

940.195 (6) Whoever intentionally causes bodily harm to an unborn child by conduct that creates a substantial risk of great bodily harm is guilty of a Class D H felony.

SECTION 615. 940.20 (1) of the statutes is amended to read:

940.20 (1) BATTERY BY PRISONERS. Any prisoner confined to a state prison or other state, county or municipal detention facility who intentionally causes bodily harm to an officer, employee, visitor or another inmate of such prison or institution, without his or her consent, is guilty of a Class D H felony.

SECTION 616. 940.20 (1m) of the statutes is amended to read:

940.20 (1m) BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS. (a) Any person who is subject to an injunction under s. 813.12 or a tribal injunction filed under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who sought the injunction by an act done without the consent of the petitioner is guilty of a Class E I felony.

(b) Any person who is subject to an injunction under s. 813.125 and who intentionally causes bodily harm to the petitioner who sought the injunction by an act done without the consent of the petitioner is guilty of a Class E I felony.

SECTION 617. 940.20 (2) of the statutes is amended to read:

940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS. Whoever intentionally causes bodily harm to a law enforcement officer or fire fighter, as those terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the person knows or has reason to know that the victim is a law enforcement officer or fire fighter, by an act done without the consent of the person so injured, is guilty of a Class D H felony.

SECTION 618. 940.20 (2m) (b) of the statutes is amended to read:

940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation, extended supervision and parole agent or an aftercare agent, acting in an official capacity and the person knows or has reason to know that the victim is a probation, extended supervision and parole agent or an aftercare agent, by an act done without the consent of the person so injured, is guilty of a Class D H felony.

SECTION 619. 940.20 (3) of the statutes is amended to read:

940.20 (3) **BATTERY TO JURORS.** Whoever intentionally causes bodily harm to a person who he or she knows or has reason to know is or was a grand or petit juror, and by reason of any verdict or indictment assented to by the person, without the consent of the person injured, is guilty of a Class D II felony.

SECTION 620. 940.20 (4) of the statutes is amended to read:

940.20 (4) **BATTERY TO PUBLIC OFFICERS.** Whoever intentionally causes bodily harm to a public officer in order to influence the action of such officer or as a result of any action taken within an official capacity, without the consent of the person injured, is guilty of a Class E I felony.

SECTION 621. 940.20 (5) (b) of the statutes is amended to read:

940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college district or school district officer or employee acting in that capacity, and the person knows or has reason to know that the victim is a technical college district or school district officer or employee, without the consent of the person so injured, is guilty of a Class E I felony.

SECTION 622. 940.20 (6) (b) (intro.) of the statutes is amended to read:

940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another under any of the following circumstances is guilty of a Class E I felony:

SECTION 623. 940.20 (7) (a) 1e. of the statutes is amended to read:

940.20 (7) (a) 1e. “Ambulance” has the meaning given in s. 146.50 (1) (a) (am).

SECTION 624. 940.20 (7) (b) of the statutes is amended to read:

940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency department worker, an emergency medical technician, a first responder or an ambulance driver who is acting in an official capacity and who the person knows or has reason to know is an emergency department worker, an emergency medical technician, a first responder or an ambulance driver, by an act done without the consent of the person so injured, is guilty of a Class D H felony.

SECTION 625. 940.201 (2) (intro.) of the statutes is amended to read:

940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H felony:

SECTION 626. 940.203 (2) (intro.) of the statutes is amended to read:

940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any judge under all of the following circumstances is guilty of a Class D H felony:

SECTION 627. 940.205 (2) (intro.) of the statutes is amended to read:

940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any department of revenue official, employee or agent under all of the following circumstances is guilty of a Class D H felony:

SECTION 628. 940.207 (2) (intro.) of the statutes is amended to read:

940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any department of commerce or department of workforce development official, employee or agent under all of the following circumstances is guilty of a Class D H felony:

SECTION 629. 940.21 of the statutes is amended to read:

940.21 Mayhem. Whoever, with intent to disable or disfigure another, cuts or mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is guilty of a Class ~~B~~ C felony.

SECTION 630. 940.22 (2) of the statutes is amended to read:

940.22 (2) SEXUAL CONTACT PROHIBITED. Any person who is or who holds himself or herself out to be a therapist and who intentionally has sexual contact with a patient or client during any ongoing therapist–patient or therapist–client relationship, regardless of whether it occurs during any treatment, consultation, interview or examination, is guilty of a Class ~~C~~ F felony. Consent is not an issue in an action under this subsection.

SECTION 631. 940.225 (2) (intro.) of the statutes is amended to read:

940.225 (2) SECOND DEGREE SEXUAL ASSAULT. (intro.) Whoever does any of the following is guilty of a Class ~~BC~~ C felony:

SECTION 632. 940.225 (3) of the statutes is amended to read:

940.225 (3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class ~~D~~ G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person without the consent of that person is guilty of a Class ~~D~~ G felony.

SECTION 633. 940.23 (1) (a) of the statutes is amended to read:

940.23 (1) (a) Whoever recklessly causes great bodily harm to another human being under circumstances which show utter disregard for human life is guilty of a Class ~~C~~ D felony.

SECTION 634. 940.23 (1) (b) of the statutes is amended to read:

940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child under circumstances that show utter disregard for the life of that unborn child, the woman who is pregnant with that unborn child or another is guilty of a Class C D felony.

SECTION 635. 940.23 (2) (a) of the statutes is amended to read:

940.23 (2) (a) Whoever recklessly causes great bodily harm to another human being is guilty of a Class D F felony.

SECTION 636. 940.23 (2) (b) of the statutes is amended to read:

940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child is guilty of a Class D F felony.

SECTION 637. 940.24 (1) of the statutes is amended to read:

940.24 (1) Whoever causes bodily harm to another by the negligent operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

SECTION 638. 940.24 (2) of the statutes is amended to read:

940.24 (2) Whoever causes bodily harm to an unborn child by the negligent operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

SECTION 639. 940.25 (1) (intro.) of the statutes is amended to read:

940.25 (1) (intro.) Any person who does any of the following is guilty of a Class D F felony:

SECTION 640. 940.25 (1b) of the statutes is repealed.

SECTION 641. 940.285 (2) (b) 1g. of the statutes is amended to read:

940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances that cause death is guilty of a Class B C felony. Any person violating par. (a) 3. under circumstances that cause death is guilty of a Class D felony.

SECTION 642. 940.285 (2) (b) 1m. of the statutes is amended to read:

940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that cause great bodily harm is guilty of a Class ~~C~~ F felony.

SECTION 643. 940.285 (2) (b) 1r. of the statutes is amended to read:

940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is guilty of a Class I felony.

SECTION 644. 940.285 (2) (b) 2. of the statutes is amended to read:

940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty of a Class I felony.

SECTION 645. 940.285 (2) (b) 3. of the statutes is repealed.

SECTION 646. 940.29 of the statutes is amended to read:

940.29 Abuse of residents of penal facilities. Any person in charge of or employed in a penal or correctional institution or other place of confinement who abuses, neglects or ill-treats any person confined in or a resident of any such institution or place or who knowingly permits another person to do so is guilty of a Class ~~E~~ I felony.

SECTION 647. 940.295 (3) (b) 1g. of the statutes is amended to read:

940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person violating par. (a) 3. under circumstances that cause death to a vulnerable person is guilty of a Class D felony.

SECTION 648. 940.295 (3) (b) 1m. of the statutes is amended to read:

940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

SECTION 649. 940.295 (3) (b) 1r. of the statutes is amended to read:

940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par. (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are likely to cause great bodily harm is guilty of a Class G felony.

SECTION 650. 940.295 (3) (b) 2. of the statutes is amended to read:

940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty of a Class I felony.

SECTION 651. 940.295 (3) (b) 3. of the statutes is amended to read:

940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a) 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is guilty of a Class I felony.

SECTION 652. 940.30 of the statutes is amended to read:

940.30 False imprisonment. Whoever intentionally confines or restrains another without the person's consent and with knowledge that he or she has no lawful authority to do so is guilty of a Class ~~E~~ H felony.

