

PG
e's

1 the manner provided in ss. 779.09 to 779.12, 779.20, and 779.21, insofar as those
2 provisions are applicable. The lien ceases to exist if the department of workforce
3 development or the employee does not bring an action to enforce the lien within the
4 period prescribed in s. 893.44 for the underlying wage claim.

5 SECTION 214. 110.07 (5) (a) of the statutes is amended to read:

(D)

6 110.07 (5) (a) In this subsection, "bulletproof garment" has the meaning given
7 in s. 939.64 (1) means a vest or other garment designed, redesigned, or adapted to
8 prevent bullets from penetrating through the garment.

9 SECTION 215. 114.20 (18) (c) of the statutes is amended to read:

10 114.20 (18) (c) Any person who knowingly makes a false statement in any
11 application or in any other document required to be filed with the department, or who
12 knowingly foregoes the submission of any application, document, or any registration
13 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
14 than 7 years and 6 months or both is guilty of a Class H felony.

15 SECTION 216. 115.31 (2g) of the statutes is amended to read:

16 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
17 revoke a license granted by the state superintendent, without a hearing, if the
18 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.
19 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any
20 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
21 violation that occurs on or after the effective date of this subsection ... [revisor inserts
22 date].

23 SECTION 217. 118.19 (4) (a) of the statutes is amended to read:

24 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
25 may not grant a license, for 6 years following the date of the conviction, to any person

1 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except
2 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a
3 violation that occurs on or after September 12, 1991, ~~for 6 years following the date~~
4 ~~of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except~~
5 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this
6 paragraph ... [revisor inserts date]. The state superintendent may grant the license
7 only if the person establishes by clear and convincing evidence that he or she is
8 entitled to the license.

9 **SECTION 218.** 118.30 (1m) (d) of the statutes is amended to read:

10 118.30 (1m) (d) If the school board operates high school grades, beginning in
11 the ~~2002–03~~ 2004–05 school year administer the high school graduation
12 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
13 the school district, including pupils enrolled in charter schools located in the school
14 district, in the 11th and 12th grades. The school board shall administer the
15 examination at least twice each school year and may administer the examination
16 only to pupils enrolled in the 11th and 12th grades.

17 **SECTION 219.** 118.30 (1r) (d) of the statutes is amended to read:

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

24 **SECTION 220.** 118.33 (1) (f) of the statutes is amended to read:

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

8 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
9 (2r) that operates high school grades shall develop a policy specifying criteria for
10 granting a high school diploma. The criteria shall include the pupil's score on the
11 examination administered under s. 118.30 (1r) (d), the pupil's academic
12 performance, and the recommendations of teachers.

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

17 **SECTION 284m.** 121.05 (1) (a) 13. of the statutes is created to read:

18 121.05 (1) (a) 13. Pupils attending the Youth Challenge program under s. 21.26.

19 **SECTION 221.** 121.07 (7) (a) of the statutes is amended to read:

20 121.07 (7) (a) The "primary guaranteed valuation per member" is \$2,000,000
21 \$1,930,000.

22 **SECTION 285m.** 121.095 of the statutes is created to read:

23 **121.095 State aid adjustment; Youth Challenge program.** (1) Annually
24 the department shall reduce each school district's state aid payment under s. 121.08,
25 or other state aid payments, if necessary, by an amount calculated as follows:

1 (a) Determine the number of pupils counted in the school district's membership
2 who are attending the Youth Challenge program under s. 21.26.

3 (b) Multiply the result under par. (a) by the lesser of the following:

4 1. The amount determined by the department of military affairs under s. 21.26

5 (2) (a).

6 2. The amount determined for the school district under s. 121.91 (2m) (e) 3. for
7 the current school year.

8 (2) From the appropriation under s. 20.255 (2) (ac), annually the department
9 of public instruction shall pay to the department of military affairs an amount equal
10 to the sum of the reductions under sub. (1). The department of public instruction
11 shall ensure that the aid adjustment under sub. (1) does not affect the amount
12 determined to be received by a school district as state aid under s. 121.08 or for any
13 other purpose.

14 (3) Annually the department shall provide the department of military affairs
15 with a list of the school districts that had their state aid reduced by the amount under
16 sub. (1) (b) 2., the amount of the reduction, and the number of pupils enrolled in the
17 school district who are attending the Youth Challenge program.

18 **SECTION 222.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin
19 Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

20 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state
21 school aids, other than the amounts appropriated under s. 20.255 (2) and (cv),
22 property taxes levied for school districts and aid paid to school districts under s.
23 79.095 (4), less ~~the~~ all of the following:

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

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

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

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

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

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

11 **SECTION 223.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

12 121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service
13 on debt that has been approved by a referendum exceeds \$490,000,000.

14 **SECTION 287m.** 121.15 (3m) (b) of the statutes is amended to read:

15 121.15 (3m) (b) By May 15, ~~1999~~ 2003, and annually by May 15 thereafter, the
16 department, the department of administration and the legislative fiscal bureau shall
17 jointly certify to the joint committee on finance an estimate of the amount necessary
18 to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the
19 sum of state school aids and the school levy tax credit under s. 79.10 (4) equals
20 two-thirds of partial school revenues.

21 **SECTION 224.** 121.15 (3m) (c) of the statutes is amended to read:

22 121.15 (3m) (c) By June 30, ~~1999~~ 2004, and ~~annually~~ biennially by June 30
23 thereafter, the joint committee on finance shall determine the amount appropriated
24 under s. 20.255 (2) (ac) in the following school year.

25 **SECTION 288m.** 121.90 (1) (intro.) of the statutes is amended to read:

1 121.90 (1) (intro.) “Number of pupils enrolled” means the number of pupils
2 enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1)
3 (a) 1. to 11., and the number of pupils enrolled in the previous school year who were
4 attending the Youth Challenge program in the previous school year, except that
5 “number of pupils enrolled” excludes the number of pupils attending public school
6 under s. 118.145 (4) and except as follows:

7 **SECTION 225.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and
8 amended to read:

9 125.075 (2) (a) ~~Whoever violates sub. (1) may be fined not more than \$10,000~~
10 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
11 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

12 **SECTION 226.** 125.075 (2) (b) of the statutes is created to read:

13 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
14 underage person dies.

15 **SECTION 227.** 125.085 (3) (a) 2. of the statutes is amended to read:

16 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
17 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
18 ~~3 years or both~~ is guilty of a Class I felony.

19 **SECTION 228.** 125.105 (2) (b) of the statutes is amended to read:

20 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
21 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
22 ~~and 6 months or both~~ is guilty of a Class H felony.

23 **SECTION 229.** 125.66 (3) of the statutes is amended to read:

24 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
25 holding appropriate permits under this chapter, or any person who sells such liquor,

1 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~
2 ~~both. Second or subsequent convictions shall be punished by both the fine and~~
3 ~~imprisonment~~ is guilty of a Class F felony.

4 **SECTION 230.** 125.68 (12) (b) of the statutes is amended to read:

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

8 **SECTION 231.** 125.68 (12) (c) of the statutes is amended to read:

9 125.68 (12) (c) Any person causing the death of another human being through
10 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
11 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~
12 ~~for not more than 15 years~~ is guilty of a Class E felony.

13 **SECTION 232.** 132.20 (2) of the statutes is amended to read:

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

21 **SECTION 233.** 133.03 (1) of the statutes is amended to read:

22 133.03 (1) Every contract, combination in the form of trust or otherwise, or
23 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
24 contract or engages in any combination or conspiracy in restraint of trade or
25 commerce is guilty of a Class H felony, except that, notwithstanding the maximum

1 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if
2 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~
3 ~~imprisoned for not more than 7 years and 6 months or both.~~

4 **SECTION 234.** 133.03 (2) of the statutes is amended to read:

5 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
6 combines or conspires with any other person or persons to monopolize any part of
7 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
8 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
9 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
10 ~~or imprisoned for not more than 7 years and 6 months or both.~~

11 **SECTION 235.** 134.05 (4) of the statutes is amended to read:

12 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
13 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
14 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
15 9 months or both.

16 **SECTION 236.** 134.16 of the statutes is amended to read:

17 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
18 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
19 brokerage or deposit company, corporation or institution, or of any person, company
20 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
21 business in any way, or any person engaged in such business in whole or in part, who
22 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
23 money, or any bills, notes or other paper circulating as money, or any notes, drafts,
24 bills of exchange, bank checks or other commercial paper for safekeeping or for
25 collection, when he or she knows or has good reason to know that such bank, company

1 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
2 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
3 ~~not more than \$10,000~~ is guilty of a Class F felony.

4 **SECTION 237.** 134.20 (1) (intro.) of the statutes is amended to read:

5 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
6 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~
7 ~~months or both~~ is guilty of a Class H felony:

8 **SECTION 238.** 134.205 (4) of the statutes is amended to read:

9 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt
10 without entering the same in a register as required by this section ~~shall be fined not~~
11 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
12 guilty of a Class H felony.

13 **SECTION 239.** 134.58 of the statutes is amended to read:

14 **134.58 Use of unauthorized persons as officers.** Any person who,
15 individually, in concert with another or as agent or officer of any firm, joint-stock
16 company or corporation, uses, employs, aids or assists in employing any body of
17 armed persons to act as militia, police or peace officers for the protection of persons
18 or property or for the suppression of strikes, not being authorized by the laws of this
19 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
20 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

21 **SECTION 240.** 139.44 (1) of the statutes is amended to read:

22 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
23 any stamp or procures or causes the same to be done, or who knowingly utters,
24 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
25 affixes the same to any package or container of cigarettes, or who possesses with the

1 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
2 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
3 ~~years~~ is guilty of a Class G felony.

