

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

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

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

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

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

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

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

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

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

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

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 (this act), is repealed.

SECTION 368. 250.15 of the statutes is repealed.

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

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

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

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

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

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

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

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

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

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

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

(c) 1. Paragraph (a) does not apply to a person operating a solid waste facility if the person has implemented a program to minimize the acceptance of recyclable materials at the solid waste facility, and the program complies with the rules promulgated under subd. 2.

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

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

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

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

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

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

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

287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for the year 2004, the department shall award a grant under this subsection to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b).

(b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department shall award an eligible responsible unit a grant under this subsection equal to the population of the responsible unit times an amount that is the same for each responsible unit and that the department determines will result in distributing as

much as possible of the amount appropriated under s. 20.370 (6) (bu), taking into account pars. (c), (d), and (e) and sub. (5p).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,

940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 ~~(3), (4)~~ or (5), 940.195 ~~(3), (4)~~ or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2) (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 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or 948.30.

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

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

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

301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured correctional facilities, secured child caring institutions, alternate care providers, aftercare supervision providers and corrective sanctions supervision providers for costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age or over who has been placed in a secured correctional facility based on a delinquent

act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1), or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any juvenile 10 years of age or over who has been placed in a secured correctional facility or secured child caring institution for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 396. 302.113 (8m) of the statutes is created to read:

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

(b) If a person released to extended supervision under this section signs a statement admitting a violation of a condition or rule of extended supervision, the

department may, as a sanction for the violation, confine the person for up to 90 days in a regional detention facility or, with the approval of the sheriff, in a county jail. If the department confines the person in a county jail under this paragraph, the department shall reimburse the county for its actual costs in confining the person from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43, the person is not eligible to earn good time credit on any period of confinement imposed under this subsection.

SECTION 397. 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and amended to read:

302.113 (9) (am) If a person released to extended supervision under this section violates a condition of extended supervision, the division of hearings and appeals in the department of administration, upon proper notice and hearing, or the department of corrections, if the person on extended supervision waives a hearing, reviewing authority may revoke the extended supervision of the person and ~~return the person to prison.~~ If the extended supervision of the person is revoked, the person shall be returned to the circuit court for the county in which the person was convicted of the offense for which he or she was on extended supervision, and the court shall order the person to be returned to prison, he or she shall be returned to prison for any specified period of time that does not exceed the time remaining on the bifurcated sentence. The time remaining on the bifurcated sentence is the total length of the bifurcated sentence, less time served by the person in custody confinement under the sentence before release to extended supervision under sub. (2) and less all time served in confinement for previous revocations of extended supervision under the sentence. ~~The revocation court order returning a person to prison under this~~

paragraph shall provide the person ~~on~~ whose extended supervision was revoked with credit in accordance with ss. 304.072 and 973.155.

SECTION 398. 302.113 (9) (ag) of the statutes is created to read:

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

SECTION 399. 302.113 (9) (at) of the statutes is created to read:

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

SECTION 400. 302.113 (9) (b) of the statutes is amended to read:

302.113 (9) (b) A person who is returned to prison after revocation of extended supervision shall be incarcerated for the entire period of time specified by the department of corrections in the case of a waiver or by the division of hearings and appeals in the department of administration in the case of a hearing court under par. (a) ~~(am)~~. The period of time specified under par. (a) ~~(am)~~ may be extended in accordance with sub. (3). If a person is returned to prison under par. (am) for a period of time that is less than the time remaining on the bifurcated sentence, the person shall be released to extended supervision after he or she has served the period of time specified by the court under par. (am) and any periods of extension imposed in accordance with sub. (3).

SECTION 401. 302.113 (9) (c) of the statutes is amended to read:

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

SECTION 402. 302.113 (9) (d) of the statutes is created to read:

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

SECTION 403. 302.113 (9) (e) of the statutes is created to read:

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

SECTION 404. 302.113 (9) (f) of the statutes is created to read:

302.113 (9) (f) A reviewing authority may consolidate proceedings before it under par. (am) with other proceedings before that reviewing authority under par.

(am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the parole or extended supervision of the same person.

SECTION 405. 302.113 (9) (g) of the statutes is created to read:

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

SECTION 406. 302.113 (9g) of the statutes is created to read:

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

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

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

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

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

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

3. The inmate has a terminal condition.

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

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

(d) When a court is notified by the department that it is referring to the court an inmate's petition for modification of the inmate's bifurcated sentence, the court shall set a hearing to determine whether the public interest would be served by a modification of the inmate's bifurcated sentence in the manner specified in par. (f). The inmate and the district attorney have the right to be present at the hearing, and any victim of the inmate's crime has the right to be present at the hearing and to provide a statement concerning the modification of the inmate's bifurcated sentence.

The court shall order such notice of the hearing date as it considers adequate to be given to the department, the inmate, the attorney representing the inmate, if applicable, and the district attorney. Victim notification shall be provided as specified under par. (g).