SECTION 653. 940.305 (1) of the statutes is amended to read:

940.305 (1) Except as provided in sub. (2), whoever by force or threat of imminent force seizes, confines or restrains a person without the person's consent

and with the intent to use the person as a hostage in order to influence a person to perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~ B felony.

SECTION 654. 940.305 (2) of the statutes is amended to read:

940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of a Class B C felony if, before the time of the actor's arrest, each person who is held as a hostage is released without bodily harm.

SECTION 655. 940.31 (1) (intro.) of the statutes is amended to read:

940.31 (1) (intro.) Whoever does any of the following is guilty of a Class B C felony:

SECTION 656. 940.31 (2) (a) of the statutes is amended to read:

940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with intent to cause another to transfer property in order to obtain the release of the victim is guilty of a Class ~~A~~ B C felony.

SECTION 657. 940.31 (2) (b) of the statutes is amended to read:

940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer property in order to obtain the release of the victim is guilty of a Class B C felony if the victim is released without permanent physical injury prior to the time the first witness is sworn at the trial.

SECTION 658. 940.32 (2) (intro.) of the statutes is amended to read:

940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class ~~A~~ misdemeanor I felony:

SECTION 659. 940.32 (2m) of the statutes is amended to read:

940.32 (2m) Whoever violates sub. (2) is guilty of a Class D C felony if he or she intentionally gains access to a record in electronic format that contains personally

identifiable information regarding the victim in order to facilitate the violation under sub. (2).

SECTION 660. 940.32 (3) (intro.) of the statutes is amended to read:

940.32 (3) (intro.) Whoever violates sub. (2) under any of the following circumstances is guilty of a Class E H felony:

SECTION 661. 940.32 (3m) (intro.) of the statutes is amended to read:

940.32 (3m) (intro.) Whoever violates sub. (3) under all of the following circumstances is guilty of a Class D G felony:

SECTION 662. 940.43 (intro.) of the statutes is amended to read:

940.43 Intimidation of witnesses; felony. (intro.) Whoever violates s. 940.42 under any of the following circumstances is guilty of a Class D G felony:

SECTION 663. 940.45 (intro.) of the statutes is amended to read:

940.45 Intimidation of victims; felony. (intro.) Whoever violates s. 940.44 under any of the following circumstances is guilty of a Class D G felony:

SECTION 664. 941.11 (intro.) of the statutes is amended to read:

941.11 Unsafe burning of buildings. (intro.) Whoever does either of the following is guilty of a Class D H felony:

SECTION 665. 941.12 (1) of the statutes is amended to read:

941.12 (1) Whoever intentionally interferes with the proper functioning of a fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of a Class E I felony.

SECTION 666. 941.20 (2) (intro.) of the statutes is amended to read:

941.20 (2) (intro.) Whoever does any of the following is guilty of a Class E G felony:

SECTION 667. 941.20 (3) (a) (intro.) of the statutes is amended to read:

941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot that is open to the public under any of the following circumstances is guilty of a Class C F felony:

SECTION 668. 941.21 of the statutes is amended to read:

941.21 Disarming a peace officer. Whoever intentionally disarms a peace officer who is acting in his or her official capacity by taking a dangerous weapon or a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer without his or her consent is guilty of a Class E H felony. This section applies to any dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4) (a) that the officer is carrying or that is in an area within the officer's immediate presence.

SECTION 669. 941.235 (1) of the statutes is amended to read:

941.235 (1) Any person who goes armed with a firearm in any building owned or leased by the state or any political subdivision of the state is guilty of a Class B A misdemeanor.

SECTION 670. 941.26 (2) (a) of the statutes is amended to read:

941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

SECTION 671. 941.26 (2) (b) of the statutes is amended to read:

941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class C F felony.

SECTION 672. 941.26 (2) (e) of the statutes is amended to read:

941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or commercial transportation of the bomb, grenade, projectile, shell or container under sub. (1) (b) is guilty of a Class E H felony.

SECTION 673. 941.26 (2) (f) of the statutes is amended to read:

941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb, grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily discomfort to a person who the actor knows, or has reason to know, is a peace officer who is acting in an official capacity is guilty of a Class D H felony.

SECTION 674. 941.26 (2) (g) of the statutes is amended to read:

941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb, grenade, projectile, shell or container under sub. (1) (b) during his or her commission of another crime to cause bodily harm or bodily discomfort to another or who threatens to use the bomb, grenade, projectile, shell or container during his or her commission of another crime to incapacitate another person is guilty of a Class E H felony.

SECTION 675. 941.26 (4) (d) of the statutes is amended to read:

941.26 (4) (d) Whoever intentionally uses a device or container described under par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows, or has reason to know, is a peace officer who is acting in an official capacity is guilty of a Class D H felony.

SECTION 676. 941.26 (4) (e) of the statutes is amended to read:

941.26 (4) (e) Whoever uses a device or container described under par. (a) during his or her commission of another crime to cause bodily harm or bodily discomfort to another or who threatens to use the device or container during his or her commission of another crime to incapacitate another person is guilty of a Class E H felony.

SECTION 677. 941.28 (3) of the statutes is amended to read:

941.28 (3) Any person violating this section is guilty of a Class E H felony.

SECTION 678. 941.29 (2) (intro.) of the statutes is amended to read:

941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class E G felony if he or she possesses a firearm under any of the following circumstances:

SECTION 679. 941.29 (2m) of the statutes is repealed.

SECTION 680. 941.295 (1) of the statutes is amended to read:

941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed with any electric weapon is guilty of a Class E H felony.

SECTION 681. 941.296 (2) (intro.) of the statutes is amended to read:

941.296 (2) (intro.) Whoever uses or possesses a handgun during the commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony under any of the following circumstances.

SECTION 682. 941.296 (3) of the statutes is repealed.

SECTION 683. 941.298 (2) of the statutes is amended to read:

941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of a Class E H felony.

SECTION 684. 941.30 (1) of the statutes is amended to read:

941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly endangers another's safety under circumstances which show utter disregard for human life is guilty of a Class D F felony.

SECTION 685. 941.30 (2) of the statutes is amended to read:

941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly endangers another's safety is guilty of a Class E G felony.

SECTION 686. 941.31 (1) of the statutes is amended to read:

941.31 (1) Whoever makes, buys, transports, possesses, or transfers any explosive compound or offers to do the same, either with intent to use such explosive

to commit a crime or knowing that another intends to use it to commit a crime, is guilty of a Class C F felony.

SECTION 687. 941.31 (2) (b) of the statutes is amended to read:

941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or transfers any improvised explosive device, or possesses materials or components with intent to assemble any improvised explosive device, is guilty of a Class E H felony.

SECTION 688. 941.315 (3) (intro.) of the statutes is amended to read:

941.315 (3) (intro.) Whoever does any of the following is guilty of a Class D H felony:

SECTION 689. 941.32 of the statutes is amended to read:

941.32 Administering dangerous or stupefying drug. Whoever administers to another or causes another to take any poisonous, stupefying, overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the commission of a crime is guilty of a Class C F felony.

SECTION 690. 941.325 of the statutes is amended to read:

941.325 Placing foreign objects in edibles. Whoever places objects, drugs or other substances in candy or other liquid or solid edibles with the intent to cause bodily harm to another person is guilty of a Class E I felony.

SECTION 691. 941.327 (2) (b) 1. of the statutes is amended to read:

941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par. (a) is guilty of a Class E I felony.

SECTION 692. 941.327 (2) (b) 2. of the statutes is amended to read:

941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great bodily harm to another, a person violating par. (a) is guilty of a Class D H felony.

SECTION 693. 941.327 (2) (b) 3. of the statutes is amended to read:

941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another, a person violating par. (a) is guilty of a Class ~~C~~ F felony.

SECTION 694. 941.327 (2) (b) 4. of the statutes is amended to read:

941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is guilty of a Class ~~A~~ C felony.