4 **SECTION 241.** 139.44 (1m) of the statutes is amended to read:

5 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
6 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
7 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

8 **SECTION 242.** 139.44 (2) of the statutes is amended to read:

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

14 **SECTION 243.** 139.44 (8) (c) of the statutes is amended to read:

15 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
16 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
17 Class I felony.

18 **SECTION 244.** 139.85 (1) of the statutes is amended to read:

19 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
20 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may
21 be fined not less than \$1,000 ~~nor~~ more than \$5,000 \$10,000 or imprisoned for not less
22 ~~than 90 days~~ ~~nor~~ more than ~~one year~~ 9 months or both.

23 **SECTION 245.** 139.95 (2) of the statutes is amended to read:

24 139.95 (2) A dealer who possesses a schedule I controlled substance, a schedule
25 II controlled substance or ketamine or flunitrazepam that does not bear evidence

1 that the tax under s. 139.88 has been paid ~~may be fined not more than \$10,000 or~~
2 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
3 felony.

4 **SECTION 246.** 139.95 (3) of the statutes is amended to read:

5 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
6 any stamp or procures or causes the same to be done or who knowingly utters,
7 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
8 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II
9 controlled substance or ketamine or flunitrazepam or who possesses a schedule I
10 controlled substance, a schedule II controlled substance or ketamine or
11 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~
12 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~
13 ~~years or both~~ is guilty of a Class F felony.

14 **SECTION 247.** 146.345 (3) of the statutes is amended to read:

15 146.345 (3) Any person who violates this section is guilty of a Class H felony,
16 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
17 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~
18 ~~and 6 months or both.~~

19 **SECTION 248.** 146.35 (5) of the statutes is amended to read:

20 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
21 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
22 felony.

23 **SECTION 249.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

24 **SECTION 250.** 146.50 (1) (ag) of the statutes is created to read:

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

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

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

10 3. The person committing the felony uses force or violence or the threat of force
11 or violence.

12 **SECTION 251.** 146.50 (1) (hr) of the statutes is created to read:

13 146.50 (1) (hr) “Governmental unit” means the United States; the state; any
14 county, city, village, or town; or any political subdivision, department, division,
15 board, or agency of the United States, the state, or any county, city, village, or town.

16 **SECTION 252.** 146.50 (1) (ig) of the statutes is created to read:

17 146.50 (1) (ig) “Intent to terrorize” means intent to influence the policy of a
18 governmental unit by intimidation or coercion, to punish a governmental unit for a
19 prior policy decision, to affect the conduct of a governmental unit by homicide or
20 kidnapping, or to intimidate or coerce a civilian population.

21 **SECTION 253.** 146.50 (6) (a) 2. of the statutes is amended to read:

22 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
23 training, including training for response to acts of terrorism, prescribed by the
24 department or have presented evidence satisfactory to the department of sufficient
25 education and training in the field of emergency care.

1 **SECTION 254.** 146.50 (6) (b) 2. of the statutes is amended to read:

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

6 **SECTION 255.** 146.50 (8) (b) 3. of the statutes is amended to read:

7 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
8 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
9 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
10 acts of terrorism, and that is approved by the department.

11 **SECTION 256.** 146.50 (8) (c) of the statutes is amended to read:

12 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
13 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
14 satisfactorily complete a first responder refresher course that meets or exceeds the
15 guidelines issued by the National Highway Traffic Safety Administration under 23
16 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
17 is approved by the department.

18 **SECTION 257.** 146.55 (1) (a) of the statutes is amended to read:

19 146.55 (1) (a) “Ambulance service” means the business of transporting sick,
20 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) ~~(a)~~ (am), to
21 or from facilities or institutions providing health services.

22 **SECTION 334g.** 146.56 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
23 is amended to read:

24 146.56 (1) ~~Not later than July 1, 2002, the~~ The department shall develop and
25 implement a statewide trauma care system. The department shall seek the advice

1 of the statewide trauma advisory council under s. 15.197 (25) in developing and
2 implementing the system, and, as part of the system, shall develop regional trauma
3 advisory councils.

4 **SECTION 258.** 146.60 (9) (am) of the statutes is amended to read:

5 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person shall
6 may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more
7 than 2 years 9 months or both.

8 **SECTION 259.** 146.70 (10) (a) of the statutes is amended to read:

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

15 **SECTION 336L.** 150.401 of the statutes is created to read:

16 **150.401 Redistribution of nursing home beds to replace transferred**
17 **beds.** (1) Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home
18 beds that are available under s. 150.31, the department shall redistribute a number
19 of beds that corresponds to the number of approved beds of a nursing home whose
20 owner has transferred to another location, resulting in the loss of a nursing home
21 within 15 miles of a city with a population of 4,474 in 1990 in a county with a
22 population of 30,226 in 1990.

23 (2) All of the following apply to the redistributed nursing home beds under sub.

24 (1):

1 (a) The beds may be redistributed only to a location in a city that is specified
2 in sub. (1).

3 (b) A person may not receive approval for the beds unless the person submits
4 to the department, on a form provided by the department, an application that meets
5 the requirements under s. 150.33 (2).

6 **SECTION 260.** 154.15 (2) of the statutes is amended to read:

7 154.15 (2) Any person who, with the intent to cause a withholding or
8 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
9 the declarant, illegally falsifies or forges the declaration of another or conceals a
10 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
11 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
12 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
13 felony.

14 **SECTION 261.** 154.29 (2) of the statutes is amended to read:

15 154.29 (2) Any person who, with the intent to cause the withholding or
16 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
17 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation
18 under s. 154.21 of a do-not-resuscitate order or any responsible person who
19 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~
20 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
21 felony.

22 **SECTION 262.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

24 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
25 enforcement officer, except on a temporary or probationary basis, unless the person

1 has satisfactorily completed a preparatory program of law enforcement training
2 approved by the board and has been certified by the board as being qualified to be
3 a law enforcement or tribal law enforcement officer. The program shall include 400
4 hours of training, except the program for law enforcement officers who serve as
5 rangers for the department of natural resources includes 240 hours of training. The
6 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
7 400-hour conventional program and a 240-hour ranger program. The rule shall
8 ensure that there is an adequate amount of training for each program to enable the
9 person to deal effectively with domestic abuse incidents, including training that
10 addresses the emotional and psychological effect that domestic abuse has on victims.
11 ~~The training under this subdivision shall include training on emergency detention~~
12 ~~standards and procedures under s. 51.15, emergency protective placement~~
13 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
14 ~~developmental disabilities agencies and other resources that may be available to~~
15 ~~assist the officer in interpreting the emergency detention and emergency protective~~
16 ~~placement standards, making emergency detentions and emergency protective~~
17 ~~placements and locating appropriate facilities for the emergency detentions and~~
18 ~~emergency protective placements of persons. The training under this subdivision~~
19 ~~shall include at least one hour of instruction on recognizing the symptoms of~~
20 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~
21 ~~persons who have Alzheimer's disease or other related dementias. The training~~
22 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
23 ~~and driving techniques established under par. (em) 2. b. The period of temporary or~~
24 ~~probationary employment established at the time of initial employment shall not be~~
25 ~~extended by more than one year for an officer lacking the training qualifications~~

1 required by the board. The total period during which a person may serve as a law
2 enforcement and tribal law enforcement officer on a temporary or probationary basis
3 without completing a preparatory program of law enforcement training approved by
4 the board shall not exceed 2 years, except that the board shall permit part-time law
5 enforcement and tribal law enforcement officers to serve on a temporary or
6 probationary basis without completing a program of law enforcement training
7 approved by the board to a period not exceeding 3 years. For purposes of this section,
8 a part-time law enforcement or tribal law enforcement officer is a law enforcement
9 or tribal law enforcement officer who routinely works not more than one-half the
10 normal annual work hours of a full-time employee of the employing agency or unit
11 of government. Law enforcement training programs including municipal, county
12 and state programs meeting standards of the board are acceptable as meeting these
13 training requirements.

14 **SECTION 263.** 165.85 (4) (b) 1d. of the statutes is created to read:

15 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
16 all of the following:

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

20 b. Training on emergency detention standards and procedures under s. 51.15,
21 emergency protective placement standards and procedures under s. 55.06 (11), and
22 information on mental health and developmental disabilities agencies and other
23 resources that may be available to assist the officer in interpreting the emergency
24 detention and emergency protective placement standards, making emergency

1 detentions and emergency protective placements, and locating appropriate facilities
2 for the emergency detentions and emergency protective placements of persons.

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

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

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

9 **SECTION 264.** 166.20 (11) (b) of the statutes is amended to read:

10 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
11 release of a hazardous substance covered under 42 USC 11004 as required under sub.
12 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following
13 penalties:

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

18 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,
19 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the
20 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not
21 more than 3 years or both.

22 **SECTION 265.** 167.10 (9) (g) of the statutes is amended to read:

23 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
24 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned for not more
25 than 15 years or both is guilty of a Class G felony.

1 **SECTION 266.** 175.20 (3) of the statutes is amended to read:

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

7 **SECTION 267.** 180.0129 (2) of the statutes is amended to read:

8 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~
9 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

10 **SECTION 268.** 181.0129 (2) of the statutes is amended to read:

11 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~
12 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
13 felony.

14 **SECTION 269.** 185.825 of the statutes is amended to read:

15 **185.825 Penalty for false document.** Whoever causes a document to be
16 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
17 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
18 Class I felony.

19 **SECTION 270.** 201.09 (2) of the statutes is amended to read:

20 201.09 (2) Every director, president, secretary or other official or agent of any
21 public service corporation, who shall practice fraud or knowingly make any false
22 statement to secure a certificate of authority to issue any security, or issue under a
23 certificate so obtained and with knowledge of such fraud, or false statement, or
24 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall

1 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
2 ~~15 years or both~~ is guilty of a Class I felony.