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

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

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

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

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

2. When a court sets a hearing date under par. (d), the clerk of the circuit court shall send a notice of hearing to the victim of the crime committed by the inmate, if the victim has submitted a card under subd. 3. requesting notification. The notice

shall inform the victim that he or she may appear at the hearing scheduled under par. (d) and shall inform the victim of the manner in which he or she may provide a statement concerning the modification of the inmate's bifurcated sentence in the manner provided in par. (f). The clerk of the circuit court shall make a reasonable attempt to send the notice of hearing to the last-known address of the inmate's victim, postmarked at least 10 days before the date of the hearing.

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

(h) An inmate may appeal a court's decision to deny the inmate's petition for modification of his or her bifurcated sentence. The state may appeal a court's decision to grant an inmate's petition for a modification of the inmate's bifurcated sentence. In an appeal under this paragraph, the appellate court may reverse a decision granting or denying a petition for modification of a bifurcated sentence only if it determines that the sentencing court erroneously exercised its discretion in granting or denying the petition.

(i) If the program review committee denies an inmate's petition under par. (cm), the inmate may not file another petition within one year after the date of the program

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

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

SECTION 407. 302.114 (4) of the statutes is amended to read:

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

SECTION 408. 302.114 (5) (f) of the statutes is amended to read:

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

SECTION 409. 302.114 (6) (b) of the statutes is amended to read:

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

SECTION 410. 302.114 (6) (c) of the statutes is amended to read:

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

SECTION 411. 302.114 (8m) of the statutes is created to read:

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

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

SECTION 412. 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and amended to read:

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

SECTION 413. 302.114 (9) (ag) of the statutes is created to read:

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

SECTION 414. 302.114 (9) (b) of the statutes is amended to read:

302.114 (9) (b) ~~If~~ When a person is returned to ~~prison court~~ prison under par. (a) (am) after revocation of extended supervision, ~~the department of corrections in the case of a waiver or the division of hearings and appeals in the department of administration in the case of a hearing under par. (a)~~ reviewing authority shall specify a ~~make a recommendation to the court concerning the period of time for which the person shall be incarcerated~~ should be returned to prison before being

eligible for release to extended supervision. The period of time ~~specified~~ recommended under this paragraph may not be less than 5 years and ~~may be extended in accordance with sub. (3).~~

SECTION 415. 302.114 (9) (bm) of the statutes is amended to read:

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

SECTION 416. 302.114 (9) (c) of the statutes is amended to read:

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

SECTION 417. 302.114 (9) (d) of the statutes is created to read:

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

SECTION 418. 302.114 (9) (e) of the statutes is created to read:

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

SECTION 419. 302.114 (9) (f) of the statutes is created to read:

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

SECTION 420. 302.33 (1) of the statutes is amended to read:

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

SECTION 421. 303.063 of the statutes is repealed.

SECTION 422. 303.065 (1) (b) 1. of the statutes is amended to read:

303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence specified in subd. 2., may be considered for work release only after he or she has reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever

is applicable, or he or she has reached his or her extended supervision eligibility date under s. 302.114 (9) (b) (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

SECTION 423. 303.08 (1) (intro.) of the statutes is amended to read:

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

SECTION 424. 303.08 (2) of the statutes is amended to read:

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

SECTION 425. 303.08 (5) (intro.) of the statutes is amended to read:

303.08 (5) (intro.) By order of the court or, for a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the wages, salary and unemployment insurance and employment training benefits received by prisoners shall be disbursed by the sheriff for the following purposes, in the order stated:

SECTION 426. 303.08 (6) of the statutes is amended to read:

303.08 (6) The department, for a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may authorize the sheriff to whom the prisoner is committed to arrange with another

sheriff for the employment or employment training of the prisoner in the other's county, and while so employed or trained to be in the other's custody but in other respects to be and continue subject to the commitment.

SECTION 427. 303.08 (12) of the statutes is amended to read:

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

SECTION 428. 303.21 (1) (b) of the statutes is amended to read:

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

SECTION 429. 304.06 (1) (b) of the statutes is amended to read:

304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s. 302.045 (3), ~~961.49 (2),~~ 973.01 (6) or 973.0135, the parole commission may parole an inmate of the Wisconsin state prisons or any felon or any person serving at least one year or more in a county house of correction or a county reforestation camp organized under s. 303.07, when he or she has served 25% of the sentence imposed for the

offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary may grant special action parole releases under s. 304.02. The department or the parole commission shall not provide any convicted offender or other person sentenced to the department's custody any parole eligibility or evaluation until the person has been confined at least 60 days following sentencing.

SECTION 431. 304.071 (2) of the statutes is amended to read:

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

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

304.073 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge a fee to any probationer, parolee, or person on extended supervision who is under minimum or administrative supervision and is supervised by the department. The fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The department shall set the fee sufficient to cover the cost of supervision and may set varying rates, on a case-by-case basis, based on the person's supervision level. The department shall collect moneys for the fee charged under this subsection and credit those moneys to the appropriation account under s. 20.410 (1) (ge).