SECTION 695. 941.327 (3) of the statutes is amended to read:

941.327 (3) Whoever intentionally imparts or conveys false information, knowing the information to be false, concerning an act or attempted act which, if true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

SECTION 696. 941.37 (1) (a) of the statutes is amended to read:

941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

SECTION 697. 941.37 (3) of the statutes is amended to read:

941.37 (3) Any person who intentionally interferes with any emergency medical personnel in the performance of duties relating to an emergency or rescue and who has reasonable grounds to believe that the interference may endanger another's safety is guilty of a Class ~~E~~ I felony.

SECTION 698. ^{No caps & small} 941.37 (4) of the statutes is amended to read:

941.37 (4) Any person who violates sub. (3) and thereby contributes to the death of another is guilty of a Class ~~C~~ E felony.

SECTION 699. 941.38 (1) (b) 4. of the statutes is amended to read:

941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as prohibited in s. 940.19 or 940.195.

SECTION 700. 941.38 (2) of the statutes is amended to read:

941.38 (2) Whoever intentionally solicits a child to participate in criminal gang activity is guilty of a Class **E I** felony.

SECTION 701. 942.09 (2) (intro.) of the statutes, as affected by 2001 Wisconsin Act 33, is amended to read:

942.09 (2) (intro.) Whoever does any of the following is guilty of a Class **E I** felony:

SECTION 702. 943.01 (2) (intro.) of the statutes is amended to read:

943.01 (2) (intro.) Any person violating sub. (1) under any of the following circumstances is guilty of a Class **D I** felony:

SECTION 704. 943.01 (2d) (b) (intro.) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.01 (2d) (b) (intro.) Any person violating sub. (1) under all of the following circumstances is guilty of a Class **E I** felony:

SECTION 705. 943.01 (2g) (intro.) of the statutes is amended to read:

943.01 (2g) (intro.) Any person violating sub. (1) under all of the following circumstances is guilty of a Class **E I** felony:

SECTION 707. 943.011 (2) (intro.) of the statutes is amended to read:

943.011 (2) (intro.) Whoever does any of the following is guilty of a Class **D I** felony:

SECTION 708. 943.012 (intro.) of the statutes is amended to read:

943.012 Criminal damage to or graffiti on religious and other property.
(intro.) Whoever intentionally causes damage to, intentionally marks, draws or writes with ink or another substance on or intentionally etches into any physical property of another, without the person's consent and with knowledge of the

character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one or more of the following:

SECTION 709. 943.013 (2) (intro.) of the statutes is amended to read:

943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage to any physical property that belongs to a judge or his or her family member under all of the following circumstances is guilty of a Class ~~D~~ I felony:

SECTION 710. 943.014 (2) of the statutes is amended to read:

943.014 (2) Whoever intentionally demolishes a historic building without a permit issued by a city, village, town or county or without an order issued under s. 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic building and the land upon which the building is located immediately prior to demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A misdemeanor.

SECTION 711. 943.015 (2) (intro.) of the statutes is amended to read:

943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage to any physical property which belongs to a department of revenue official, employee or agent or his or her family member under all of the following circumstances is guilty of a Class ~~D~~ I felony:

SECTION 712. 943.017 (2) (intro.) of the statutes is amended to read:

943.017 (2) (intro.) Any person violating sub. (1) under any of the following circumstances is guilty of a Class ~~D~~ I felony:

SECTION 713. 943.017 (2m) (b) (intro.) of the statutes is amended to read:

943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ I felony:

SECTION 715. 943.02 (1) (intro.) of the statutes is amended to read:

943.02 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B C~~ felony:

SECTION 716. 943.03 of the statutes is amended to read:

943.03 Arson of property other than building. Whoever, by means of fire, intentionally damages any property of another without the person's consent, if the property is not a building and has a value of \$100 or more, is guilty of a Class ~~E I~~ felony.

SECTION 717. 943.04 of the statutes is amended to read:

943.04 Arson with intent to defraud. Whoever, by means of fire, damages any property, other than a building, with intent to defraud an insurer of that property is guilty of a Class ~~D H~~ felony. Proof that the actor recovered or attempted to recover on a policy of insurance by reason of the fire is relevant but not essential to establish the actor's intent to defraud the insurer.

SECTION 718. 943.06 (2) of the statutes is amended to read:

943.06 (2) Whoever possesses, manufactures, sells, offers for sale, gives or transfers a fire bomb is guilty of a Class ~~E H~~ felony.

SECTION 719. 943.07 (1) of the statutes is amended to read:

943.07 (1) Whoever intentionally causes damage or who causes another person to damage, tamper, change or destroy any railroad track, switch, bridge, trestle, tunnel or signal or any railroad property used in providing rail services, which could cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

SECTION 720. 943.07 (2) of the statutes is amended to read:

943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

SECTION 721. 943.10 (1) (intro.) of the statutes is amended to read:

943.10 (1) (intro.) Whoever intentionally enters any of the following places without the consent of the person in lawful possession and with intent to steal or commit a felony in such place is guilty of a Class ~~C~~ F felony:

SECTION 722. 943.10 (2) (intro.) of the statutes is amended to read:

943.10 (2) (intro.) Whoever violates sub. (1) under any of the following circumstances is guilty of a Class ~~B~~ E felony:

SECTION 723. 943.12 of the statutes is amended to read:

943.12 Possession of burglarious tools. Whoever has in personal possession any device or instrumentality intended, designed or adapted for use in breaking into any depository designed for the safekeeping of any valuables or into any building or room, with intent to use such device or instrumentality to break into a depository, building or room, and to steal therefrom, is guilty of a Class ~~E~~ I felony.

SECTION 725. 943.20 (3) (bf) of the statutes is created to read:

943.20 (3) (bf) If the value of the property exceeds \$2,500 but does not exceed \$5,000, is guilty of a Class I felony.

SECTION 726. 943.20 (3) (bm) of the statutes is created to read:

943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed \$10,000, is guilty of a Class H felony.

SECTION 727. 943.20 (3) (c) of the statutes is amended to read:

943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of a Class ~~C~~ G felony.

SECTION 728. 943.20 (3) (d) (intro.) of the statutes is amended to read:

943.20 (3) (d) (intro.) If ~~the value of the property does not exceed \$2,500 and~~ any of the following circumstances ~~exist~~ exists, is guilty of a Class ~~D~~ H felony:

SECTION 729. 943.20 (3) (d) 1. of the statutes is amended to read:

943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

SECTION 730. 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and amended to read:

943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from a corpse; ~~or,~~ is guilty of a Class G felony.

SECTION 731. 943.20 (3) (d) 3. of the statutes is amended to read:

943.20 (3) (d) 3. The property is taken from a building which has been destroyed or left unoccupied because of physical disaster, riot, bombing or the proximity of battle; ~~or,~~

SECTION 732. 943.20 (3) (d) 4. of the statutes is amended to read:

943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or the proximity of battle has necessitated its removal from a building; ~~or,~~

SECTION 733. 943.201 (2) of the statutes is amended to read:

943.201 (2) Whoever intentionally uses or attempts to use any personal identifying information or personal identification document of an individual to obtain credit, money, goods, services or anything else of value without the authorization or consent of the individual and by representing that he or she is the individual or is acting with the authorization or consent of the individual is guilty of a Class D H felony.

SECTION 734. 943.205 (3) of the statutes is amended to read:

943.205 (3) Anyone who violates this section is guilty of a Class E I felony.

SECTION 735. 943.207 (3m) (b) (intro.) of the statutes is amended to read:

943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class D I felony under any of the following circumstances:

SECTION 736. 943.207 (3m) (c) (intro.) of the statutes is amended to read:

943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class C H felony under any of the following circumstances:

SECTION 737. 943.208 (2) (b) of the statutes is amended to read:

943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the person creates, advertises, offers for sale or rent, sells, rents, transports or possesses fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual recordings in violation of sub. (1) during a 180-day period, and the value of the recordings exceeds \$2,500.

