). The parolee is not subject
3 to mandatory release under sub. (1) or presumptive mandatory release under sub.
4 (1g). The period of time determined under par. (a) ~~(a)~~ (am) may be extended in
5 accordance with subs. (1q) and (2).

6 **SECTION 390.** 302.11 (7) (d) of the statutes is amended to read:

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

13 **SECTION 391.** 302.11 (7) (e) of the statutes is created to read:

14 302.11 (7) (e) A reviewing authority may consolidate proceedings before it
15 under par. (am) with other proceedings before that reviewing authority under par.
16 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the
17 parole or extended supervision of the same person.

18 **SECTION 392.** 302.113 (2) of the statutes is amended to read:

19 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
20 section is entitled to release to extended supervision after he or she has served the
21 term of confinement in prison portion of the sentence imposed under s. 973.01, as
22 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if
23 applicable.

24 **SECTION 393.** 302.113 (4) of the statutes is amended to read:

1 302.113 (4) All consecutive sentences imposed for crimes committed on or after
2 December 31, 1999, shall be computed as one continuous sentence. The person shall
3 serve any term of extended supervision after serving all terms of confinement in
4 prison.

5 **SECTION 394.** 302.113 (7) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 302.113 (7) Any inmate released to extended supervision under this section is
8 subject to all conditions and rules of extended supervision until the expiration of the
9 term of extended supervision portion of the bifurcated sentence. The department
10 may set conditions of extended supervision in addition to any conditions of extended
11 supervision required under s. 302.116, if applicable, or set by the court under sub.
12 (7m) or s. 973.01 (5) if the conditions set by the department do not conflict with the
13 court's conditions.

14 **SECTION 395.** 302.113 (7m) of the statutes is created to read:

15 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
16 or the department may petition the sentencing court to modify any conditions of
17 extended supervision set by the court.

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