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

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

SECTION 432. 304.11 (3) of the statutes is amended to read:

304.11 (3) If upon inquiry it further appears to the governor that the convicted person has violated or failed to comply with any of those conditions, the governor may issue his or her warrant remanding the person to the institution from which discharged, and the person shall be confined and treated as though no pardon had been granted, except that the person loses any applicable good time which he or she had earned. If the person is returned to prison, the person is subject to the same limitations as a revoked parolee under s. 302.11 (7). The department shall determine the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines the person has not violated or failed to comply with the conditions, the person shall be discharged subject to the conditional pardon.

SECTION 433. 341.605 (3) of the statutes is amended to read:

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

SECTION 434. 342.06 (2) of the statutes is amended to read:

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

SECTION 435. 342.065 (4) (b) of the statutes is amended to read:

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

SECTION 436. 342.155 (4) (b) of the statutes is amended to read:

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

SECTION 437. 342.156 (6) (b) of the statutes is amended to read:

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

SECTION 438. ^{no CS} 342.30 (3) (a) of the statutes is amended to read:

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

SECTION 439. 342.32 (3) of the statutes is amended to read:

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

SECTION 440. 343.31 (1) (i) of the statutes is amended to read:

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

SECTION 441. 343.31 (3) (d) (intro.) of the statutes is amended to read:

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

SECTION 442. 344.48 (2) of the statutes is amended to read:

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

SECTION 443. 346.04 (2t) of the statutes is created to read:

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

SECTION 444. 346.04 (4) of the statutes is created to read:

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

SECTION 445. 346.17 (2t) of the statutes is created to read:

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

SECTION 446. 346.17 (3) (a) of the statutes is amended to read:

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

SECTION 447. 346.17 (3) (b) of the statutes is amended to read:

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

SECTION 448. 346.17 (3) (c) of the statutes is amended to read:

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

SECTION 449. 346.17 (3) (d) of the statutes is amended to read:

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

SECTION 450. 346.175 (1) (a) of the statutes is amended to read:

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

SECTION 451. 346.175 (1) (b) of the statutes is amended to read:

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

control at the time of the violation has been convicted for the violation under this section or under s. 346.04 (2t) or (3).

SECTION 452. 346.175 (4) (b) of the statutes is amended to read:

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

SECTION 453. 346.175 (4) (c) of the statutes is amended to read:

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

SECTION 454. 346.175 (4) (d) of the statutes is amended to read:

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

SECTION 455. 346.175 (5) (intro.) of the statutes is amended to read:

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

SECTION 456. 346.175 (5) (a) of the statutes is amended to read:

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

SECTION 457. 346.65 (2) (e) of the statutes is amended to read:

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

SECTION 458. 346.65 (5) of the statutes is amended to read:

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

SECTION 459. 346.74 (5) (b) of the statutes is amended to read:

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

SECTION 460. 346.74 (5) (c) of the statutes is amended to read:

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

SECTION 461. 346.74 (5) (d) of the statutes is amended to read:

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

SECTION 462. 350.11 (2m) of the statutes is amended to read:

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

SECTION 463. 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

SECTION 464. 351.07 (2) (b) of the statutes is repealed.

SECTION 465. 446.07 of the statutes is amended to read:

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

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

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

SECTION 466. 447.09 of the statutes is amended to read:

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

SECTION 467. 450.11 (9) (b) of the statutes is amended to read:

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

SECTION 468. 450.14 (5) of the statutes is amended to read:

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

SECTION 469. 450.15 (2) of the statutes is amended to read:

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

SECTION 470. 551.58 (1) of the statutes is amended to read:

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

offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense.

SECTION 471. 552.19 (1) of the statutes is amended to read:

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

SECTION 472. 553.52 (1) of the statutes is amended to read:

553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of which the person has notice, or who violates s. 553.41 (1) knowing or having reasonable cause to believe either that the statement made was false or misleading in any material respect or that the failure to report a material event under s. 553.31 (1) was false or misleading in any material respect, ~~may be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class G felony. Each of the acts specified is a separate offense, and a prosecution or conviction for any one of those offenses does not bar prosecution or conviction for any other offense.

SECTION 473. 553.52 (2) of the statutes is amended to read:

553.52 (2) Any person who employs, directly or indirectly, any device, scheme or artifice to defraud in connection with the offer or sale of any franchise or engages, directly or indirectly, in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person in connection with the offer or

sale of any franchise shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of a Class G felony.

SECTION 475. 560.17 (5c) (a) 3. of the statutes is amended to read:

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

SECTION 476. 560.18 (1) of the statutes is renumbered 560.18 (1m) and amended to read:

560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d),~~ to develop forestry educational programs and instructional materials for use in the public schools. The department may not award a grant unless it enters into a memorandum of understanding with the grant recipient and the director of the timber management program at the University of Wisconsin-Stevens Point regarding the use of the funds.