SECTION 738. 943.208 (2) (c) of the statutes is amended to read:

943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the person creates, advertises, offers for sale or rent, sells, rents, transports or possesses at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in violation of sub. (1) during a 180-day period or if the violation occurs after the person has been convicted under this section.

SECTION 739. 943.209 (2) (b) of the statutes is amended to read:

943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the person advertises, offers for sale or rent, sells, rents, transports or possesses fewer than 100 recordings in violation of sub. (1) during a 180-day period, and the value of the recordings exceeds \$2,500.

SECTION 740. 943.209 (2) (c) of the statutes is amended to read:

943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the person advertises, offers for sale or rent, sells, rents, transports or possesses at least 100 recordings in violation of sub. (1) during a 180-day period or if the violation occurs after the person has been convicted under this section.

SECTION 742. 943.21 (3) (b) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage, food, lodging, accommodation, transportation or other service exceeds \$2,500.

SECTION 743. 943.23 (1g) of the statutes is amended to read:

943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of, or the threat of the use of, force or the weapon against another, intentionally takes any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

SECTION 744. 943.23 (1m) of the statutes is repealed.

SECTION 745. 943.23 (1r) of the statutes is repealed.

SECTION 746. 943.23 (2) of the statutes is amended to read:

943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~ H felony.

SECTION 747. 943.23 (3) of the statutes is amended to read:

943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whocver intentionally drives or operates any vehicle without the consent of the owner is guilty of a Class ~~E~~ I felony.

SECTION 748. 943.23 (3m) of the statutes is created to read:

943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub. (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours after the vehicle was taken from the possession of the owner. An affirmative defense under this subsection mitigates the offense to a Class A misdemeanor. A defendant who raises this affirmative defense has the burden of proving the defense by a preponderance of the evidence.

SECTION 749. 943.23 (4m) of the statutes is amended to read:

943.23 (4m) Whoever knows that the owner does not consent to the driving or operation of a vehicle and intentionally accompanies, as a passenger in the vehicle, a person while he or she violates sub. (1g), ~~(1m)~~, ~~(1r)~~, (2) or, (3), or (3m) is guilty of a Class A misdemeanor.

SECTION 750. 943.23 (5) of the statutes is amended to read:

943.23 (5) Whoever intentionally removes a major part of a vehicle without the consent of the owner is guilty of a Class ~~E~~ I felony. Whoever intentionally removes any other part or component of a vehicle without the consent of the owner is guilty of a Class A misdemeanor.

SECTION 752. 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

943.24 (2) Whoever issues any single check or other order for the payment of more than \$2,500 or whoever within a 15-day period issues more than one check or other order amounting in the aggregate to more than \$2,500 which, at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I felony.

SECTION 753. 943.25 (1) of the statutes is amended to read:

943.25 (1) Whoever, with intent to defraud, conveys real property which he or she knows is encumbered, without informing the grantee of the existence of the encumbrance is guilty of a Class ~~E~~ I felony.

SECTION 754. 943.25 (2) (intro.) of the statutes is amended to read:

943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following is guilty of a Class ~~E~~ I felony:

SECTION 755. 943.26 (2) of the statutes is amended to read:

943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or vendee is guilty of a Class E I felony.

SECTION 756. 943.27 of the statutes is amended to read:

943.27 Possession of records of certain usurious loans. Any person who knowingly possesses any writing representing or constituting a record of a charge of, contract for, receipt of or demand for a rate of interest or consideration exceeding \$20 upon \$100 for one year computed upon the declining principal balance of the loan, use or forbearance of money, goods or things in action or upon the loan, use or sale of credit is, if the rate is prohibited by a law other than this section, guilty of a Class E I felony.

SECTION 757. 943.28 (2) of the statutes is amended to read:

943.28 (2) Whoever makes any extortionate extension of credit, or conspires to do so, if one or more of the parties to the conspiracy does an act to effect its object, is guilty of a Class E F felony.

SECTION 758. 943.28 (3) of the statutes is amended to read:

943.28 (3) Whoever advances money or property, whether as a gift, as a loan, as an investment, pursuant to a partnership or profit-sharing agreement, or otherwise, for the purpose of making extortionate extensions of credit, is guilty of a Class E F felony.

SECTION 759. 943.28 (4) of the statutes is amended to read:

943.28 (4) Whoever knowingly participates in any way in the use of any extortionate means to collect or attempt to collect any extension of credit, or to punish any person for the nonrepayment thereof, is guilty of a Class E F felony.

SECTION 760. 943.30 (1) of the statutes is amended to read:

943.30 (1) Whoever, either verbally or by any written or printed communication, maliciously threatens to accuse or accuses another of any crime or offense, or threatens or commits any injury to the person, property, business, profession, calling or trade, or the profits and income of any business, profession, calling or trade of another, with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened to do any act against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

SECTION 761. 943.30 (2) of the statutes is amended to read:

943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting commerce or business or the movement of any article or commodity in commerce or business is guilty of a Class D H felony.

SECTION 762. 943.30 (3) of the statutes is amended to read:

943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or grand juror, in the performance of his or her functions as such, is guilty of a Class D H felony.

SECTION 763. 943.30 (4) of the statutes is amended to read:

943.30 (4) Whoever violates sub. (1) by attempting to influence the official action of any public officer is guilty of a Class D H felony.

SECTION 764. 943.30 (5) (b) of the statutes is amended to read:

943.30 (5) (b) Whoever, orally or by any written or printed communication, maliciously uses, or threatens to use, the patient health care records of another person, with intent thereby to extort money or any pecuniary advantage, or with intent to compel the person so threatened to do any act against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

SECTION 765. 943.31 of the statutes is amended to read:

943.31 Threats to communicate derogatory information. Whoever threatens to communicate to anyone information, whether true or false, which would injure the reputation of the threatened person or another unless the threatened person transfers property to a person known not to be entitled to it is guilty of a Class ~~E~~ I felony.

SECTION 766. 943.32 (1) (intro.) of the statutes is amended to read:

943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person or presence of the owner by either of the following means is guilty of a Class ~~C~~ E felony:

SECTION 767. 943.32 (2) of the statutes is amended to read:

943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous weapon, a device or container described under s. 941.26 (4) (a) or any article used or fashioned in a manner to lead the victim reasonably to believe that it is a dangerous weapon or such a device or container is guilty of a Class ~~B~~ C felony.

SECTION 769. 943.34 (1) (bf) of the statutes is created to read:

943.34 (1) (bf) A Class I felony, if the value of the property exceeds \$2,500 but does not exceed \$5,000.

SECTION 770. 943.34 (1) (bm) of the statutes is created to read:

943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but does not exceed \$10,000.

SECTION 771. 943.34 (1) (c) of the statutes is amended to read:

943.34 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds \$2,500 \$10,000.

SECTION 772. 943.38 (1) (intro.) of the statutes is amended to read:

943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a writing or object of any of the following kinds so that it purports to have been made by another, or at another time, or with different provisions, or by authority of one who did not give such authority, is guilty of a Class C H felony:

SECTION 773. 943.38 (2) of the statutes is amended to read:

943.38 (2) Whoever utters as genuine or possesses with intent to utter as false or as genuine any forged writing or object mentioned in sub. (1), knowing it to have been thus falsely made or altered, is guilty of a Class C H felony.

SECTION 774. 943.39 (intro.) of the statutes is amended to read:

943.39 Fraudulent writings. (intro.) Whoever, with intent to injure or defraud, does any of the following is guilty of a Class D H felony:

SECTION 776. 943.395 (2) (b) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

943.395 (2) (b) Is guilty of a Class E I felony if the value of the claim or benefit exceeds \$2,500.

SECTION 777. 943.40 (intro.) of the statutes is amended to read:

943.40 Fraudulent destruction of certain writings. (intro.) Whoever with intent to defraud does either of the following is guilty of a Class D H felony:

SECTION 778. 943.41 (8) (b) of the statutes is amended to read:

943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c) or (6m) is guilty of a Class E I felony.