3 **SECTION 271.** 214.93 of the statutes is amended to read:

4 **214.93 False statements.** A person may not knowingly make, cause, or allow
5 another person to make or cause to be made, a false statement, under oath if required
6 by this chapter or on any report or statement required by the division or by this
7 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
8 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

9 **SECTION 272.** 215.02 (6) (b) of the statutes is amended to read:

10 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any
11 debtor of any association or any information about the private account or
12 transactions of such association, discloses any fact obtained in the course of any
13 examination of any association, or discloses examination or other confidential
14 information obtained from any state or federal regulatory authority, including an
15 authority of this state or another state, for financial institutions, mortgage bankers,
16 insurance or securities, except as provided in par. (a), he or she is guilty of a Class
17 I felony and shall forfeit his or her office or position and may be fined not less than
18 \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than
19 3 years or both.

20 **SECTION 273.** 215.12 of the statutes is amended to read:

21 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
22 director, employee or agent of any association who steals, abstracts, or wilfully
23 misapplies any property of the association, whether owned by it or held in trust, or
24 who, without authority, issues or puts forth any certificate of savings accounts,
25 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry

1 in any book, record, report or statement of the association with intent to injure or
2 defraud the association or any person or corporation, or to deceive any officer or
3 director of the association, or any other person, or any agent appointed to examine
4 the affairs of such association, or any person who, with like intent, aids or abets any
5 officer, director, employee or agent in the violation of this section, shall be imprisoned
6 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

7 **SECTION 274.** 215.21 (21) of the statutes is amended to read:

8 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
9 director, employee or agent of any association, or any appraiser making appraisals
10 for any association, who accepts or receives, or offers or agrees to accept or receive
11 anything of value in consideration of its loaning any money to any person; or any
12 person who offers, gives, presents or agrees to give or present anything of value to
13 any officer, director, employee or agent of any association or to any appraiser making
14 appraisals for any association in consideration of its loaning money to the person,
15 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
16 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
17 subsection prohibits an association from employing an officer, employee or agent to
18 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

19 **SECTION 275.** 218.21 (7) of the statutes is amended to read:

20 218.21 (7) Any person who knowingly makes a false statement in an
21 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
22 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
23 Class H felony.

24 **SECTION 276.** 220.06 (2) of the statutes is amended to read:

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

9 **SECTION 277.** 221.0625 (2) (intro.) of the statutes is amended to read:

10 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
11 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
12 ~~not more than 15 years~~ is guilty of a Class F felony:

13 **SECTION 278.** 221.0636 (2) of the statutes is amended to read:

14 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
15 ~~not more than 30 years~~ is guilty of a Class H felony.

16 **SECTION 279.** 221.0637 (2) of the statutes is amended to read:

17 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~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 280.** 221.1004 (2) of the statutes is amended to read:

21 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~
22 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~
23 ~~than 15 years or both~~ is guilty of a Class F felony.

24 **SECTION 281.** 227.01 (13) (sm) of the statutes is created to read:

25 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

1 **SECTION 282.** 230.08 (2) (L) 6. of the statutes is created to read:

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

3 **SECTION 283.** 230.08 (2) (of) of the statutes is created to read:

4 230.08 (2) (of) The executive director of the sentencing commission.

5 **SECTION 365m.** 230.08 (2) (y) of the statutes is repealed.

6 **SECTION 365d.** 230.35 (1m) (a) 2. of the statutes is amended to read:

7 230.35 (1m) (a) 2. A position designated in s. 19.42 (10) (L) or 20.923 (4), (7),
8 (8), and (9).

9 **SECTION 365g.** 230.35 (2) of the statutes is amended to read:

10 230.35 (2) Leave of absence with pay owing to sickness and leave of absence
11 without pay, other than annual leave and leave under s. 103.10, shall be regulated
12 by rules of the secretary, except that unused sick leave shall accumulate from year
13 to year. After July 1, 1973, employees appointed to career executive positions under
14 the program established under s. 230.24 or positions designated in s. 19.42 (10) (L)
15 or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any
16 unused sick leave credits restored if they are reemployed in a career executive
17 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or
18 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.
19 Restoration of unused sick leave credits if reemployment is to a position other than
20 those specified above shall be in accordance with rules of the secretary.

21 **SECTION 284.** 234.165 (2) (c) (intro.) of the statutes is amended to read:

22 234.165 (2) (c) (intro.) ~~Surplus~~ Except as provided in sub. (3), surplus may be
23 expended or encumbered only in accordance with the plan approved under par. (b),
24 except that the authority may transfer from one plan category to another:

1 **SECTION 366c.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2001
2 Wisconsin Act (this act), is amended to read:

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

6 **SECTION 285.** 234.165 (3) of the statutes is created to read:

7 234.165 (3) For the purpose of housing grants and loans under s. 16.33 and
8 housing organization grants under s. 16.336, in fiscal year 2001–02 the authority
9 shall transfer to the department of administration \$1,500,000 of its surplus and in
10 fiscal year 2002–03 the authority shall transfer to the department of administration
11 \$3,300,300 of its surplus. The department of administration shall credit all moneys
12 transferred under this subsection to the appropriation account under s. 20.505 (7)
13 (j).

14 **SECTION 367c.** 234.165 (3) of the statutes, as created by 2001 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 286.** 250.15 of the statutes is repealed.

17 **SECTION 287.** 253.06 (4) (b) of the statutes is amended to read:

18 253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~
19 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~
20 ~~of a Class I felony for the first offense and may be fined not more than \$10,000 or~~
21 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~
22 felony for the 2nd or subsequent offense.

23 **SECTION 288.** 285.87 (2) (b) of the statutes is amended to read:

24 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
25 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except

1 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may
2 be fined not more than \$50,000 per day of violation or imprisoned for not more than
3 3 years or both.

4 **SECTION 370e.** 287.03 (1) (e) of the statutes is created to read:

5 287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

6 **SECTION 370f.** 287.07 (7) (a) of the statutes is amended to read:

7 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to
8 solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~
9 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~
10 solid waste contains no more than an incidental amount of materials specified in
11 subs. (3) and (4), as provided by the department by rule. This paragraph does not
12 apply to solid waste that is separated for recycling as part of an effective recycling
13 program under s. 287.11.

14 **SECTION 370g.** 287.07 (9) of the statutes is created to read:

15 287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under
16 pars. (b) and (c), no person operating a solid waste facility may accept solid waste
17 from a building containing 5 or more dwelling units or a commercial, retail,
18 industrial, or governmental facility that does not provide for the collection of
19 materials that are subject to subs. (3) and (4) and that are separated from other solid
20 waste by users or occupants of the building or facility.

21 (b) The department may grant exceptions to par. (a) on a case-by-case basis
22 as necessary to protect public health.

23 (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility
24 if the person has implemented a program to minimize the acceptance of recyclable

1 materials at the solid waste facility, and the program complies with the rules
2 promulgated under subd. 2.

3 2. The department shall promulgate rules that specify minimum standards for
4 a program that minimizes the acceptance of recyclable materials at a solid waste
5 facility for the purposes of subd. 1.

6 **SECTION 370h.** 287.07 (10) of the statutes is created to read:

7 287.07 (10) TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no
8 person operating a solid waste facility that provides a collection and transportation
9 service may transport solid waste for delivery to a solid waste disposal facility or a
10 solid waste treatment facility that converts solid waste into fuel or that burns solid
11 waste if the solid waste contains more than incidental amounts of materials specified
12 in subs. (3) and (4), as provided by the department by rule.

13 (b) Paragraph (a) does not apply with respect to solid waste to which the
14 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),
15 (f), (g), or (h).

16 **SECTION 370j.** 287.23 (5b) (intro.) of the statutes is amended to read:

17 287.23 (5b) GRANT AWARD FOR 2000 TO 2003. (intro.) The For 2000 to 2003, the
18 department shall award a grant under this subsection to each eligible responsible
19 unit that submits a complete grant application under sub. (4) for expenses allowable
20 under sub. (3) (b). The department shall determine the amount of the grants under
21 this subsection as follows:

22 **SECTION 370k.** 287.23 (5d) of the statutes is created to read:

23 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for
24 the year 2004, the department shall award a grant under this subsection to each

1 eligible responsible unit that submits a complete grant application under sub. (4) for
2 expenses allowable under sub. (3) (b).

3 (b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department
4 shall award an eligible responsible unit a grant under this subsection equal to the
5 population of the responsible unit times an amount that is the same for each
6 responsible unit and that the department determines will result in distributing as
7 much as possible of the amount appropriated under s. 20.370 (6) (bu), taking into
8 account pars. (c), (d), and (e) and sub. (5p).

9 (c) A grant under this subsection may not exceed the allowable expenses under
10 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for
11 which the grant is made.

12 (d) For a county that is the responsible unit for at least 75% of the population
13 of the county, the department shall award a grant under this subsection equal to the
14 greater of \$100,000 or the amount determined under par. (a), but not more than the
15 allowable expenses under sub. (3) (b).

16 (e) For grants for the year 2004, the department shall award a grant to a
17 responsible unit that received an award in 2003 that is equal to at least 80% of the
18 amount received in 2003.

19 **SECTION 370L.** 287.95 (3) (b) of the statutes is amended to read:

20 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)
21 ~~and, (4), (9), or (10)~~ may be required to forfeit \$50 for a first violation, may be required
22 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000
23 for a 3rd or subsequent violation.