SECTION 477. 560.18 (1c) of the statutes is created to read:

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

SECTION 478. 560.18 (2) of the statutes is amended to read:

560.18 (2) The recipient of a grant under sub. ~~(1)~~ (1m) shall submit the programs and materials developed with the funds to the department and the director

of the timber management program at the University of Wisconsin–Stevens Point College of Natural Resources for approval. Upon request, the grant recipient shall provide approved programs and materials to school districts free of charge.

SECTION 479. 560.20 (title) of the statutes is repealed.

SECTION 480. 560.20 (1) (intro.) of the statutes is repealed.

SECTION 481. 560.20 (1) (a) of the statutes is renumbered 560.21 (1) (a).

SECTION 482. 560.20 (1) (b) of the statutes is renumbered 560.21 (1) (b).

SECTION 483. 560.20 (1) (c) of the statutes is repealed.

SECTION 484. 560.20 (1) (cf) of the statutes is renumbered 560.17 (1) (br).

SECTION 485. 560.20 (1) (cm) of the statutes is repealed.

SECTION 486. 560.20 (1) (d) of the statutes is repealed.

SECTION 487. 560.20 (1) (e) of the statutes is repealed.

SECTION 488. 560.20 (1) (f) of the statutes is repealed.

SECTION 489. 560.20 (1) (g) of the statutes is repealed.

SECTION 490. 560.20 (1m) of the statutes is repealed.

SECTION 491. 560.20 (2) of the statutes is repealed.

SECTION 492. 560.20 (3) (a) of the statutes is repealed.

SECTION 493. 560.20 (3) (b) of the statutes is repealed.

SECTION 494. 560.20 (3) (c) of the statutes is repealed.

SECTION 495. 560.20 (3) (cm) of the statutes is repealed.

SECTION 496. 560.20 (3) (d) of the statutes is repealed.

SECTION 497. 560.20 (3) (e) of the statutes is repealed.

SECTION 498. 560.20 (3) (f) (intro.) and 4. of the statutes are consolidated, renumbered 560.21 (2) and amended to read:

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

SECTION 499. 560.20 (3) (f) 1. of the statutes is repealed.

SECTION 500. 560.20 (3) (f) 2. of the statutes is repealed.

SECTION 501. 560.20 (3) (f) 3. of the statutes is repealed.

SECTION 502. 560.20 (3) (g) of the statutes is repealed.

SECTION 503. 560.20 (3) (h) of the statutes is renumbered 560.21 (3).

SECTION 504. 560.21 of the statutes is created to read:

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

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

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

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

→ 560.62 (1m) The board shall award in each biennium ~~beginning in the~~
→ ~~2004-2005~~ at least \$364,400 in grants or loans under sub. (1) for projects related to pollution reduction or energy conservation.

SECTION 505. 562.13 (3) of the statutes is amended to read:

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

SECTION 506. 562.13 (4) of the statutes is amended to read:

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

SECTION 507. 565.50 (2) of the statutes is amended to read:

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

SECTION 508. 565.50 (3) of the statutes is amended to read:

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

SECTION 509. 601.64 (4) of the statutes is amended to read:

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

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

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

SECTION 510. 641.19 (4) (a) of the statutes is amended to read:

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

SECTION 511. 641.19 (4) (b) of the statutes is amended to read:

641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully abstracts or converts to his or her own use or to the use of another, any of the moneys, funds, securities, premiums, credits, property, or other assets of any employee welfare fund, or of any fund connected therewith, ~~shall be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

SECTION 512. 753.061 (2m) of the statutes is amended to read:

753.061 (2m) The chief judge of the 1st judicial administrative district is authorized to designate 4 circuit court branches to primarily handle violent crime cases that involve a violation of s. 939.63, if a felony is committed while armed, and of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32 (2). If the circuit court branches are designated under this subsection, 2 shall begin to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to primarily handle violent crime cases on August 1, 1992.

SECTION 513. 765.30 (1) (intro.) of the statutes is amended to read:

765.30 (1) (intro.) The following ~~shall~~ may be fined not less than \$200 ~~nor~~ more than \$1,000 ~~\$10,000~~ or imprisoned for not more than ~~2-years~~ 9 months or both:

SECTION 514. 765.30 (2) (intro.) of the statutes is amended to read:

765.30 (2) (intro.) The following ~~shall~~ may be fined not less than \$100 ~~nor~~ more than \$1,000 ~~\$10,000~~ or imprisoned for not more than ~~2-years~~ 9 months or both:

SECTION 515. 767.242 (8) of the statutes is amended to read:

767.242 (8) PENALTY. Whoever intentionally violates an injunction issued under sub. (5) (b) 2. c. ~~may be fined not more than \$10,000 or imprisoned for not more than 2-years or both~~ is guilty of a Class I felony.