SECTION 779. 943.41 (8) (c) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b), or (d), if the value of the money, goods, services, or property illegally obtained does not

exceed \$2,500 is guilty of a Class A misdemeanor. ~~If, if~~ if the value of the money, goods, services, or property exceeds \$2,500 but does not exceed \$5,000, in a single transaction or in separate transactions within a period not exceeding 6 months, the person is guilty of a Class C I felony; if the value of the money, goods, services, or property exceeds \$5,000 but does not exceed \$10,000, in a single transaction or in separate transactions within a period not exceeding 6 months, the person is guilty of a Class H felony; or if the value of money, goods, services, or property exceeds \$10,000, in a single transaction or in separate transactions within a period not exceeding 6 months, the person is guilty of a Class G felony.

SECTION 780. 943.45 (3) (c) of the statutes is amended to read:

943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1) for direct or indirect commercial advantage or private financial gain is guilty of a Class E felony A misdemeanor.

SECTION 781. 943.45 (3) (d) of the statutes is amended to read:

943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class D I felony.

SECTION 782. 943.455 (4) (c) of the statutes is amended to read:

943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2) (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty of a Class E felony A misdemeanor.

SECTION 783. 943.455 (4) (d) of the statutes is amended to read:

943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect commercial advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class D I felony.

SECTION 784. 943.46 (4) (c) of the statutes is amended to read:

943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2) (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty of a Class ~~E~~ felony A misdemeanor.

SECTION 785. 943.46 (4) (d) of the statutes is amended to read:

943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect commercial advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class ~~D~~ I felony.

SECTION 786. 943.47 (3) (c) of the statutes is amended to read:

943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2) for direct or indirect commercial advantage or private financial gain is guilty of a Class ~~E~~ felony A misdemeanor.

SECTION 787. 943.47 (3) (d) of the statutes is amended to read:

943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class ~~D~~ I felony.

SECTION 788. 943.49 (2) (b) 2. of the statutes is amended to read:

943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class ~~D~~ I felony if the violation occurs after the person has been convicted under this subsection.

SECTION 790. 943.50 (4) (bf) of the statutes is created to read:

943.50 (4) (bf) A Class I felony, if the value of the merchandise exceeds \$2,500 but does not exceed \$5,000.

SECTION 791. 943.50 (4) (bm) of the statutes is created to read:

943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000 but does not exceed \$10,000.

SECTION 792. 943.50 (4) (c) of the statutes is amended to read:

943.50 (4) (c) A Class ~~C~~ G felony, if the value of the merchandise exceeds \$2,500
\$10,000.

SECTION 793. 943.60 (1) of the statutes is amended to read:

943.60 (1) Any person who submits for filing, entering or recording any lien, claim of lien, lis pendens, writ of attachment, financing statement or any other instrument relating to a security interest in or title to real or personal property, and who knows or should have known that the contents or any part of the contents of the instrument are false, a sham or frivolous, is guilty of a Class ~~D~~ H felony.

SECTION 796. 943.61 (5) (c) of the statutes is amended to read:

943.61 (5) (c) A Class ~~C~~ H felony, if the value of the library materials exceeds \$2,500.

SECTION 799. 943.62 (4) (c) of the statutes is amended to read:

943.62 (4) (c) A Class ~~C~~ F felony, if the value of the advance payment or required refund, as applicable, exceeds \$2,500.

SECTION 800. 943.70 (2) (b) 2. of the statutes is amended to read:

943.70 (2) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or to obtain property.

SECTION 801. 943.70 (2) (b) 3. of the statutes is repealed.

SECTION 802. 943.70 (2) (b) 3g. of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.70 (2) (b) 3g. A Class ~~C~~ F felony if the offense results in damage valued at more than \$2,500.

SECTION 803. 943.70 (2) (b) 3r. of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.70 (2) (b) 3r. A Class C F felony if the offense causes an interruption or impairment of governmental operations or public communication, of transportation, or of a supply of water, gas, or other public service.

SECTION 804. 943.70 (2) (b) 4. of the statutes is amended to read:

943.70 (2) (b) 4. A Class C F felony if the offense creates a substantial and unreasonable risk of death or great bodily harm to another.

SECTION 805. 943.70 (2) (c) 1. of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.70 (2) (c) 1. In the case of a misdemeanor, the maximum fine prescribed by law for the crime may be increased by not more than \$1,000 and the maximum term of imprisonment prescribed by law for the crime may be increased so that the revised maximum term of imprisonment is ~~12 months~~ one year in the county jail.

SECTION 806. 943.70 (3) (b) 2. of the statutes is amended to read:

943.70 (3) (b) 2. A Class E I felony if the offense is committed to defraud or obtain property.

SECTION 807. 943.70 (3) (b) 3. of the statutes is amended to read:

943.70 (3) (b) 3. A Class D H felony if the damage to the computer, computer system, computer network, equipment or supplies is greater than \$2,500.

SECTION 808. 943.70 (3) (b) 4. of the statutes is amended to read:

943.70 (3) (b) 4. A Class C F felony if the offense creates a substantial and unreasonable risk of death or great bodily harm to another.

SECTION 809. 943.75 (2) of the statutes is amended to read:

943.75 (2) Whoever intentionally releases an animal that is lawfully confined for companionship or protection of persons or property, recreation, exhibition, or educational purposes, acting without the consent of the owner or custodian of the

animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection by a person is a Class ~~E~~ I felony.

SECTION 810. 943.75 (2m) of the statutes is amended to read:

943.75 (2m) Whoever intentionally releases an animal that is lawfully confined for scientific, farming, restocking, research or commercial purposes, acting without the consent of the owner or custodian of the animal, is guilty of a Class ~~C~~ H felony.

SECTION 811. 943.76 (2) (a) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.76 (2) (a) Whoever intentionally introduces a contagious or infectious disease into livestock without the consent of the owner of the livestock is guilty of a Class ~~C~~ F felony.

SECTION 812. 943.76 (2) (b) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

943.76 (2) (b) Whoever intentionally introduces a contagious or infectious disease into wild deer without the consent of the department of natural resources is guilty of a Class ~~C~~ F felony.

SECTION 813. 944.05 (1) (intro.) of the statutes is amended to read:

944.05 (1) (intro.) Whoever does any of the following is guilty of a Class ~~E~~ I felony:

SECTION 814. 944.06 of the statutes is amended to read:

944.06 Incest. Whoever marries or has nonmarital sexual intercourse with a person he or she knows is a blood relative and such relative is in fact related in a

degree within which the marriage of the parties is prohibited by the law of this state is guilty of a Class C F felony.

SECTION 815. 944.15 (title) of the statutes is repealed and recreated to read:

944.15 (title) Public fornication.

SECTION 816. 944.16 (intro.) of the statutes is amended to read:

944.16 Adultery. (intro.) Whoever does either of the following is guilty of a Class E I felony:

SECTION 817. 944.21 (5) (c) of the statutes is amended to read:

944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior convictions under this section, the person is guilty of a Class D H felony.

SECTION 818. 944.21 (5) (e) of the statutes is amended to read:

944.21 (5) (e) Regardless of the number of prior convictions, if the violation under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material, the person is guilty of a Class D H felony.

SECTION 819. 944.32 of the statutes is amended to read:

944.32 Soliciting prostitutes. Except as provided under s. 948.08, whoever intentionally solicits or causes any person to practice prostitution or establishes any person in a place of prostitution is guilty of a Class D H felony.

SECTION 820. 944.33 (2) of the statutes is amended to read:

944.33 (2) If the person received compensation from the earnings of the prostitute, such person is guilty of a Class C F felony.

SECTION 821. 944.34 (intro.) of the statutes is amended to read:

944.34 Keeping place of prostitution. (intro.) Whoever intentionally does any of the following is guilty of a Class D H felony:

SECTION 822. 945.03 (1m) (intro.) of the statutes is amended to read:

945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E I felony:

SECTION 823. 945.05 (1) (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

945.05 (1) (intro.) Except as provided in subs. (1e) (b) and (1m), whoever manufactures, transfers commercially or possesses with intent to transfer commercially either of the following is guilty of a Class E I felony:

SECTION 824. 945.08 (1) of the statutes is amended to read:

945.08 (1) Any person who, with intent to influence any participant to refrain from exerting full skill, speed, strength or endurance, transfers or promises any property or any personal advantage to or on behalf of any participant in a contest of skill, speed, strength or endurance is guilty of a Class D H felony.