24 **SECTION 289.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

1 291.97 (2) (b) (intro.) Any person who wilfully does any of the following shall
2 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
3 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than
4 \$100,000 or imprisoned for not more than 7 years and 6 months or both:

5 **SECTION 290.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

6 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall
7 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified
8 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000
9 or imprisoned for not more than 2 years or both.

10 2. For a 2nd or subsequent violation under par. (b), a person ~~shall~~ is guilty of
11 a Class F felony, except that, notwithstanding the maximum fine specified in s.
12 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
13 or imprisoned for not more than 15 years or both.

14 **SECTION 291.** 299.53 (4) (c) 2. of the statutes is amended to read:

15 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
16 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
17 or imprisoned for not more than one year in the county jail or both. For a 2nd or
18 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,
19 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
20 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

21 **SECTION 292.** 301.035 (2) of the statutes is amended to read:

22 301.035 (2) Assign hearing examiners from the division to preside over
23 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
24 (2) and ch. 304.

25 **SECTION 293.** 301.035 (4) of the statutes is amended to read:

1 301.035 (4) Supervise employees in the conduct of the activities of the division
2 and be the administrative reviewing authority for decisions of the division under ss.
3 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
4 ch. 304.

5 **SECTION 294.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

6 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
7 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
8 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (~~3~~), (4) or (5), 940.195
9 (~~3~~), (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)
10 (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
11 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,
12 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), (~~1m~~) or (~~1r~~), 943.30, 943.32, 946.43,
13 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or
14 948.30.

15 **SECTION 377g.** 301.26 (2) (c) of the statutes is amended to read:

16 301.26 (2) (c) All funds to counties under this section shall be used to purchase
17 or provide juvenile delinquency-related services under ch. 938 and to make
18 payments for the Youth Challenge program under s. 21.26 (3), except that no funds
19 to counties under this section may be used for purposes of land purchase, building
20 construction or maintenance of buildings under s. 46.17, 46.175 or 301.37, for
21 reimbursement of costs under s. 938.209, for city lockups or for reimbursement of
22 care costs in temporary shelter care under s. 938.22. Funds to counties under this
23 section may be used for reimbursement of costs of program services, other than basic
24 care and supervision costs, in juvenile secure detention facilities.

25 **SECTION 295.** 301.26 (4) (cm) 1. of the statutes is amended to read:

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

15 **SECTION 296.** 301.45 (6) (a) 2. of the statutes is amended to read:

16 301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~
17 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class
18 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense
19 if, prior to committing the offense, the person has at any time been convicted of
20 knowingly failing to comply with any requirement to provide information under
21 subs. (2) to (4).

22 **SECTION 297.** 302.045 (3) of the statutes is amended to read:

23 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
24 determines that an inmate serving a sentence other than one imposed under s.
25 973.01 has successfully completed the challenge incarceration program, the parole

1 commission shall parole the inmate for that sentence under s. 304.06, regardless of
2 the time the inmate has served, ~~unless the person is serving a sentence imposed~~
3 ~~under s. 973.01~~. When the parole commission grants parole under this subsection,
4 it must require the parolee to participate in an intensive supervision program for
5 drug abusers as a condition of parole.

6 **SECTION 298.** 302.095 (2) of the statutes is amended to read:

7 302.095 (2) Any officer or other person who delivers or procures to be delivered
8 or has in his or her possession with intent to deliver to any inmate confined in a jail
9 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts
10 of a jail or prison, or in any vehicle going into the premises belonging to a jail or
11 prison, any article or thing whatever, with intent that any inmate confined in the jail
12 or prison shall obtain or receive the same, or who receives from any inmate any
13 article or thing whatever with intent to convey the same out of a jail or prison,
14 contrary to the rules or regulations and without the knowledge or permission of the
15 sheriff or other keeper of the jail, in the case of a jail, or of the warden or
16 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~
17 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

18 **SECTION 299.** 302.11 (1g) (a) 2. of the statutes is amended to read:

19 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
20 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
21 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
22 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),
23 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,
24 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

25 **SECTION 300.** 302.11 (1p) of the statutes is amended to read:

1 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1999 stats., for
2 a crime committed before December 31, 1999, is entitled to mandatory release,
3 except the inmate may not be released before he or she has complied with s. 961.49
4 (2), 1999 stats.

5 **SECTION 301.** 302.11 (1z) of the statutes is amended to read:

6 302.11 (1z) An inmate who is sentenced to a term of confinement in prison
7 under s. 973.01 for a felony that is committed on or after December 31, 1999, is not
8 entitled under this section to mandatory release on parole under this section that
9 sentence.

10 **SECTION 302.** 302.11 (3) of the statutes is amended to read:

11 302.11 (3) All consecutive sentences imposed for crimes committed before
12 December 31, 1999, shall be computed as one continuous sentence.

13 **SECTION 303.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and
14 amended to read:

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

23 **SECTION 304.** 302.11 (7) (ag) of the statutes is created to read:

1 302.11 (7) (ag) In this subsection “reviewing authority” means the division of
2 hearings and appeals in the department of administration, upon proper notice and
3 hearing, or the department of corrections, if the parolee waives a hearing.

4 **SECTION 305.** 302.11 (7) (b) of the statutes is amended to read:

5 302.11 (7) (b) A parolee returned to prison for violation of the conditions of
6 parole shall be incarcerated for the entire period of time determined by the
7 ~~department of corrections in the case of a waiver or the division of hearings and~~
8 ~~appeals in the department of administration in the case of a hearing under par. (a),~~
9 reviewing authority unless paroled earlier under par. (c). The parolee is not subject
10 to mandatory release under sub. (1) or presumptive mandatory release under sub.
11 (1g). The period of time determined under par. (a) ~~(am)~~ (am) may be extended in
12 accordance with subs. (1q) and (2).

13 **SECTION 306.** 302.11 (7) (d) of the statutes is amended to read:

14 302.11 (7) (d) A parolee who is subsequently released either after service of the
15 period of time determined by the ~~department of corrections in the case of a waiver~~
16 ~~or the division of hearings and appeals in the department of administration in the~~
17 ~~case of a hearing under par. (a)~~ reviewing authority or by a grant of parole under par.
18 (c) is subject to all conditions and rules of parole until expiration of sentence or
19 discharge by the department.

20 **SECTION 307.** 302.11 (7) (e) of the statutes is created to read:

21 302.11 (7) (e) A reviewing authority may consolidate proceedings before it
22 under par. (am) with other proceedings before that reviewing authority under par.
23 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the
24 parole or extended supervision of the same person.

25 **SECTION 308.** 302.113 (2) of the statutes is amended to read:

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

6 **SECTION 309.** 302.113 (4) of the statutes is amended to read:

7 302.113 (4) All consecutive sentences imposed for crimes committed on or after
8 December 31, 1999, shall be computed as one continuous sentence. The person shall
9 serve any term of extended supervision after serving all terms of confinement in
10 prison.

11 **SECTION 310.** 302.113 (7) of the statutes, as affected by 2001 Wisconsin Act 16,
12 is amended to read:

13 302.113 (7) Any inmate released to extended supervision under this section is
14 subject to all conditions and rules of extended supervision until the expiration of the
15 term of extended supervision portion of the bifurcated sentence. The department
16 may set conditions of extended supervision in addition to any conditions of extended
17 supervision required under s. 302.116, if applicable, or set by the court under sub.
18 (7m) or s. 973.01 (5) if the conditions set by the department do not conflict with the
19 court's conditions.

20 **SECTION 311.** 302.113 (7m) of the statutes is created to read:

21 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
22 or the department may petition the sentencing court to modify any conditions of
23 extended supervision set by the court.

24 (b) If the department files a petition under this subsection, it shall serve a copy
25 of the petition on the person who is the subject of the petition and, if the person is

1 represented by an attorney, on the person's attorney. If a person who is subject to this
2 section or his or her attorney files a petition under this subsection, the person or his
3 or her attorney shall serve a copy of the petition on the department. The court shall
4 serve a copy of a petition filed under this section on the district attorney. The court
5 may direct the clerk of the court to provide notice of the petition to a victim of a crime
6 committed by the person who is the subject of the petition.

7 (c) The court may conduct a hearing to consider the petition. The court may
8 grant the petition in full or in part if it determines that the modification would meet
9 the needs of the department and the public and would be consistent with the
10 objectives of the person's sentence.

11 (d) A person subject to this section or the department may appeal an order
12 entered by the court under this subsection. The appellate court may reverse the
13 order only if it determines that the sentencing court erroneously exercised its
14 discretion in granting or denying the petition.

15 (e) 1. An inmate may not petition the court to modify the conditions of extended
16 supervision earlier than one year before the date of the inmate's scheduled date of
17 release to extended supervision or more than once before the inmate's release to
18 extended supervision.

19 2. A person subject to this section may not petition the court to modify the
20 conditions of extended supervision within one year after the inmate's release to
21 extended supervision. If a person subject to this section files a petition authorized
22 by this subsection after his or her release from confinement, the person may not file
23 another petition until one year after the date of filing the former petition.

24 **SECTION 312.** 302.113 (8m) of the statutes is created to read:

1 302.113 (8m) (a) Every person released to extended supervision under this
2 section remains in the legal custody of the department. If the department alleges
3 that any condition or rule of extended supervision has been violated by the person,
4 the department may take physical custody of the person for the investigation of the
5 alleged violation.

6 (b) If a person released to extended supervision under this section signs a
7 statement admitting a violation of a condition or rule of extended supervision, the
8 department may, as a sanction for the violation, confine the person for up to 90 days
9 in a regional detention facility or, with the approval of the sheriff, in a county jail.
10 If the department confines the person in a county jail under this paragraph, the
11 department shall reimburse the county for its actual costs in confining the person
12 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,
13 the person is not eligible to earn good time credit on any period of confinement
14 imposed under this subsection.