SECTION 516. 768.07 of the statutes is amended to read:

768.07 Penalty. Any person who violates any provision of this chapter may be fined not less than \$100 ~~nor~~ more than \$1,000 ~~\$10,000~~ or imprisoned for not more than ~~2-years~~ 9 months or both.

SECTION 517. 783.07 of the statutes is amended to read:

783.07 Fine or imprisonment. Whenever a peremptory mandamus ~~shall be~~ is directed to any public officer, body, board or person, commanding the performance of any duty specially enjoined by law, ~~if it shall appear to the court that such~~ and the officer or person or any member of such ~~the~~ body or board has, without just excuse, refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not exceeding \$5,000, upon every such,~~ the officer, person or member of such ~~the~~ body or board, ~~or sentence the officer, person or member to imprisonment for not more than 7-years and 6 months~~ is guilty of a Class H felony.

SECTION 518. 801.50 (5) of the statutes is amended to read:

801.50 (5) Venue of an action for certiorari to review a probation, extended supervision or parole revocation, a denial by a program review committee under s.

302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of parole by certiorari shall be the county in which the relator was last convicted of an offense for which the relator was on probation, extended supervision or parole or for which the relator is currently incarcerated.

SECTION 519. 801.50 (5c) of the statutes is created to read:

801.50 (5c) Venue of an action for certiorari brought by the department of corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke extended supervision shall be in the county in which the person on extended supervision was convicted of the offense for which he or she is on extended supervision.

SECTION 520. 814.634 (1) (a) of the statutes is amended to read:

814.634 (1) (a) Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 ~~\$52~~ court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

SECTION 521. 814.634 (1) (b) of the statutes is amended to read:

814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge and collect a \$100 ~~\$130~~ court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and the amount claimed exceeds the amount under s. 799.01 (1) (d).

SECTION 522. 814.634 (1) (c) of the statutes is amended to read:

814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge and collect a \$30 ~~\$39~~ court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or

(b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying the fee seeks the recovery of money and the amount claimed is equal to or less than the amount under s. 799.01 (1) (d).

SECTION 524. 908.08 (1) of the statutes is amended to read:

908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the videotaped oral statement of a child who is available to testify, as provided in this section.

SECTION 528. 911.01 (4) (c) of the statutes is amended to read:

911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or rendition; sentencing, or granting or revoking probation, modification of a bifurcated sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to pretrial release under ch. 969 except where habeas corpus is utilized with respect to release on bail or as otherwise provided in ch. 969.

SECTION 529. 938.208 (1) (a) of the statutes is amended to read:

938.208 (1) (a) Probable cause exists to believe that the juvenile has committed a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~ or ~~(1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

SECTION 530. 938.34 (4h) (a) of the statutes is amended to read:

938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,

940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~
~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1), ~~or 948.30 (2), 948.35 (1) (b) or 948.36~~ or
the juvenile is 10 years of age or over and has been adjudicated delinquent for
attempting or committing a violation of s. 940.01 or for committing a violation of
940.02 or 940.05.

SECTION 531. 938.34 (4m) (b) 1. of the statutes is amended to read:

938.34 **(4m)** (b) 1. The juvenile has committed a delinquent act that would be
a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),
940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)
or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

SECTION 532. 938.355 (2d) (b) 3. of the statutes is amended to read:

938.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),
1999 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025
or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,
if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),
948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that
the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in
substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child
of the parent.

SECTION 533. 938.355 (4) (b) of the statutes is amended to read:

938.355 **(4)** (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile
has been adjudicated delinquent is subject to par. (a), except that the judge may make
an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th
birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)
apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation

of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C felony if committed by an adult, or until the juvenile reaches 25 years of age, if the juvenile is adjudicated delinquent for committing an act that would be punishable as a Class A felony if committed by an adult.

SECTION 534. 938.78 (3) of the statutes is amended to read:

938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured correctional facility, child caring institution, secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention facility or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, institution or jail, or has been allowed to leave a secured correctional facility, child caring institution, secured group home, inpatient facility, secure detention facility or juvenile portion of a county jail for a specified time period and is absent from the facility, institution, home or jail for more than 12 hours after the expiration of the specified period, the department or county department having supervision over the juvenile may release the juvenile's name and any information about the juvenile that is necessary for the protection of the public or to secure the juvenile's return to the facility, institution, home or jail. The department of corrections shall promulgate rules establishing guidelines for the release of the juvenile's name or information about the juvenile to the public.

SECTION 535. 939.22 (21) (d) of the statutes is amended to read:

939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as prohibited in s. 940.19 or 940.195.

SECTION 536. 939.30 (1) of the statutes is amended to read:

939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever, with intent that a felony be committed, advises another to commit that crime under circumstances that indicate unequivocally that he or she has the intent is guilty of a Class ~~D~~ H felony.