SECTION 825. 946.02 (1) (intro.) of the statutes is amended to read:

946.02 (1) (intro.) Whoever does any of the following is guilty of a Class C F felony:

SECTION 826. 946.03 (1) (intro.) of the statutes is amended to read:

946.03 (1) (intro.) Whoever does any of the following is guilty of a Class C F felony:

SECTION 827. 946.03 (2) of the statutes is amended to read:

946.03 (2) Whoever permits any premises under his or her care, control or supervision to be used by an assembly with knowledge that the purpose of the assembly is to advocate or teach the duty, necessity, desirability or propriety of overthrowing the government of the United States or this state by the use or threat of physical violence with intent that such government be overthrown or, after

learning that the premises are being so used, permits such use to be continued is guilty of a Class **E I** felony.

SECTION 828. 946.05 (1) of the statutes is amended to read:

946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts contempt upon the flag is guilty of a Class **E I** felony.

SECTION 829. 946.10 (intro.) of the statutes is amended to read:

946.10 Bribery of public officers and employees. (intro.) Whoever does either of the following is guilty of a Class **D H** felony:

SECTION 830. 946.11 (1) (intro.) of the statutes is amended to read:

946.11 (1) (intro.) Whoever does the following is guilty of a Class **E I** felony:

SECTION 831. 946.12 (intro.) of the statutes is amended to read:

946.12 Misconduct in public office. (intro.) Any public officer or public employee who does any of the following is guilty of a Class **E I** felony:

SECTION 832. 946.13 (1) (intro.) of the statutes is amended to read:

946.13 (1) (intro.) Any public officer or public employee who does any of the following is guilty of a Class **E I** felony:

SECTION 833. 946.14 of the statutes is amended to read:

946.14 Purchasing claims at less than full value. Any public officer or public employee who in a private capacity directly or indirectly intentionally purchases for less than full value or discounts any claim held by another against the state or a political subdivision thereof or against any public fund is guilty of a Class **E I** felony.

SECTION 834. 946.15 (1) of the statutes is amended to read:

946.15 (1) Any employer, or any agent or employee of an employer, who induces any person who seeks to be or is employed pursuant to a public contract as defined

in s. 66.0901 (1) (c) or who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3) or 229.8275 (3) or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) to give up, waive or return any part of the compensation to which that person is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department or local governmental unit, or who reduces the hourly basic rate of pay normally paid to an employee for work on a project on which a prevailing wage rate determination has not been issued under s. 66.0903 (3) or (6), 103.49 (3), 103.50 (3) or 229.8275 (3) during a week in which the employee works both on a project on which a prevailing wage rate determination has been issued and on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class ~~E~~ I felony.

SECTION 835. 946.15 (3) of the statutes is amended to read:

946.15 (3) Any employer or labor organization, or any agent or employee of an employer or labor organization, who induces any person who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3) or 229.8275 (3) or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) to permit any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from the person's pay is guilty of a Class ~~E~~ I felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

SECTION 836. 946.31 (1) (intro.) of the statutes is amended to read:

946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false material statement which the person does not believe to be true, in any matter, cause, action or proceeding, before any of the following, whether legally constituted or exercising powers as if legally constituted, is guilty of a Class D H felony:

SECTION 837. 946.32 (1) (intro.) of the statutes is amended to read:

946.32 (1) (intro.) Whoever does either of the following is guilty of a Class D H felony:

SECTION 838. 946.41 (2m) (intro.) of the statutes is amended to read:

946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following circumstances is guilty of a Class D H felony:

SECTION 839. 946.415 (2) (intro.) of the statutes is amended to read:

946.415 (2) (intro.) Whoever intentionally does all of the following is guilty of a Class E I felony:

SECTION 840. 946.42 (3) (intro.) of the statutes is amended to read:

946.42 (3) (intro.) A person in custody who intentionally escapes from custody under any of the following circumstances is guilty of a Class D H felony:

SECTION 841. 946.42 (4) of the statutes is repealed.

SECTION 842. 946.425 (1) of the statutes is amended to read:

946.425 (1) Any person who is subject to a series of periods of imprisonment under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as required under the sentence is guilty of a Class D H felony.

SECTION 843. 946.425 (1m) (b) of the statutes is amended to read:

946.425 (1m) (b) Any person who receives a stay of execution of a sentence of imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who

intentionally fails to report to the county jail as required under the sentence is guilty of a Class D H felony.

SECTION 844. 946.425 (1r) (b) of the statutes is amended to read:

946.425 (1r) (b) Any person who is subject to a confinement order under s. 973.09 (4) as the result of a conviction for a felony and who intentionally fails to report to the county jail or house of correction as required under the order is guilty of a Class D H felony.

SECTION 845. 946.425 (2) of the statutes is repealed.

SECTION 846. 946.43 (1m) (intro.) of the statutes is amended to read:

946.43 (1m) (intro.) Any prisoner confined to a state prison or other state, county or municipal detention facility who intentionally does any of the following is guilty of a Class C F felony:

SECTION 847. 946.43 (2m) (a) (intro.) of the statutes is amended to read:

946.43 (2m) (a) (intro.) Any prisoner confined to a state prison or other state, county or municipal detention facility who throws or expels blood, semen, vomit, saliva, urine, feces or other bodily substance at or toward an officer, employee or visitor of the prison or facility or another prisoner of the prison or facility under all of the following circumstances ~~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 848. 946.44 (1) (intro.) of the statutes is amended to read:

946.44 (1) (intro.) Whoever does the following is guilty of a Class D H felony:

SECTION 849. 946.44 (1g) of the statutes is amended to read:

946.44 (1g) Any public officer or public employee who violates sub. (1) (a) or (b) is guilty of a Class C F felony.

SECTION 850. 946.44 (1m) of the statutes is amended to read:

946.44 (1m) Whoever intentionally introduces into an institution where prisoners are detained or transfers to a prisoner any firearm, whether loaded or unloaded, or any article used or fashioned in a manner to lead another person to believe it is a firearm, is guilty of a Class C F felony.

SECTION 851. 946.47 (1) (intro.) of the statutes is amended to read:

946.47 (1) (intro.) Whoever does either of the following is guilty of a Class E I felony:

SECTION 852. 946.48 (1) of the statutes is amended to read:

946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any written or oral communication with intent to induce a false belief that the sender has knowledge of the whereabouts, physical condition, or terms imposed upon the return of a kidnapped or missing person is guilty of a Class D H felony.

SECTION 853. 946.49 (1) (b) of the statutes is amended to read:

946.49 (1) (b) If the offense with which the person is charged is a felony, guilty of a Class D H felony.

SECTION 854. 946.49 (2) of the statutes is amended to read:

946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is guilty of a Class E I felony for failure to appear as provided.

SECTION 855. 946.50 (5d) of the statutes is created to read:

946.50 (5d) A Class F felony, if the person was adjudicated delinquent for committing an act that would be a Class F felony if committed by an adult.

SECTION 856. 946.50 (5h) of the statutes is created to read:

946.50 (5h) A Class G felony, if the person was adjudicated delinquent for committing an act that would be a Class G felony if committed by an adult.

SECTION 857. 946.50 (5p) of the statutes is created to read:

946.50 (5p) A Class H felony, if the person was adjudicated delinquent for committing an act that would be a Class H felony if committed by an adult.

SECTION 858. 946.50 (5t) of the statutes is created to read:

946.50 (5t) A Class I felony, if the person was adjudicated delinquent for committing an act that would be a Class I felony if committed by an adult.

SECTION 859. 946.60 (1) of the statutes is amended to read:

946.60 (1) Whoever intentionally destroys, alters, mutilates, conceals, removes, withholds or transfers possession of a document, knowing that the document has been subpoenaed by a court or by or at the request of a district attorney or the attorney general, is guilty of a Class ~~E~~ I felony.