15 **SECTION 313.** 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and
16 amended to read:

17 302.113 (9) (am) If a person released to extended supervision under this section
18 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
19 ~~the department of administration, upon proper notice and hearing, or the~~
20 ~~department of corrections, if the person on extended supervision waives a hearing,~~
21 reviewing authority may revoke the extended supervision of the person and return
22 the person to prison. If the extended supervision of the person is revoked, the person
23 shall be returned to the circuit court for the county in which the person was convicted
24 of the offense for which he or she was on extended supervision, and the court shall
25 order the person to be returned to prison, he or she shall be returned to prison for any

1 specified period of time that does not exceed the time remaining on the bifurcated
2 sentence. The time remaining on the bifurcated sentence is the total length of the
3 bifurcated sentence, less time served by the person in ~~custody~~ confinement under the
4 sentence before release to extended supervision under sub. (2) and less all time
5 served in confinement for previous revocations of extended supervision under the
6 sentence. The ~~revocation~~ court order returning a person to prison under this
7 paragraph shall provide the person ~~on~~ whose extended supervision was revoked with
8 credit in accordance with ss. 304.072 and 973.155.

9 **SECTION 314.** 302.113 (9) (ag) of the statutes is created to read:

10 302.113 (9) (ag) In this subsection “reviewing authority” means the division of
11 hearings and appeals in the department of administration, upon proper notice and
12 hearing, or the department of corrections, if the person on extended supervision
13 waives a hearing.

14 **SECTION 315.** 302.113 (9) (at) of the statutes is created to read:

15 302.113 (9) (at) When a person is returned to court under par. (am) after
16 revocation of extended supervision, the reviewing authority shall make a
17 recommendation to the court concerning the period of time for which the person
18 should be returned to prison. The recommended time period may not exceed the time
19 remaining on the bifurcated sentence, as calculated under par. (am).

20 **SECTION 316.** 302.113 (9) (b) of the statutes is amended to read:

21 302.113 (9) (b) A person who is returned to prison after revocation of extended
22 supervision shall be incarcerated for the entire period of time specified by the
23 ~~department of corrections in the case of a waiver or by the division of hearings and~~
24 ~~appeals in the department of administration in the case of a hearing~~ court under par.
25 (a) (am). The period of time specified under par. (a) (am) may be extended in

1 accordance with sub. (3). If a person is returned to prison under par. (am) for a period
2 of time that is less than the time remaining on the bifurcated sentence, the person
3 shall be released to extended supervision after he or she has served the period of time
4 specified by the court under par. (am) and any periods of extension imposed in
5 accordance with sub. (3).

6 **SECTION 317.** 302.113 (9) (c) of the statutes is amended to read:

7 302.113 (9) (c) A person who is subsequently released to extended supervision
8 after service of the period of time specified by the department of corrections in the
9 case of a waiver or by the division of hearings and appeals in the department of
10 administration in the case of a hearing court under par. (a) (am) is subject to all
11 conditions and rules under sub. subs. (7) and, if applicable, (7m) until the expiration
12 of the term of remaining extended supervision portion of the bifurcated sentence.
13 The remaining extended supervision portion of the bifurcated sentence is the total
14 length of the bifurcated sentence, less the time served by the person in confinement
15 under the bifurcated sentence before release to extended supervision under sub. (2)
16 and less all time served in confinement for previous revocations of extended
17 supervision under the bifurcated sentence.

18 **SECTION 318.** 302.113 (9) (d) of the statutes is created to read:

19 302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a
20 person has served in confinement before release to extended supervision and the
21 amount of time a person has served in confinement for a revocation of extended
22 supervision includes any extensions imposed under sub. (3).

23 **SECTION 319.** 302.113 (9) (e) of the statutes is created to read:

24 302.113 (9) (e) If a hearing is to be held under par. (am) before the division of
25 hearings and appeals in the department of administration, the hearing examiner

1 may order the taking and allow the use of a videotaped deposition under s. 967.04
2 (7) to (10).

3 **SECTION 320.** 302.113 (9) (f) of the statutes is created to read:

4 302.113 (9) (f) A reviewing authority may consolidate proceedings before it
5 under par. (am) with other proceedings before that reviewing authority under par.
6 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the
7 parole or extended supervision of the same person.

8 **SECTION 321.** 302.113 (9) (g) of the statutes is created to read:

9 302.113 (9) (g) In any case in which there is a hearing before the division of
10 hearings and appeals in the department of administration concerning whether to
11 revoke a person's extended supervision, the person on extended supervision may
12 seek review of a decision to revoke extended supervision and the department of
13 corrections may seek review of a decision to not revoke extended supervision. Review
14 of a decision under this paragraph may be sought only by an action for certiorari.

15 **SECTION 322.** 302.113 (9g) of the statutes is created to read:

16 302.113 (9g) (a) In this subsection:

17 1. "Program review committee" means the committee at a correctional
18 institution that reviews the security classifications, institution assignments, and
19 correctional programming assignments of inmates confined in the institution.

20 2. "Terminal condition" means an incurable condition afflicting a person,
21 caused by injury, disease, or illness, as a result of which the person has a medical
22 prognosis that his or her life expectancy is 6 months or less, even with available
23 life-sustaining treatment provided in accordance with the prevailing standard of
24 medical care.

1 (b) An inmate who is serving a bifurcated sentence for a crime other than a
2 Class B felony may seek modification of the bifurcated sentence in the manner
3 specified in par. (f) if he or she meets one of the following criteria:

4 1. The inmate is 65 years of age or older and has served at least 5 years of the
5 term of confinement in prison portion of the bifurcated sentence.

6 2. The inmate is 60 years of age or older and has served at least 10 years of the
7 term of confinement in prison portion of the bifurcated sentence.

8 3. The inmate has a terminal condition.

9 (c) An inmate who meets the criteria under par. (b) may submit a petition to
10 the program review committee at the correctional institution in which the inmate is
11 confined requesting a modification of the inmate's bifurcated sentence in the manner
12 specified in par. (f). If the inmate alleges in the petition that he or she has a terminal
13 condition, the inmate shall attach to the petition affidavits from 2 physicians setting
14 forth a diagnosis that the inmate has a terminal condition.

15 (cm) If, after receiving the petition under par. (c), the program review
16 committee determines that the public interest would be served by a modification of
17 the inmate's bifurcated sentence in the manner provided under par. (f), the
18 committee shall approve the petition for referral to the sentencing court and notify
19 the department of its approval. The department shall then refer the inmate's
20 petition to the sentencing court and request the court to conduct a hearing on the
21 petition. If the program review committee determines that the public interest would
22 not be served by a modification of the inmate's bifurcated sentence in the manner
23 specified in par. (f), the committee shall deny the inmate's petition.

24 (d) When a court is notified by the department that it is referring to the court
25 an inmate's petition for modification of the inmate's bifurcated sentence, the court

1 shall set a hearing to determine whether the public interest would be served by a
2 modification of the inmate's bifurcated sentence in the manner specified in par. (f).
3 The inmate and the district attorney have the right to be present at the hearing, and
4 any victim of the inmate's crime has the right to be present at the hearing and to
5 provide a statement concerning the modification of the inmate's bifurcated sentence.
6 The court shall order such notice of the hearing date as it considers adequate to be
7 given to the department, the inmate, the attorney representing the inmate, if
8 applicable, and the district attorney. Victim notification shall be provided as
9 specified under par. (g).

10 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
11 by the greater weight of the credible evidence that a modification of the bifurcated
12 sentence in the manner specified in par. (f) would serve the public interest. If the
13 inmate proves that a modification of the bifurcated sentence in the manner specified
14 in par. (f) would serve the public interest, the court shall modify the inmate's
15 bifurcated sentence in that manner. If the inmate does not prove that a modification
16 of the bifurcated sentence in the manner specified in par. (f) would serve the public
17 interest, the court shall deny the inmate's petition for modification of the bifurcated
18 sentence.

19 (f) A court may modify an inmate's bifurcated sentence under this section only
20 as follows:

21 1. The court shall reduce the term of confinement in prison portion of the
22 inmate's bifurcated sentence in a manner that provides for the release of the inmate
23 to extended supervision within 30 days after the date on which the court issues its
24 order modifying the bifurcated sentence.

1 2. The court shall lengthen the term of extended supervision imposed so that
2 the total length of the bifurcated sentence originally imposed does not change.

3 (g) 1. In this paragraph, “victim” has the meaning given in s. 950.02 (4).

4 2. When a court sets a hearing date under par. (d), the clerk of the circuit court
5 shall send a notice of hearing to the victim of the crime committed by the inmate, if
6 the victim has submitted a card under subd. 3. requesting notification. The notice
7 shall inform the victim that he or she may appear at the hearing scheduled under
8 par. (d) and shall inform the victim of the manner in which he or she may provide a
9 statement concerning the modification of the inmate’s bifurcated sentence in the
10 manner provided in par. (f). The clerk of the circuit court shall make a reasonable
11 attempt to send the notice of hearing to the last-known address of the inmate’s
12 victim, postmarked at least 10 days before the date of the hearing.