SECTION 537. 939.30 (2) of the statutes is amended to read:

939.30 (2) For a solicitation to commit a crime for which the penalty is life imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

SECTION 538. 939.32 (1) (intro.) of the statutes is amended to read:

939.32 (1) GENERALLY (intro.) Whoever attempts to commit a felony or a crime specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to exceed one-half the maximum penalty for the completed crime; as provided under sub. (1g)~~, except:

SECTION 539. 939.32 (1) (b) of the statutes is repealed.

SECTION 540. 939.32 (1) (bm) of the statutes is created to read:

939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being applied, is guilty of a Class A misdemeanor.

SECTION 541. 939.32 (1g) of the statutes is created to read:

939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit a crime that is punishable under sub. (1) (intro.) is as follows:

(a) The maximum fine is one-half of the maximum fine for the completed crime.

(b) 1. If neither s. 939.62 (1) nor 961.48 is being applied, the maximum term of imprisonment is one-half of the maximum term of imprisonment, as increased by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the completed crime.

2. If either s. 939.62 (1) or 961.48 is being applied, the maximum term of imprisonment is determined by the following method:

a. Multiplying by one-half the maximum term of imprisonment, as increased by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the completed crime.

b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

SECTION 542. 939.32 (1m) of the statutes is created to read:

939.32 (1m) BIFURCATED SENTENCES. If the court imposes a bifurcated sentence under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub. (1) (intro.), the following requirements apply:

(a) *Maximum term of confinement for attempt to commit classified felony.* 1. Subject to the minimum term of extended supervision required under s. 973.01 (2) (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being applied, the maximum term of confinement in prison is one-half of the maximum term of confinement in prison specified in s. 973.01 (2) (b), as increased by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

2. Subject to the minimum term of extended supervision required under s. 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is

being applied, the court shall determine the maximum term of confinement in prison by the following method:

a. Multiplying by one-half the maximum term of confinement in prison specified in s. 973.01 (2) (b), as increased by any penalty enhancement statutes listed in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

(b) *Maximum term of extended supervision for attempt to commit classified felony.* The maximum term of extended supervision for an attempt to commit a classified felony is one-half of the maximum term of extended supervision for the completed crime under s. 973.01 (2) (d).

(c) *Maximum term of confinement for attempt to commit unclassified felony or misdemeanor.* The court shall determine the maximum term of confinement in prison for an attempt to commit a crime other than a classified felony by applying s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g) (b).

SECTION 543. 939.32 (2) (title) of the statutes is created to read:

939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

SECTION 544. 939.32 (3) (title) of the statutes is created to read:

939.32 (3) (title) REQUIREMENTS.

SECTION 545. 939.50 (1) (intro.) of the statutes is amended to read:

939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~
felonies Felonies in chs. 939 to 951 the statutes are classified as follows:

SECTION 546. 939.50 (1) (bc) of the statutes is repealed.

SECTION 547. 939.50 (1) (f) of the statutes is created to read:

939.50 (1) (f) Class F felony.

SECTION 548. 939.50 (1) (g) of the statutes is created to read:

939.50 (1) (g) Class G felony.

SECTION 549. 939.50 (1) (h) of the statutes is created to read:

939.50 (1) (h) Class H felony.

SECTION 550. 939.50 (1) (i) of the statutes is created to read:

939.50 (1) (i) Class I felony.

SECTION 551. 939.50 (2) of the statutes is amended to read:

939.50 (2) A felony is a Class A, B, BC, C, D or, E, F, G, H, or I felony when it is so specified in ~~chs. 939 to 951~~ the statutes.

SECTION 552. 939.50 (3) (bc) of the statutes is repealed.

SECTION 553. 939.50 (3) (c) of the statutes is amended to read:

939.50 (3) (c) For a Class C felony, a fine not to exceed ~~\$10,000~~ \$100,000 or imprisonment not to exceed ~~15~~ 40 years, or both.

SECTION 554. 939.50 (3) (d) of the statutes is amended to read:

939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or imprisonment not to exceed ~~10~~ 25 years, or both.

SECTION 555. 939.50 (3) (e) of the statutes is amended to read:

939.50 (3) (e) For a Class E felony, a fine not to exceed ~~\$10,000~~ \$50,000 or imprisonment not to exceed ~~5~~ 15 years, or both.

SECTION 556. 939.50 (3) (f) of the statutes is created to read:

939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both.

SECTION 557. 939.50 (3) (g) of the statutes is created to read:

939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.

SECTION 558. 939.50 (3) (h) of the statutes is created to read:

939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both.

SECTION 559. 939.50 (3) (i) of the statutes is created to read:

939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both.

SECTION 560. 939.615 (7) (b) 2. of the statutes is amended to read:

939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the same conduct that violates par. (a) also constitutes a crime that is a felony.

SECTION 561. 939.615 (7) (c) of the statutes is repealed.

SECTION 562. 939.62 (1) (a) of the statutes is amended to read:

939.62 (1) (a) A maximum term of imprisonment of one year or less may be increased to not more than ~~3~~ 2 years.