SECTION 860. 946.60 (2) of the statutes is amended to read:

946.60 (2) Whoever uses force, threat, intimidation or deception, with intent to cause or induce another person to destroy, alter, mutilate, conceal, remove, withhold or transfer possession of a subpoenaed document, knowing that the document has been subpoenaed by a court or by or at the request of a district attorney or the attorney general, is guilty of a Class ~~E~~ I felony.

SECTION 861. 946.61 (1) (intro.) of the statutes is amended to read:

946.61 (1) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H felony:

SECTION 862. 946.64 of the statutes is amended to read:

946.64 Communicating with jurors. Whoever, with intent to influence any person, summoned or serving as a juror, in relation to any matter which is before that person or which may be brought before that person, communicates with him or her otherwise than in the regular course of proceedings in the trial or hearing of that matter is guilty of a Class ~~E~~ I felony.

SECTION 863. 946.65 (1) of the statutes is amended to read:

946.65 (1) Whoever for a consideration knowingly gives false information to any officer of any court with intent to influence the officer in the performance of official functions is guilty of a Class E I felony.

SECTION 864. 946.68 (1r) (a) of the statutes is amended to read:

946.68 (1r) (a) Except as provided in pars. (b) and (c), whoever sends or delivers to another any document which simulates legal process is guilty of a Class E I felony.

SECTION 865. 946.68 (1r) (b) of the statutes is amended to read:

946.68 (1r) (b) If the document under par. (a) is sent or delivered with intent to induce payment of a claim, the person is guilty of a Class D H felony.

SECTION 866. 946.68 (1r) (c) of the statutes is amended to read:

946.68 (1r) (c) If the document under par. (a) simulates any criminal process, the person is guilty of a Class D H felony.

SECTION 867. 946.69 (2) (intro.) of the statutes is amended to read:

946.69 (2) (intro.) Whoever does any of the following is guilty of a Class E I felony:

SECTION 868. 946.70 (2) of the statutes is amended to read:

946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet the commission of a crime other than the crime under this section is guilty of a Class D H felony.

SECTION 869. 946.72 (1) of the statutes is amended to read:

946.72 (1) Whoever with intent to injure or defraud destroys, damages, removes or conceals any public record is guilty of a Class D H felony.

SECTION 870. 946.74 (2) of the statutes is amended to read:

946.74 (2) Whoever violates sub. (1) with intent to commit a crime against sexual morality with or upon the inmate of the institution is guilty of a Class ~~D~~ H felony.

SECTION 871. 946.76 of the statutes is amended to read:

946.76 Search warrant; premature disclosure. Whoever discloses prior to its execution that a search warrant has been applied for or issued, except so far as may be necessary to its execution, is guilty of a Class ~~E~~ I felony.

SECTION 872. 946.82 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (3) (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2), (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (e) and (d) (bf) to (e), 943.201, 943.23 (1g), ~~(1m), (1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12, and 948.30.

SECTION 873. 946.84 (1) of the statutes is amended to read:

946.84 (1) Any person convicted of engaging in racketeering activity in violation of s. 946.83 is guilty of a Class ~~C~~ E felony.

SECTION 874. 946.85 (1) of the statutes is amended to read:

946.85 (1) Any person who engages in a continuing criminal enterprise ~~shall be imprisoned for not less than 10 years nor more than 30 years, and fined not more than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than the presumptive minimum sentence, it shall place its reasons for doing so on the record~~ is guilty of a Class E felony.

SECTION 875. 947.013 (1t) of the statutes is amended to read:

947.013 (1t) Whoever violates sub. (1r) is guilty of a Class ~~E~~ I felony if the person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s. 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation occurs within 7 years of the prior conviction.

SECTION 876. 947.013 (1v) of the statutes is amended to read:

947.013 (1v) Whoever violates sub. (1r) is guilty of a Class ~~D~~ H felony if he or she intentionally gains access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation under sub. (1r).

SECTION 877. 947.013 (1x) (intro.) of the statutes is amended to read:

947.013 (1x) (intro.) Whoever violates sub. (1r) under all of the following circumstances is guilty of a Class ~~D~~ H felony:

SECTION 878. 947.015 of the statutes is amended to read:

947.015 Bomb scares. Whoever intentionally conveys or causes to be conveyed any threat or false information, knowing such to be false, concerning an

attempt or alleged attempt being made or to be made to destroy any property by the means of explosives is guilty of a Class ~~E~~ I felony.

SECTION 879. 948.02 (2) of the statutes is amended to read:

948.02 (2) **SECOND DEGREE SEXUAL ASSAULT.** Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of a Class ~~BC~~ C felony.

SECTION 880. 948.02 (3) of the statutes is amended to read:

948.02 (3) **FAILURE TO ACT.** A person responsible for the welfare of a child who has not attained the age of 16 years is guilty of a Class ~~C~~ F felony if that person has knowledge that another person intends to have, is having or has had sexual intercourse or sexual contact with the child, is physically and emotionally capable of taking action which will prevent the intercourse or contact from taking place or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk that intercourse or contact may occur between the child and the other person or facilitates the intercourse or contact that does occur between the child and the other person.

SECTION 881. 948.02 (3m) of the statutes is repealed.

SECTION 882. 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and amended to read:

948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1) or (2) within a specified period of time involving the same child is guilty of ~~a~~:

(a) A Class B felony if at least 3 of the violations were violations of s. 948.02 (1).

SECTION 883. 948.025 (1) (b) of the statutes is created to read:

948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations of s. 948.02 (1).

SECTION 884. 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and amended to read:

948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02 (1) or (2) occurred within the time specified period applicable under sub. (1) of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02 (1) or (2).

SECTION 885. 948.025 (2) (a) of the statutes is created to read:

948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02 (1) occurred within the specified period of time but need not agree on which acts constitute the requisite number.

SECTION 886. 948.025 (2m) of the statutes is repealed.

SECTION 887. 948.03 (2) (a) of the statutes is amended to read:

948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is guilty of a Class C E felony.

SECTION 888. 948.03 (2) (b) of the statutes is amended to read:

948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of a Class D H felony.

SECTION 889. 948.03 (2) (c) of the statutes is amended to read:

948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct which creates a high probability of great bodily harm is guilty of a Class C F felony.

SECTION 890. 948.03 (3) (a) of the statutes is amended to read:

948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty of a Class ~~D~~ G felony.

SECTION 891. 948.03 (3) (b) of the statutes is amended to read:

948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a Class ~~E~~ I felony.

SECTION 892. 948.03 (3) (c) of the statutes is amended to read:

948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct which creates a high probability of great bodily harm is guilty of a Class ~~D~~ H felony.

SECTION 893. 948.03 (4) (a) of the statutes is amended to read:

948.03 (4) (a) A person responsible for the child's welfare is guilty of a Class ~~C~~ F felony if that person has knowledge that another person intends to cause, is causing or has intentionally or recklessly caused great bodily harm to the child and is physically and emotionally capable of taking action which will prevent the bodily harm from occurring or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk of great bodily harm by the other person or facilitates the great bodily harm to the child that is caused by the other person.

SECTION 894. 948.03 (4) (b) of the statutes is amended to read:

948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class ~~D~~ H felony if that person has knowledge that another person intends to cause, is causing or has intentionally or recklessly caused bodily harm to the child and is physically and emotionally capable of taking action which will prevent the bodily harm from occurring or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk of bodily harm by the other person or facilitates the bodily harm to the child that is caused by the other person.

SECTION 895. 948.03 (5) of the statutes is repealed.

SECTION 896. 948.04 (1) of the statutes is amended to read:

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

SECTION 897. 948.04 (2) of the statutes is amended to read:

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

SECTION 898. 948.05 (1) (intro.) of the statutes is amended to read:

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

SECTION 899. 948.05 (1m) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 900. 948.05 (2) of the statutes is amended to read:

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

SECTION 901. 948.055 (2) (a) of the statutes is amended to read:

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

SECTION 902. 948.055 (2) (b) of the statutes is amended to read:

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

SECTION 903. 948.06 (intro.) of the statutes is amended to read:

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

SECTION 904. 948.07 (intro.) of the statutes is amended to read:

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

SECTION 905. 948.08 of the statutes is amended to read:

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

SECTION 906. 948.095 (2) (intro.) of the statutes is amended to read:

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

SECTION 907. 948.11 (2) (a) (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 908. 948.11 (2) (am) (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 909. 948.12 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 910. 948.12 (2m) (intro.) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 911. 948.13 (2) of the statutes is amended to read:

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

SECTION 912. 948.20 of the statutes is amended to read:

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

SECTION 913. 948.21 (1) of the statutes is amended to read:

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

SECTION 914. 948.22 (2) of the statutes is amended to read:

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

SECTION 915. 948.23 of the statutes is amended to read:

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

SECTION 916. 948.24 (1) (intro.) of the statutes is amended to read:

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

SECTION 917. 948.30 (1) (intro.) of the statutes is amended to read:

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

SECTION 918. 948.30 (2) (intro.) of the statutes is amended to read:

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

SECTION 919. 948.31 (1) (b) of the statutes is amended to read:

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

SECTION 920. 948.31 (2) of the statutes is amended to read:

948.31 (2) Whoever causes a child to leave, takes a child away or withholds a child for more than 12 hours from the child's parents or, in the case of a nonmarital child whose parents do not subsequently intermarry under s. 767.60, from the child's mother or, if he has been granted legal custody, the child's father, without the consent of the parents, the mother or the father with legal custody, is guilty of a Class E I

felony. This subsection is not applicable if legal custody has been granted by court order to the person taking or withholding the child.

SECTION 921. 948.31 (3) (intro.) of the statutes is amended to read:

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

SECTION 922. 948.35 of the statutes is repealed.

SECTION 923. 948.36 of the statutes is repealed.

SECTION 924. 948.40 (4) (a) of the statutes is amended to read:

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

SECTION 925. 948.40 (4) (b) of the statutes is amended to read:

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

SECTION 926. 948.51 (3) (b) of the statutes is amended to read:

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

SECTION 927. 948.51 (3) (c) of the statutes is created to read:

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

SECTION 928. 948.60 (2) (b) of the statutes is amended to read:

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

SECTION 929. 948.60 (2) (c) of the statutes is amended to read:

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

SECTION 930. 948.605 (2) (a) of the statutes is amended to read:

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

SECTION 931. 948.605 (3) (a) of the statutes is amended to read:

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

SECTION 932. 948.605 (4) of the statutes is repealed.

SECTION 933. 948.61 (2) (b) of the statutes is amended to read:

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

SECTION 934. 948.62 (1) (a) of the statutes is amended to read:

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

SECTION 935. 948.62 (1) (b) of the statutes is amended to read:

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

SECTION 936. 948.62 (1) (bm) of the statutes is created to read:

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

SECTION 937. 948.62 (1) (c) of the statutes is amended to read:

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

SECTION 938. 949.03 (1) (b) of the statutes is amended to read:

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

SECTION 939. 950.04 (1v) (g) of the statutes is amended to read:

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

SECTION 940. 950.04 (1v) (nt) of the statutes is created to read:

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

SECTION 941. 951.18 (1) of the statutes is amended to read:

951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05, 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a Class C forfeiture. Any person who violates any of these provisions within 3 years after a humane officer issues an abatement order under s. 173.11 prohibiting the violation of that provision is subject to a Class A forfeiture. Any person who intentionally or negligently violates any of those sections is guilty of a Class A

misdemeanor. Any person who intentionally violates s. 951.02, resulting in the mutilation, disfigurement or death of an animal, is guilty of a Class ~~E~~ I felony. Any person who intentionally violates s. 951.02 or 951.06, knowing that the animal that is the victim is used by a law enforcement agency to perform agency functions or duties and causing injury to the animal, is guilty of a Class ~~E~~ I felony.

SECTION 942. 951.18 (2) of the statutes is amended to read:

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

SECTION 943. 951.18 (2m) of the statutes is amended to read:

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

SECTION 944. 961.41 (1) (intro.) of the statutes is amended to read:

961.41 (1) **MANUFACTURE, DISTRIBUTION OR DELIVERY.** (intro.) Except as authorized by this chapter, it is unlawful for any person to manufacture, distribute

or deliver a controlled substance or controlled substance analog. Any person who violates this subsection ~~with respect to~~ is subject to the following penalties:

SECTION 945. 961.41 (1) (a) of the statutes is amended to read:

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

SECTION 946. 961.41 (1) (b) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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

SECTION 947. 961.41 (1) (cm) (intro.) of the statutes is amended to read:

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

SECTION 948. 961.41 (1) (cm) 1. of the statutes is renumbered 961.41 (1) (cm) 1r. and amended to read:

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

SECTION 949. 961.41 (1) (cm) 1g. of the statutes is created to read:

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

SECTION 950. 961.41 (1) (cm) 2. of the statutes is amended to read:

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

SECTION 951. 961.41 (1) (cm) 3. of the statutes is amended to read:

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

SECTION 952. 961.41 (1) (cm) 4. of the statutes is amended to read:

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

SECTION 953. 961.41 (1) (cm) 5. of the statutes is repealed.

SECTION 954. 961.41 (1) (d) (intro.) of the statutes is amended to read:

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

SECTION 955. 961.41 (1) (d) 1. of the statutes is amended to read:

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

SECTION 956. 961.41 (1) (d) 2. of the statutes is amended to read:

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

SECTION 957. 961.41 (1) (d) 3. of the statutes is amended to read:

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

SECTION 958. 961.41 (1) (d) 4. of the statutes is amended to read:

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

SECTION 959. 961.41 (1) (d) 5. of the statutes is repealed.

SECTION 960. 961.41 (1) (d) 6. of the statutes is repealed.

SECTION 961. 961.41 (1) (e) (intro.) of the statutes is amended to read:

961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and methcathinone. (intro.) Phencyclidine If the person violates this subsection with respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a controlled substance analog of phencyclidine, amphetamine, methamphetamine, or

methcathinone, ~~is subject to the following penalties if and~~ the amount manufactured, distributed, or delivered is:

SECTION 962. 961.41 (1) (e) 1. of the statutes is amended to read:

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

SECTION 963. 961.41 (1) (e) 2. of the statutes is amended to read:

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

SECTION 964. 961.41 (1) (e) 3. of the statutes is amended to read:

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

SECTION 965. 961.41 (1) (e) 4. of the statutes is amended to read:

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

SECTION 966. 961.41 (1) (e) 5. of the statutes is repealed.

SECTION 967. 961.41 (1) (e) 6. of the statutes is repealed.

SECTION 968. 961.41 (1) (em) of the statutes is repealed.

SECTION 969. 961.41 (1) (f) (intro.) of the statutes is amended to read:

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

SECTION 970. 961.41 (1) (f) 1. of the statutes is amended to read:

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

SECTION 971. 961.41 (1) (f) 2. of the statutes is amended to read:

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

SECTION 972. 961.41 (1) (f) 3. of the statutes is amended to read:

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

SECTION 973. 961.41 (1) (g) (intro.) of the statutes is amended to read:

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

SECTION 974. 961.41 (1) (g) 1. of the statutes is amended to read:

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

SECTION 975. 961.41 (1) (g) 2. of the statutes is amended to read:

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

SECTION 976. 961.41 (1) (g) 3. of the statutes is amended to read:

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

SECTION 977. 961.41 (1) (h) (intro.) of the statutes is amended to read:

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

SECTION 978. 961.41 (1) (h) 1. of the statutes is amended to read:

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

SECTION 979. 961.41 (1) (h) 2. of the statutes is amended to read:

961.41 (1) (h) 2. More than 500 200 grams but not more than 2,500 1,000 grams, or more than 10 4 plants containing tetrahydrocannabinols but not more than 50 20 plants containing tetrahydrocannabinols, the person shall be fined not less than