13 3. The director of state courts shall design and prepare cards for a victim to send
14 to the clerk of the circuit court for the county in which the inmate was convicted and
15 sentenced. The cards shall have space for a victim to provide his or her name and
16 address, the name of the applicable inmate, and any other information that the
17 director of state courts determines is necessary. The director of state courts shall
18 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court
19 shall provide the cards, without charge, to victims. Victims may send completed
20 cards to the clerk of the circuit court for the county in which the inmate was convicted
21 and sentenced. All court records or portions of records that relate to mailing
22 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

23 (h) An inmate may appeal a court’s decision to deny the inmate’s petition for
24 modification of his or her bifurcated sentence. The state may appeal a court’s
25 decision to grant an inmate’s petition for a modification of the inmate’s bifurcated

1 sentence. In an appeal under this paragraph, the appellate court may reverse a
2 decision granting or denying a petition for modification of a bifurcated sentence only
3 if it determines that the sentencing court erroneously exercised its discretion in
4 granting or denying the petition.

5 (i) If the program review committee denies an inmate's petition under par. (cm),
6 the inmate may not file another petition within one year after the date of the program
7 review committee's denial. If the program review committee approves an inmate's
8 petition for referral to the sentencing court under par. (cm) but the sentencing court
9 denies the petition, the inmate may not file another petition under par. (cm) within
10 one year after the date of the court's decision.

11 (j) An inmate eligible to seek modification of his or her bifurcated sentence
12 under this subsection has a right to be represented by counsel in proceedings under
13 this subsection. An inmate, or the department on the inmate's behalf, may apply to
14 the state public defender for determination of indigency and appointment of counsel
15 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
16 committee under par. (c). If an inmate whose petition has been referred to the court
17 under par. (cm) is without counsel, the court shall refer the matter to the state public
18 defender for determination of indigency and appointment of counsel under s. 977.05
19 (4) (jm).

20 **SECTION 323.** 302.114 (4) of the statutes is amended to read:

21 302.114 (4) All consecutive sentences imposed for crimes committed on or after
22 December 31, 1999, shall be computed as one continuous sentence. An inmate
23 subject to this section shall serve any term of extended supervision after serving all
24 terms of confinement in prison.

25 **SECTION 324.** 302.114 (5) (f) of the statutes is amended to read:

1 302.114 (5) (f) An inmate may appeal an order denying his or her petition for
2 release to extended supervision. In an appeal under this paragraph, the appellate
3 court may reverse an order denying a petition for release to extended supervision
4 only if it determines that the sentencing court ~~improperly~~ erroneously exercised its
5 discretion in denying the petition for release to extended supervision.

6 **SECTION 325.** 302.114 (6) (b) of the statutes is amended to read:

7 302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for
8 release to extended supervision under this section, the clerk of the circuit court in
9 which the petition is filed shall send a copy of the petition and, if a hearing is
10 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if
11 the victim has submitted a card under par. (e) requesting notification.

12 **SECTION 326.** 302.114 (6) (c) of the statutes is amended to read:

13 302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she
14 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,
15 and shall inform the victim of the manner in which he or she may provide written
16 statements concerning the inmate's petition for release to extended supervision.

17 **SECTION 327.** 302.114 (8m) of the statutes is created to read:

18 302.114 (8m) (a) Every person released to extended supervision under this
19 section remains in the legal custody of the department. If the department alleges
20 that any condition or rule of extended supervision has been violated by the person,
21 the department may take physical custody of the person for the investigation of the
22 alleged violation.

23 (b) If a person released to extended supervision under this section signs a
24 statement admitting a violation of a condition or rule of extended supervision, the
25 department may, as a sanction for the violation, confine the person for up to 90 days

1 in a regional detention facility or, with the approval of the sheriff, in a county jail.
2 If the department confines the person in a county jail under this paragraph, the
3 department shall reimburse the county for its actual costs in confining the person
4 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,
5 the person is not eligible to earn good time credit on any period of confinement
6 imposed under this subsection.

7 **SECTION 328.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and
8 amended to read:

9 302.114 (9) (am) If a person released to extended supervision under this section
10 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
11 ~~the department of administration, upon proper notice and hearing, or the~~
12 ~~department of corrections, if the person on extended supervision waives a hearing,~~
13 reviewing authority may revoke the extended supervision of the person and ~~return~~
14 ~~the person to prison. If the extended supervision of the person is revoked, the person~~
15 shall be returned to the circuit court for the county in which the person was convicted
16 of the offense for which he or she was on extended supervision, and the court shall
17 order the person to be returned to prison, he or she shall be returned to prison for a
18 specified period of time, as provided under par. (b) before he or she is eligible for being
19 released again to extended supervision. The period of time specified under this
20 paragraph may not be less than 5 years and may be extended in accordance with sub.
21 (3).

22 **SECTION 329.** 302.114 (9) (ag) of the statutes is created to read:

23 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
24 in s. 302.113 (9) (ag).

25 **SECTION 330.** 302.114 (9) (b) of the statutes is amended to read:

1 302.114 (9) (b) ~~If~~ When a person is returned to ~~prison court~~ under par. (a) (am)
2 after revocation of extended supervision, the ~~department of corrections in the case~~
3 ~~of a waiver or the division of hearings and appeals in the department of~~
4 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall
5 ~~specify a~~ make a recommendation to the court concerning the period of time for
6 ~~which the person shall be incarcerated~~ should be returned to prison before being
7 eligible for release to extended supervision. The period of time specified
8 recommended under this paragraph may not be less than 5 years and ~~may be~~
9 ~~extended in accordance with sub. (3).~~

10 **SECTION 331.** 302.114 (9) (bm) of the statutes is amended to read:

11 302.114 (9) (bm) A person who is returned to prison under par. (a) (am) after
12 revocation of extended supervision may, upon petition to the sentencing court, be
13 released to extended supervision after he or she has served the entire period of time
14 specified ~~in~~ by the court under par. (b) (am), including any periods of extension
15 imposed under sub. (3). A person may not file a petition under this paragraph earlier
16 than 90 days before the date on which he or she is eligible to be released to extended
17 supervision. If a person files a petition for release to extended supervision under this
18 paragraph at any time earlier than 90 days before the date on which he or she is
19 eligible to be released to extended supervision, the court shall deny the petition
20 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition
21 filed under this paragraph.

22 **SECTION 332.** 302.114 (9) (c) of the statutes is amended to read:

23 302.114 (9) (c) A person who is subsequently released to extended supervision
24 under par. (b) (bm) is subject to all conditions and rules under sub. (8) until the
25 expiration of the sentence.

1 **SECTION 333.** 302.114 (9) (d) of the statutes is created to read:

2 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of
3 hearings and appeals in the department of administration, the hearing examiner
4 may order the taking and allow the use of a videotaped deposition under s. 967.04
5 (7) to (10).

6 **SECTION 334.** 302.114 (9) (e) of the statutes is created to read:

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

11 **SECTION 335.** 302.114 (9) (f) of the statutes is created to read:

12 302.114 (9) (f) In any case in which there is a hearing before the division of
13 hearings and appeals in the department of administration concerning whether to
14 revoke a person's extended supervision, the person on extended supervision may
15 seek review of a decision to revoke extended supervision and the department of
16 corrections may seek review of a decision to not revoke extended supervision. Review
17 of a decision under this paragraph may be sought only by an action for certiorari.

18 **SECTION 336.** 302.33 (1) of the statutes is amended to read:

19 302.33 (1) The maintenance of persons who have been sentenced to the state
20 penal institutions; persons in the custody of the department, except as provided in
21 sub. (2) and ~~s. ss.~~ ss. 301.048 (7), 302.113 (8m), and 302.114 (8m); persons accused of
22 crime and committed for trial; persons committed for the nonpayment of fines and
23 expenses; and persons sentenced to imprisonment therein, while in the county jail,
24 shall be paid out of the county treasury. No claim may be allowed to any sheriff for

1 keeping or boarding any person in the county jail unless the person was lawfully
2 detained therein.

3 **SECTION 337.** 303.063 of the statutes is repealed.

4 **SECTION 338.** 303.065 (1) (b) 1. of the statutes is amended to read:

5 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence
6 specified in subd. 2., may be considered for work release only after he or she has
7 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever
8 is applicable, or he or she has reached his or her extended supervision eligibility date
9 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

10 **SECTION 339.** 303.08 (1) (intro.) of the statutes is amended to read:

11 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment
12 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under
13 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during
14 necessary and reasonable hours for any of the following purposes:

15 **SECTION 340.** 303.08 (2) of the statutes is amended to read:

16 303.08 (2) Unless such privilege is expressly granted by the court or, in the case
17 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),
18 the department, the prisoner person is sentenced to ordinary confinement. The A
19 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)
20 or 302.114 (8m), may petition the court for such privilege at the time of sentence or
21 thereafter, and in the discretion of the court may renew the prisoner's petition. The
22 court may withdraw the privilege at any time by order entered with or without notice.

23 **SECTION 341.** 303.08 (5) (intro.) of the statutes is amended to read:

24 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement
25 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the

1 wages, salary and unemployment insurance and employment training benefits
2 received by prisoners shall be disbursed by the sheriff for the following purposes, in
3 the order stated:

4 **SECTION 342.** 303.08 (6) of the statutes is amended to read:

5 303.08 (6) The department, for a person subject to a confinement sanction
6 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may
7 authorize the sheriff to whom the prisoner is committed to arrange with another
8 sheriff for the employment or employment training of the prisoner in the other's
9 county, and while so employed or trained to be in the other's custody but in other
10 respects to be and continue subject to the commitment.

11 **SECTION 343.** 303.08 (12) of the statutes is amended to read:

12 303.08 (12) In counties having a house of correction, any person violating the
13 privilege granted under sub. (1) may be transferred by the county jailer to the house
14 of correction for the remainder of the term of the person's sentence or, if applicable,
15 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114
16 (8m).