SECTION 563. 939.62 (1) (b) of the statutes is amended to read:

939.62 (1) (b) A maximum term of imprisonment of more than one year but not more than 10 years may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for a felony.

SECTION 564. 939.62 (1) (c) of the statutes is amended to read:

939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

SECTION 565. 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony is that is a Class A, B, or C felony or, if the felony was committed before the effective

date of this subd. 2m. a. [revisor inserts date], that is or was punishable by a maximum prison term of 30 years or more.

SECTION 566. 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m) or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

SECTION 567. 939.622 of the statutes is repealed.

SECTION 568. 939.623 (2) of the statutes is amended to read:

939.623 (2) If a person has one or more prior convictions for a serious sex crime and subsequently commits a serious sex crime, the court shall impose a bifurcated sentence the person to under s. 973.01. The term of confinement in prison portion of a bifurcated sentence imposed under this subsection may not be less than 5 years' imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply, subject to any applicable penalty enhancement. The court ~~shall~~ may not place the defendant on probation.

SECTION 569. 939.624 (2) of the statutes is amended to read:

939.624 (2) If a person has one or more prior convictions for a serious violent crime or a crime punishable by life imprisonment and subsequently commits a serious violent crime, the court shall impose a bifurcated sentence ~~the person to~~ under s. 973.01. The term of confinement in prison portion of a bifurcated sentence imposed under this subsection may not be less than 5 years' imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply, subject to any

applicable penalty enhancement. The court shall may not place the defendant on probation.

SECTION 570. 939.625 of the statutes is repealed.

SECTION 571. 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1) (d), (2) and (3), as renumbered, are amended to read:

939.63 (1) (d) The maximum term of imprisonment for a felony not specified in subd. ~~2. or 3.~~ par (b) or (c) may be increased by not more than 3 years.

(2) The increased penalty provided in this ~~subsection~~ section does not apply if possessing, using or threatening to use a dangerous weapon is an essential element of the crime charged.

(3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to 951 and 961.

SECTION 572. 939.63 (2) of the statutes is repealed.

SECTION 573. 939.632 (1) (e) 1. of the statutes is amended to read:

939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 ~~(1)~~ (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c) or 948.36.~~

SECTION 574. 939.632 (2) of the statutes is amended to read:

939.632 (2) If a person commits a violent crime in a school zone, the maximum ~~period~~ term of imprisonment is increased as follows:

(a) If the violent crime is a felony, the maximum ~~period~~ term of imprisonment is increased by 5 years.

(b) If the violent crime is a misdemeanor, the maximum period term of imprisonment is increased by 3 months and the place of imprisonment is the county jail.

SECTION 575. 939.635 of the statutes is repealed.

SECTION 576. 939.64 of the statutes is repealed.

SECTION 577. 939.641 of the statutes is repealed.

SECTION 578. 939.645 (2) of the statutes is amended to read:

939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a misdemeanor other than a Class A misdemeanor, the revised maximum fine is \$10,000 and the revised maximum period term of imprisonment is one year in the county jail.

(b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor, the penalty increase under this section changes the status of the crime to a felony and the revised maximum fine is \$10,000 and the revised maximum period term of imprisonment is 2 years.

(c) If the crime committed under sub. (1) is a felony, the maximum fine prescribed by law for the crime may be increased by not more than \$5,000 and the maximum period term of imprisonment prescribed by law for the crime may be increased by not more than 5 years.

SECTION 579. 939.646 of the statutes is repealed.

SECTION 580. 939.647 of the statutes is repealed.

SECTION 581. 939.648 of the statutes is repealed.

SECTION 582. 939.72 (1) of the statutes is amended to read:

939.72 (1) Section 939.30, ~~948.35~~ or ~~948.36~~ for solicitation and s. 939.05 as a party to a crime which is the objective of the solicitation; or

SECTION 583. 939.75 (1) of the statutes is amended to read:

939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c) and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to (e) and ~~(1b)~~, “unborn child” means any individual of the human species from fertilization until birth that is gestating inside a woman.

SECTION 584. 940.02 (2) (intro.) of the statutes is amended to read:

940.02 (2) (intro.) Whoever causes the death of another human being under any of the following circumstances is guilty of a Class B C felony:

SECTION 585. 940.03 of the statutes is amended to read:

940.03 Felony murder. Whoever causes the death of another human being while committing or attempting to commit a crime specified in s. 940.225 (1) or (2) (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than 20 15 years in excess of the maximum period term of imprisonment provided by law for that crime or attempt.

SECTION 586. 940.04 (1) of the statutes is amended to read:

940.04 (1) Any person, other than the mother, who intentionally destroys the life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more than 3 years or both~~ is guilty of a Class H felony.