17 **SECTION 344.** 303.21 (1) (b) of the statutes is amended to read:

18 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
19 a structured work program away from the institution grounds under s. 302.15 ~~or a~~
20 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if
21 they are employed in a prison industry under s. 303.06 (2), participating in a work
22 release program under s. 303.065 (2), participating in employment with a private
23 business under s. 303.01 (2) (em) or participating in the transitional employment
24 program, but they are eligible for worker's compensation benefits under ch. 102.

1 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
2 eligible for worker's compensation benefits under ch. 102.

3 **SECTION 345.** 304.06 (1) (b) of the statutes is amended to read:

4 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
5 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an
6 inmate of the Wisconsin state prisons or any felon or any person serving at least one
7 year or more in a county house of correction or a county reforestation camp organized
8 under s. 303.07, when he or she has served 25% of the sentence imposed for the
9 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)
10 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate
11 serving a life term when he or she has served 20 years, as modified by the formula
12 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.
13 The person serving the life term shall be given credit for time served prior to
14 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary
15 may grant special action parole releases under s. 304.02. The department or the
16 parole commission shall not provide any convicted offender or other person
17 sentenced to the department's custody any parole eligibility or evaluation until the
18 person has been confined at least 60 days following sentencing.

19 **SECTION 346.** 304.071 (2) of the statutes is amended to read:

20 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,
21 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he
22 or she is not eligible for parole under this section.

23 **SECTION 431g.** 304.073 (2) of the statutes is amended to read:

24 304.073 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
25 a fee to any probationer, parolee, or person on extended supervision who is under

1 minimum or administrative supervision and is supervised by the department. The
2 fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The
3 department shall set the fee sufficient to cover the cost of supervision and may set
4 varying rates, on a case-by-case basis, based on the person's supervision level. The
5 department shall collect moneys for the fee charged under this subsection and credit
6 those moneys to the appropriation account under s. 20.410 (1) (ge).

7 **SECTION 431k.** 304.074 (2) of the statutes is amended to read:

8 304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
9 a fee to probationers, parolees, and persons on extended supervision to partially
10 reimburse the department for the costs of providing supervision and services. The
11 department shall set varying rates for probationers, parolees, or persons on extended
12 supervision based on ability to pay and may set varying rates, on a case-by-case
13 basis, based on the person's supervision level, with the goal of receiving at least \$1
14 per day, if appropriate, from each probationer, parolee, and person on extended
15 supervision. The department shall not charge a fee while the probationer, parolee,
16 or person on extended supervision is exempt under sub. (3). The department shall
17 collect moneys for the fees charged under this subsection and credit those moneys to
18 the appropriation account under s. 20.410 (1) (gf).

19 **SECTION 347.** 304.11 (3) of the statutes is amended to read:

20 304.11 (3) If upon inquiry it further appears to the governor that the convicted
21 person has violated or failed to comply with any of those conditions, the governor may
22 issue his or her warrant remanding the person to the institution from which
23 discharged, and the person shall be confined and treated as though no pardon had
24 been granted, except that the person loses any applicable good time which he or she
25 had earned. If the person is returned to prison, the person is subject to the same

1 limitations as a revoked parolee under s. 302.11 (7). The department shall determine
2 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines
3 the person has not violated or failed to comply with the conditions, the person shall
4 be discharged subject to the conditional pardon.

5 **SECTION 348.** 341.605 (3) of the statutes is amended to read:

6 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
7 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~
8 guilty of a Class H felony.

9 **SECTION 349.** 342.06 (2) of the statutes is amended to read:

10 342.06 (2) Any person who knowingly makes a false statement in an
11 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
12 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

13 **SECTION 350.** 342.065 (4) (b) of the statutes is amended to read:

14 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~
15 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
16 ~~or both~~ is guilty of a Class II felony.

17 **SECTION 351.** 342.155 (4) (b) of the statutes is amended to read:

18 342.155 (4) (b) Any person who violates this section with intent to defraud may
19 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
20 or both is guilty of Class H felony.

21 **SECTION 352.** 342.156 (6) (b) of the statutes is amended to read:

22 342.156 (6) (b) Any person who violates this section with intent to defraud may
23 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
24 or both is guilty of a Class H felony.

25 **SECTION 353.** 342.30 (3) (a) of the statutes is amended to read:

1 342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~
2 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
3 Class H felony.

4 **SECTION 354.** 342.32 (3) of the statutes is amended to read:

5 342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
6 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation~~ is
7 guilty of a Class H felony.

8 **SECTION 355.** 343.31 (1) (i) of the statutes is amended to read:

9 343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under
10 s. 346.04 (3).

11 **SECTION 356.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

12 343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting
13 to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege
14 revoked as follows:

15 **SECTION 357.** 344.48 (2) of the statutes is amended to read:

16 344.48 (2) Any person violating this section may be fined not more than \$1,000
17 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

18 **SECTION 358.** 346.04 (2t) of the statutes is created to read:

19 346.04 (2t) No operator of a vehicle, after having received a visible or audible
20 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall
21 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as
22 safety reasonably permits.

23 **SECTION 359.** 346.04 (4) of the statutes is created to read:

1 346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may
2 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same
3 incident or occurrence.

4 **SECTION 360.** 346.17 (2t) of the statutes is created to read:

5 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than
6 \$10,000 or imprisoned for not more than 9 months or both.

7 **SECTION 361.** 346.17 (3) (a) of the statutes is amended to read:

8 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
9 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~
10 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

11 **SECTION 362.** 346.17 (3) (b) of the statutes is amended to read:

12 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
13 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
14 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~
15 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

16 **SECTION 363.** 346.17 (3) (c) of the statutes is amended to read:

17 346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22
18 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~
19 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

20 **SECTION 364.** 346.17 (3) (d) of the statutes is amended to read:

21 346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~
22 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~
23 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

24 **SECTION 365.** 346.175 (1) (a) of the statutes is amended to read:

1 346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a
2 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for
3 the violation as provided in this section.

4 **SECTION 366.** 346.175 (1) (b) of the statutes is amended to read:

5 346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a
6 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this
7 section if the person operating the vehicle or having the vehicle under his or her
8 control at the time of the violation has been convicted for the violation under this
9 section or under s. 346.04 (2t) or (3).

10 **SECTION 367.** 346.175 (4) (b) of the statutes is amended to read:

11 346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by
12 the authority issuing the citation with the name and address of the person operating
13 the vehicle or having the vehicle under his or her control at the time of the violation
14 and sufficient information for the officer to determine that probable cause does not
15 exist to believe that the owner of the vehicle was operating the vehicle at the time
16 of the violation, then the owner of the vehicle shall not be liable under this section
17 or under s. 346.04 (2t) or (3).

18 **SECTION 368.** 346.175 (4) (c) of the statutes is amended to read:

19 346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of
20 the violation the vehicle was in the possession of a lessee, and the lessor provides a
21 traffic officer employed by the authority issuing the citation with the information
22 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under
23 this section or under s. 346.04 (2t) or (3).

24 **SECTION 369.** 346.175 (4) (d) of the statutes is amended to read:

1 346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)
2 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time
3 of the violation the vehicle was being operated by or was under the control of any
4 person on a trial run, and if the dealer provides a traffic officer employed by the
5 authority issuing the citation with the name, address and operator's license number
6 of the person operating the vehicle, then that person, and not the dealer, shall be
7 liable under this section or under s. 346.04 (2t) or (3).

8 **SECTION 370.** 346.175 (5) (intro.) of the statutes is amended to read:

9 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.
10 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

11 **SECTION 371.** 346.175 (5) (a) of the statutes is amended to read:

12 346.175 (5) (a) A vehicle owner or other person found liable under this section
13 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor
14 more than \$1,000.

15 **SECTION 372.** 346.65 (2) (e) of the statutes is amended to read:

16 346.65 (2) (e) Except as provided in pars. (f) and (g), is guilty of a Class II felony
17 and shall be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not
18 less than 6 months ~~nor more than 5 years~~ if the number of convictions under ss.
19 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,
20 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,
21 except that suspensions, revocations or convictions arising out of the same incident
22 or occurrence shall be counted as one.

23 **SECTION 373.** 346.65 (5) of the statutes is amended to read:

1 346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)
2 ~~shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for~~
3 ~~not less than 90 days nor more than 2 years and 3 months~~ is guilty of a Class I felony.

4 **SECTION 374.** 346.74 (5) (b) of the statutes is amended to read:

5 346.74 (5) (b) ~~Shall May be fined not less than \$300 nor more than \$5,000~~
6 ~~\$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or~~
7 both if the accident involved injury to a person but the person did not suffer great
8 bodily harm.

9 **SECTION 375.** 346.74 (5) (c) of the statutes is amended to read:

10 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~
11 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person
12 and the person suffered great bodily harm.

13 **SECTION 376.** 346.74 (5) (d) of the statutes is amended to read:

14 346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~
15 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
16 death to a person.

17 **SECTION 377.** 350.11 (2m) of the statutes is amended to read:

18 350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~
19 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
20 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
21 person.

22 **SECTION 378.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

23 **SECTION 379.** 351.07 (2) (b) of the statutes is repealed.

24 **SECTION 380.** 446.07 of the statutes is amended to read:

1 **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100
2 ~~nor~~ more than ~~\$500~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
3 both.

4 **SECTION 465t.** 447.04 (1) (c) 2. of the statutes, as created by 2001 Wisconsin Act
5 16, is amended to read:

6 447.04 (1) (c) 2. A license granted under subd. 1. authorizes the license holder
7 to practice dentistry only within educational facilities ~~and only for the purpose of~~
8 ~~carrying out the license holder's teaching duties.~~

9 **SECTION 381.** 447.09 of the statutes is amended to read:

10 **447.09 Penalties.** Any person who violates this chapter may be fined not more
11 than \$1,000 or imprisoned for not more than one year in the county jail or both for
12 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~
13 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction
14 within 5 years.

15 **SECTION 382.** 450.11 (9) (b) of the statutes is amended to read:

16 450.11 (9) (b) Any person who delivers, or who possesses with intent to
17 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~
18 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
19 is guilty of a Class H felony.

20 **SECTION 383.** 450.14 (5) of the statutes is amended to read:

21 450.14 (5) Any person who violates this section ~~may be fined not less than \$100~~
22 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
23 ~~and 6 months or both~~ is guilty of a Class H felony.

24 **SECTION 384.** 450.15 (2) of the statutes is amended to read:

1 450.15 (2) Any person who violates this section ~~may be fined not less than \$100~~
2 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
3 ~~and 6 months or both~~ is guilty of a Class H felony.

4 **SECTION 385.** 551.58 (1) of the statutes is amended to read:

5 551.58 (1) Any person who wilfully violates any provision of this chapter except
6 s. 551.54, or any rule under this chapter, or any order of which the person has notice,
7 or who violates s. 551.54 knowing or having reasonable cause to believe that the
8 statement made was false or misleading in any material respect, ~~may be fined not~~
9 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
10 guilty of a Class H felony. Each of the acts specified shall constitute a separate
11 offense and a prosecution or conviction for any one of such offenses shall not bar
12 prosecution or conviction for any other offense.

13 **SECTION 386.** 552.19 (1) of the statutes is amended to read:

14 552.19 (1) Any person, including a controlling person of an offeror or target
15 company, who wilfully violates this chapter or any rule under this chapter, or any
16 order of which the person has notice, ~~may be fined not more than \$5,000 or~~
17 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
18 felony. Each of the acts specified constitutes a separate offense and a prosecution or
19 conviction for any one of the offenses does not bar prosecution or conviction for any
20 other offense.

21 **SECTION 387.** 553.52 (1) of the statutes is amended to read:

22 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of
23 which the person has notice, or who violates s. 553.41 (1) knowing or having
24 reasonable cause to believe either that the statement made was false or misleading
25 in any material respect or that the failure to report a material event under s. 553.31

1 (1) was false or misleading in any material respect, ~~may be fined not more than~~
2 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
3 Class G felony. Each of the acts specified is a separate offense, and a prosecution or
4 conviction for any one of those offenses does not bar prosecution or conviction for any
5 other offense.

6 **SECTION 388.** 553.52 (2) of the statutes is amended to read:

7 553.52 (2) Any person who employs, directly or indirectly, any device, scheme
8 or artifice to defraud in connection with the offer or sale of any franchise or engages,
9 directly or indirectly, in any act, practice, or course of business which operates or
10 would operate as a fraud or deceit upon any person in connection with the offer or
11 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~
12 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

13 **SECTION 389.** 560.17 (5c) (a) 3. of the statutes is amended to read:

14 560.17 (5c) (a) 3. The grant proceeds will be used to pay for services related to
15 the start-up, modernization, or expansion of the dairy farm or other agricultural
16 business, or for management assistance, ~~as defined in s. 560.20 (1) (ef)~~, continuing
17 after the completion of the start-up, modernization, or expansion of the dairy farm
18 or other agricultural business.

19 **SECTION 390.** 560.18 (1) of the statutes is renumbered 560.18 (1m) and
20 amended to read:

21 560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department
22 may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d)~~, to
23 develop forestry educational programs and instructional materials for use in the
24 public schools. The department may not award a grant unless it enters into a
25 memorandum of understanding with the grant recipient and the director of the

1 timber management program at the University of Wisconsin–Stevens Point
2 regarding the use of the funds.

3 **SECTION 391.** 560.18 (1c) of the statutes is created to read:

4 560.18 (1c) In this section, “nonprofit organization” means a nonprofit
5 corporation, as defined in s. 181.0103 (17), and any organization described in section
6 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under
7 section 501 (a) of the Internal Revenue Code.

8 **SECTION 392.** 560.18 (2) of the statutes is amended to read:

9 560.18 (2) The recipient of a grant under sub. (1) (1m) shall submit the
10 programs and materials developed with the funds to the department and the director
11 of the timber management program at the University of Wisconsin–Stevens Point
12 College of Natural Resources for approval. Upon request, the grant recipient shall
13 provide approved programs and materials to school districts free of charge.

14 **SECTION 393.** 560.20 (title) of the statutes is repealed.

15 **SECTION 394.** 560.20 (1) (intro.) of the statutes is repealed.

16 **SECTION 395.** 560.20 (1) (a) of the statutes is renumbered 560.21 (1) (a).

17 **SECTION 396.** 560.20 (1) (b) of the statutes is renumbered 560.21 (1) (b).

18 **SECTION 397.** 560.20 (1) (c) of the statutes is repealed.

19 **SECTION 398.** 560.20 (1) (cf) of the statutes is renumbered 560.17 (1) (br).

20 **SECTION 399.** 560.20 (1) (cm) of the statutes is repealed.

21 **SECTION 400.** 560.20 (1) (d) of the statutes is repealed.

22 **SECTION 401.** 560.20 (1) (e) of the statutes is repealed.

23 **SECTION 402.** 560.20 (1) (f) of the statutes is repealed.

24 **SECTION 403.** 560.20 (1) (g) of the statutes is repealed.

25 **SECTION 404.** 560.20 (1m) of the statutes is repealed.

1 **SECTION 405.** 560.20 (2) of the statutes is repealed.

2 **SECTION 406.** 560.20 (3) (a) of the statutes is repealed.

3 **SECTION 407.** 560.20 (3) (b) of the statutes is repealed.

4 **SECTION 408.** 560.20 (3) (c) of the statutes is repealed.

5 **SECTION 409.** 560.20 (3) (cm) of the statutes is repealed.

6 **SECTION 410.** 560.20 (3) (d) of the statutes is repealed.

7 **SECTION 411.** 560.20 (3) (e) of the statutes is repealed.

8 **SECTION 412.** 560.20 (3) (f) (intro.) and 4. of the statutes are consolidated,
9 renumbered 560.21 (2) and amended to read:

10 560.21 (2) The department shall do all of the following: 4. ~~Deposit~~ deposit in
11 the ~~appropriation account under s. 20.143 (1) (in)~~ general fund all interest and
12 principal received in repayment of loans under ~~this subsection s. 560.20 (3), 1999~~
13 stats., any proceeds from equity investments made by the community development
14 finance company under s. 234.965, 1991 stats., that are received by the department
15 or the community development finance company, and any unencumbered grant
16 funds returned to the department under 1993 Wisconsin Act 437, section 9115 (1t).

17 **SECTION 413.** 560.20 (3) (f) 1. of the statutes is repealed.

18 **SECTION 414.** 560.20 (3) (f) 2. of the statutes is repealed.

19 **SECTION 415.** 560.20 (3) (f) 3. of the statutes is repealed.

20 **SECTION 416.** 560.20 (3) (g) of the statutes is repealed.

21 **SECTION 417.** 560.20 (3) (h) of the statutes is renumbered 560.21 (3).

22 **SECTION 418.** 560.21 of the statutes is created to read:

23 **560.21 General fund deposit. (1)** In this section:

24 **SECTION 504c.** 560.62 (1) (intro.) of the statutes is amended to read:

1 560.62 (1) (intro.) The Subject to subs. (1m) and (2), the board may award any
2 of the following under s. 560.61 to any of the following for any of the following
3 purposes:

4 **SECTION 504m.** 560.62 (1m) of the statutes is created to read:

5 560.62 (1m) The board shall award in each biennium, beginning in the
6 2001–03 biennium, at least \$364,400 in grants or loans under sub. (1) for projects
7 related to pollution reduction or energy conservation.

8 **SECTION 419.** 562.13 (3) of the statutes is amended to read:

9 562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~
10 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

11 **SECTION 420.** 562.13 (4) of the statutes is amended to read:

12 562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~
13 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
14 ~~or both~~ is guilty of a Class H felony.

15 **SECTION 421.** 565.50 (2) of the statutes is amended to read:

16 565.50 (2) Any person who alters or forges a lottery ticket or share or
17 intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~
18 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
19 ~~or both~~ is guilty of a Class I felony.

20 **SECTION 422.** 565.50 (3) of the statutes is amended to read:

21 565.50 (3) Any person who possesses an altered or forged lottery ticket or share
22 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not
23 more than ~~3 years~~ 9 months or both.

24 **SECTION 423.** 601.64 (4) of the statutes is amended to read:

1 601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally
2 permits any person over whom he or she has authority to violate or intentionally aids
3 any person in violating any insurance statute or rule of this state, s. 149.13 or
4 149.144 or any effective order issued under s. 601.41 (4) may is guilty of a Class I
5 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~
6 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~
7 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the
8 meaning expressed under s. 939.23.

9 **SECTION 509e.** 614.01 (1) (c) 3. of the statutes is amended to read:

10 614.01 (1) (c) 3. The local lodges are required by the laws of the fraternal to hold
11 regular meetings at least ~~monthly~~ once every 3 months; and

12 **SECTION 424.** 641.19 (4) (a) of the statutes is amended to read:

13 641.19 (4) (a) Any person who wilfully violates or fails to comply with any
14 provision of this chapter or the rules promulgated thereunder or who, knowingly,
15 makes a false statement, a false representation of a material fact, or who fails to
16 disclose a material fact in any registration, examination, statement or report
17 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~
18 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
19 guilty of a Class H felony.

20 **SECTION 425.** 641.19 (4) (b) of the statutes is amended to read:

21 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully
22 abstracts or converts to his or her own use or to the use of another, any of the moneys,
23 funds, securities, premiums, credits, property, or other assets of any employee
24 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~