SECTION 587. 940.04 (2) (intro.) of the statutes is amended to read:

940.04 (2) (intro.) Any person, other than the mother, who does either of the following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

SECTION 588. 940.04 (4) of the statutes is amended to read:

940.04 (4) Any pregnant woman who intentionally destroys the life of her unborn quick child or who consents to such destruction by another ~~may be imprisoned not more than 2 years~~ is guilty of a Class I felony.

SECTION 589. 940.06 (1) of the statutes is amended to read:

940.06 (1) Whoever recklessly causes the death of another human being is guilty of a Class C D felony.

SECTION 590. 940.06 (2) of the statutes is amended to read:

940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of a Class C D felony.

SECTION 591. 940.07 of the statutes is amended to read:

940.07 Homicide resulting from negligent control of vicious animal.

Whoever knowing the vicious propensities of any animal intentionally allows it to go at large or keeps it without ordinary care, if such animal, while so at large or not confined, kills any human being who has taken all the precautions which the circumstances may permit to avoid such animal, is guilty of a Class C G felony.

SECTION 592. 940.08 (1) of the statutes is amended to read:

940.08 (1) Whoever causes the death of another human being by the negligent operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D G felony.

SECTION 593. 940.08 (2) of the statutes is amended to read:

940.08 (2) Whoever causes the death of an unborn child by the negligent operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D G felony.

SECTION 594. 940.09 (1) (intro.) of the statutes is amended to read:

940.09 (1) (intro.) Any person who does any of the following is ~~guilty of a Class B felony~~ may be penalized as provided in sub. (1c):

SECTION 595. 940.09 (1b) of the statutes is repealed.

SECTION 596. 940.09 (1c) of the statutes is created to read:

940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is guilty of a Class D felony.

(b) A person who violates sub. (1) is guilty of a Class C felony if the person has one or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (2).

SECTION 597. 940.10 (1) of the statutes is amended to read:

940.10 (1) Whoever causes the death of another human being by the negligent operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

SECTION 598. 940.10 (2) of the statutes is amended to read:

940.10 (2) Whoever causes the death of an unborn child by the negligent operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

SECTION 599. 940.11 (1) of the statutes is amended to read:

940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~C~~ F felony.

SECTION 600. 940.11 (2) of the statutes is amended to read:

940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G felony.

SECTION 601. 940.12 of the statutes is amended to read:

940.12 Assisting suicide. Whoever with intent that another take his or her own life assists such person to commit suicide is guilty of a Class **D H** felony.

SECTION 602. 940.15 (2) of the statutes is amended to read:

940.15 (2) Whoever intentionally performs an abortion after the fetus or unborn child reaches viability, as determined by reasonable medical judgment of the woman's attending physician, is guilty of a Class **E I** felony.

SECTION 603. 940.15 (5) of the statutes is amended to read:

940.15 (5) Whoever intentionally performs an abortion and who is not a physician is guilty of a Class **E I** felony.

SECTION 604. 940.15 (6) of the statutes is amended to read:

940.15 (6) Any physician who intentionally performs an abortion under sub. (3) shall use that method of abortion which, of those he or she knows to be available, is in his or her medical judgment most likely to preserve the life and health of the fetus or unborn child. Nothing in this subsection requires a physician performing an abortion to employ a method of abortion which, in his or her medical judgment based on the particular facts of the case before him or her, would increase the risk to the woman. Any physician violating this subsection is guilty of a Class **E I** felony.

SECTION 605. 940.19 (2) of the statutes is amended to read:

940.19 (2) Whoever causes substantial bodily harm to another by an act done with intent to cause bodily harm to that person or another is guilty of a Class **E I** felony.

SECTION 606. 940.19 (3) of the statutes is repealed.

SECTION 607. 940.19 (4) of the statutes is amended to read:

940.19 (4) Whoever causes great bodily harm to another by an act done with intent to cause bodily harm to that person or another is guilty of a Class **D H** felony.

SECTION 608. 940.19 (5) of the statutes is amended to read:

940.19 (5) Whoever causes great bodily harm to another by an act done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person or another is guilty of a Class ~~C~~ E felony.

SECTION 609. 940.19 (6) (intro.) of the statutes is amended to read:

940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H felony. A rebuttable presumption of conduct creating a substantial risk of great bodily harm arises:

SECTION 610. 940.195 (2) of the statutes is amended to read:

940.195 (2) Whoever causes substantial bodily harm to an unborn child by an act done with intent to cause bodily harm to that unborn child, to the woman who is pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

SECTION 611. 940.195 (3) of the statutes is repealed.

SECTION 612. 940.195 (4) of the statutes is amended to read:

940.195 (4) Whoever causes great bodily harm to an unborn child by an act done with intent to cause bodily harm to that unborn child, to the woman who is pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

SECTION 613. 940.195 (5) of the statutes is amended to read:

940.195 (5) Whoever causes great bodily harm to an unborn child by an act done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that unborn child, to the woman who is pregnant with that unborn child or another is guilty of a Class ~~C~~ E felony.

SECTION 614. 940.195 (6) of the statutes is amended to read: