

## SENATE BILL 55

## SECTION 3325

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**\*-0447/3.2\* SECTION 3329.** 301.03 (10) (d) of the statutes is amended to read:

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301.03 (10) (d) Administer the office of juvenile offender review in the division of juvenile corrections in the department. The office shall be responsible for decisions regarding case planning, and the release of juvenile offenders from secured correctional facilities or secured child caring institutions to aftercare placements ~~and the transfer of juveniles to the Racine youthful offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d).~~

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**\*b0568/1.1\* SECTION 3329m.** 301.03 (19) of the statutes is created to read:

301.03 (19) Work with the parole commission to minimize, to the greatest extent possible, the residential population density of sex offenders, as defined in s. 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on supervised release under s. 980.06 (2) (c) 1997 stats., or 980.08 (5).

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**\*b0575/3.1\* SECTION 3329p.** 301.03 (19m) of the statutes is created to read:

301.03 (19m) Examine the allocation of mental health services within the department to ensure that, within available resources, the mental health needs of inmates are met in an equitable and efficient manner and evaluate the effectiveness of providing for those needs in an equitable and efficient manner.

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**\*b0575/3.1\* SECTION 3329q.** 301.03 (20) of the statutes is created to read:

301.03 (20) Require a physician to randomly review on a regular basis the medical charts of inmates to ensure that proper medical procedures are followed in the provision of medical care to those inmates and evaluate the outcome and findings of those medical chart reviews.

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**\*b0575/3.1\* SECTION 3329r.** 301.03 (21) of the statutes is created to read:

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1           301.03 (21) Prepare written contracts for all health care providers that deliver  
2 basic health care services at correctional facilities.

3           **\*b0575/3.1\* SECTION 3329s.** 301.03 (22) of the statutes is created to read:

4           301.03 (22) Submit all contracts, agreements, or extensions of contracts or  
5 agreements for the delivery of health care services at correctional facilities that  
6 exceed \$500,000 to the joint committee on finance for that committee's review and  
7 approval.

8           **\*b0575/3.1\* SECTION 3329t.** 301.03 (23) of the statutes is created to read:

9           301.03 (23) Negotiate in all contracts entered into on or after the effective date  
10 of this subsection .... [revisor inserts date], with hospitals that provide inmate care  
11 a provision that the hospital will accept the medical assistance reimbursement rate  
12 under s. 49.45 for all inmates eligible for that program and evaluate the outcome of  
13 those negotiation efforts.

14           **\*b0575/3.1\* SECTION 3329u.** 301.03 (24) of the statutes is created to read:

15           301.03 (24) In cooperation with the department of health and family services,  
16 explore options for determining the medical assistance eligibility of inmates and  
17 evaluate the progress of the efforts made to determine that eligibility.

18           **\*b0588/2.1\* SECTION 3329p.** 301.03 (16) of the statutes is created to read:

19           301.03 (16) (a) In this subsection, "Intranet site" means an Internet site that  
20 is only accessible to officials and employees of the department.

21           (b) Create and maintain an Intranet site that includes the medical histories of  
22 all inmates who are sentenced to the Wisconsin state prisons. The site shall be  
23 created no later than June 30, 2003, and shall include the prescriptions, laboratory  
24 reports, and X-rays ordered for each inmate.

**SENATE BILL 55****SECTION 3331**

1           **\*-1855/2.1\* \*-2889/P3.1\* SECTION 3331.** 301.035 (2) of the statutes is  
2 amended to read:

3           301.035 (2) Assign hearing examiners from the division to preside over  
4 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10  
5 (2) and ch. 304.

6           **\*-1855/2.2\* \*-2889/P3.2\* SECTION 3332.** 301.035 (4) of the statutes is  
7 amended to read:

8           301.035 (4) Supervise employes in the conduct of the activities of the division  
9 and be the administrative reviewing authority for decisions of the division under ss.  
10 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and  
11 ch. 304.

12           **\*-0475/3.6\* SECTION 3336.** 301.16 (1s) of the statutes is created to read:

13           301.16 (1s) In addition to the institutions under sub. (1), the department shall  
14 establish a medium security correctional institution that is a part of the correctional  
15 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is  
16 located in Redgranite.

17           **\*-0475/3.7\* SECTION 3337.** 301.16 (1t) of the statutes is created to read:

18           301.16 (1t) In addition to the institutions under sub. (1), the department shall  
19 establish a medium security correctional institution that is a part of the correctional  
20 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is  
21 located in New Lisbon.

22           **\*b0622/2.3\* SECTION 3337m.** 301.19 of the statutes is created to read:

23           **301.19 Restriction on construction of correctional facilities. (1)** In this  
24 section:

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1 (a) “Authorized jurisdiction” means a county, 2 counties acting jointly under s.  
2 302.44, the United States, or a federally recognized American Indian tribe or band  
3 in this state.

4 (b) “Correctional facility” means a building, structure, or facility or a portion  
5 of a building, structure, or facility that is used to confine persons serving a sentence  
6 of imprisonment to the Wisconsin state prisons or to confine juveniles alleged or  
7 found to be delinquent.

8 (2) No person may commence construction of a correctional facility or  
9 commence conversion of an existing building, structure, or facility into a correctional  
10 facility unless the building, structure, or facility is enumerated in the authorized  
11 state building program.

12 (3) Subsection (2) does not apply to any of the following:

13 (a) A building, structure, or facility that is constructed or converted under a  
14 contract with and for use by an authorized jurisdiction.

15 (b) A building, structure, or facility the construction of which was completed  
16 before January 1, 2001, if the building, structure, or facility was designed to confine  
17 persons convicted of a criminal offense.

18 \*–0449/4.1\* **SECTION 3338.** 301.26 (4) (b) of the statutes is amended to read:

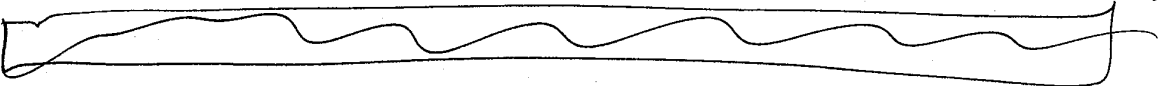
19 301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on  
20 the basis of the per person per day cost estimate specified in par. (d) 2. ~~to 4.~~ and 3.  
21 Except as provided in pars. (bm), (c), and (cm), liability shall apply to county  
22 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising  
23 jurisdiction under chs. 48 and 938 for each person receiving services from the  
24 department of corrections under s. 48.366, 938.183, or 938.34 or the department of  
25 health and family services under s. 46.057 or 51.35 (3). Except as provided in pars.

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1 (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within  
2 the jurisdiction shall be liable for costs under this subsection. Assessment of costs  
3 under par. (a) shall also be made according to the general placement type or level of  
4 care provided, as defined by the department, and prorated according to the ratio of  
5 the amount designated under sub. (3) (c) to the total applicable estimated costs of  
6 care, services, and supplies provided by the department of corrections under ss.  
7 48.366, 938.183, and 938.34 and the department of health and family services under  
8 s. 46.057 or 51.35 (3).

9 \*~~0449/4.2~~\* **SECTION 3339.** 301.26 (4) (cm) 3. of the statutes is amended to read:

10 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile  
11 correctional services under this paragraph shall be equal to the per person daily cost  
12 assessment to counties under par. (d) 2. ~~to 4.~~ and 3. for juvenile correctional services.

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14 \*~~b0342/4.2~~\* **SECTION 3340d.** 301.26 (4) (d) 2. of the statutes is amended to  
15 read:

16 301.26 (4) (d) 2. Beginning on July 1, ~~1999~~ 2001, and ending on  
17 ~~December 31, 1999~~ June 30, 2002, the per person daily cost assessment to counties  
18 shall be ~~\$153.01~~ \$167.57 for care in a Type 1 secured correctional facility, as defined  
19 in s. 938.02 (19), ~~\$153.01~~ \$167.57 for care for juveniles transferred from a juvenile  
20 correctional institution under s. 51.35 (3), ~~\$183.72~~ \$213 for care in a child caring  
21 institution, including a secured child caring institution, ~~\$118.93~~ \$129 for care in a  
22 group home for children, ~~\$26.17~~ \$41 for care in a foster home, ~~\$75.37~~ \$81 for care in  
23 a treatment foster home, ~~\$72.66~~ \$82.56 for departmental corrective sanctions  
24 services, and ~~\$19.76~~ \$21.96 for departmental aftercare services.

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1           **\*b0342/4.2\* SECTION 3341d.** 301.26 (4) (d) 3. of the statutes is amended to  
2 read:

3           301.26 (4) (d) 3. ~~In calendar year 2000~~ Beginning on July 1, 2002, and ending  
4 on June 30, 2003, the per person daily cost assessment to counties shall be ~~\$153.55~~  
5 \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),  
6 ~~\$153.55~~ \$172.51 for care for juveniles transferred from a juvenile correctional  
7 institution under s. 51.35 (3), ~~\$187.21~~ \$226 for care in a child caring institution,  
8 including a secured child caring institution, ~~\$121.19~~ \$135 for care in a group home  
9 for children, ~~\$26.67~~ \$43 for care in a foster home, ~~\$76.80~~ \$85 for care in a treatment  
10 foster home, ~~\$74.68~~ \$84.50 for departmental corrective sanctions services, and  
11 ~~\$19.15~~ \$22.66 for departmental aftercare services.

12           **\*-0449/4.5\* SECTION 3342.** 301.26 (4) (d) 4. of the statutes is repealed.

13           **\*-0450/1.1\* SECTION 3343.** 301.26 (7) (intro.) of the statutes is amended to  
14 read:

15           301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
16 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the  
17 department shall allocate funds for community youth and family aids for the period  
18 beginning on July 1, ~~1999~~ 2001, and ending on June 30, ~~2001~~ 2003, as provided in  
19 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

20           **\*b0344/1.1\* SECTION 3344d.** 301.26 (7) (a) (intro.) of the statutes is amended  
21 to read:

22           301.26 (7) (a) (intro.) For community youth and family aids under this section,  
23 amounts not to exceed ~~\$42,091,800~~ \$43,091,800 for the last 6 months of ~~1999~~,  
24 ~~\$85,183,700~~ for ~~2000~~ 2001, \$86,183,700 for 2002, and \$43,091,900 for the first 6  
25 months of ~~2001~~ 2003. Of those amounts, the department shall allocate \$1,000,000

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1 \$2,000,000 for the last 6 months of ~~1999~~, ~~\$3,000,000 for 2000~~ 2001, \$4,000,000 for  
2 2002, and \$2,000,000 for the first 6 months of ~~2001~~ 2003 to counties based on each  
3 of the following factors weighted equally:

4 **\*-0450/1.3\* SECTION 3345.** 301.26 (7) (e) of the statutes is amended to read:

5 301.26 (7) (e) For emergencies related to community youth and family aids  
6 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1999~~  
7 2001, \$250,000 for ~~2000~~ 2002 and \$125,000 for the first 6 months of ~~2001~~ 2003. A  
8 county is eligible for payments under this paragraph only if it has a population of not  
9 more than 45,000.

10 **\*-0450/1.4\* SECTION 3346.** 301.26 (7) (h) of the statutes is amended to read:

11 301.26 (7) (h) For counties that are participating in the corrective sanctions  
12 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1999~~ 2001,  
13 \$2,124,800 in ~~2000~~ 2002 and \$1,062,400 in the first 6 months of ~~2001~~ 2003 for the  
14 provision of corrective sanctions services for juveniles from that county. In  
15 distributing funds to counties under this paragraph, the department shall determine  
16 a county's distribution by dividing the amount allocated under this paragraph by the  
17 number of slots authorized for the program under s. 938.533 (2) and multiplying the  
18 quotient by the number of slots allocated to that county by agreement between the  
19 department and the county. The department may transfer funds among counties as  
20 necessary to distribute funds based on the number of slots allocated to each county.

21 **\*-0450/1.5\* SECTION 3347.** 301.26 (8) of the statutes is amended to read:

22 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
23 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
24 6 months of ~~1999~~ 2001, \$1,333,400 in ~~2000~~ 2002 and \$666,700 in the first 6 months  
25 of ~~2001~~ 2003 for alcohol and other drug abuse treatment programs.

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1           \*~~0166/4.9~~\* SECTION 3348. 301.265 (title) of the statutes is repealed.

2           \*b0612/3.6\* SECTION 3349d. 301.265 (1) of the statutes is renumbered 16.964

3           (8) (a) and amended to read:

4           16.964 (8) (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and  
5           (kj), the department office shall allocate \$500,000 in each fiscal year to enter into a  
6           contract with an organization to provide services in a county having a population of  
7           500,000 or more for the diversion of youths from gang activities into productive  
8           activities, including placement in appropriate educational, recreational and  
9           employment programs. Notwithstanding s. 16.75, the department office may enter  
10          into a contract under this subsection paragraph without soliciting bids or proposals  
11          and without accepting the lowest responsible bid or offer.

12          \*~~0166/4.11~~\* SECTION 3350. 301.265 (2) of the statutes is renumbered 16.964

13          (8) (b) and amended to read:

14          16.964 (8) (b) From the appropriation under s. ~~20.410 (3) (kp)~~ 20.505 (6) (km),  
15          the department office may not distribute more than \$300,000 in each fiscal year to  
16          the organization that it has contracted with under ~~sub. (1) par. (a)~~ for alcohol and  
17          other drug abuse education and treatment services for participants in that  
18          organization's youth diversion program.

19          \*b0612/3.8\* SECTION 3351d. 301.265 (3) of the statutes is renumbered 16.964

20          (8) (c) and amended to read:

21          16.964 (8) (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj),  
22          the department office shall allocate \$150,000 in each fiscal year to enter into a  
23          contract with an organization to provide services in Racine County, \$150,000 in each  
24          fiscal year to enter into a contract with an organization to provide services in  
25          Kenosha County, \$150,000 in each fiscal year to enter into a contract with an



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1 organization that is located in ward 1 in the city of Racine to provide services in  
2 Racine County, and \$150,000 in each fiscal year to enter into a contract with an  
3 organization to provide services in Brown County, for the diversion of youths from  
4 gang activities into productive activities, including placement in appropriate  
5 educational, recreational, and employment programs, and for alcohol or other drug  
6 abuse education and treatment services for participants in that organization's youth  
7 diversion program. The organization that is located in ward 1 in the city of Racine  
8 shall have a recreational facility, shall offer programs to divert youths from gang  
9 activities, may not be affiliated with any national or state association, and may not  
10 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.  
11 16.75, the department office may enter into a contract under this subsection  
12 paragraph without soliciting bids or proposals and without accepting the lowest  
13 responsible bid or offer.

14 \*b0629/2.1\* SECTION 3352m. 301.295 of the statutes is created to read:

15 **301.295 Recruitment of department employees.** The department may not  
16 use billboards or similar structures to recruit its employees.

17 \*b0112/1.5\* SECTION 3353m. 302.01 of the statutes is amended to read:

18 **302.01 State prisons named and defined.** The penitentiary at Waupun is  
19 named "Waupun Correctional Institution". The correctional treatment center at  
20 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay  
21 is named "Green Bay Correctional Institution". The medium/maximum  
22 penitentiary at Portage is named "Columbia Correctional Institution". The medium  
23 security institution at Oshkosh is named "Oshkosh Correctional Institution". The  
24 medium security penitentiary near Fox Lake is named "Fox Lake Correctional  
25 Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional

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1 Institution”.” The medium security penitentiary at Plymouth is named “Kettle  
2 Moraine Correctional Institution”.” The penitentiary at the village of Sturtevant in  
3 Racine county is named “Racine Correctional Institution”.” The medium security  
4 correctional institution near Black River Falls is named “Jackson Correctional  
5 Institution.” The medium security penitentiary at Racine is named “Racine Youthful  
6 Offender Correctional Facility”.” The resource facility at Oshkosh is named  
7 “Wisconsin Resource Center”.” The institutions named in this section, the medium  
8 security correctional institutions at Redgranite and New Lisbon, the correctional  
9 institutions authorized under s. 301.16 (1n) and (1v), correctional institution  
10 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution  
11 authorized under s. 301.046 (1), correctional institution authorized under s. 301.048  
12 (4) (b), the correctional institution at Stanley authorized under 2001 Wisconsin Act  
13 .... (this act), section 9107 (1) (b), minimum security correctional institutions  
14 authorized under s. 301.13, the probation and parole holding facilities authorized  
15 under s. 301.16 (1q), and state-local shared correctional facilities when established  
16 under s. 301.14, are state prisons.

17 \***-1855/2.3\*** SECTION 3354. 302.045 (3) of the statutes is amended to read:  
18 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
19 determines that an inmate serving a sentence other than one imposed under s.  
20 973.01 has successfully completed the challenge incarceration program, the parole  
21 commission shall parole the inmate for that sentence under s. 304.06, regardless of  
22 the time the inmate has served, ~~unless the person is serving a sentence imposed~~  
23 ~~under s. 973.01.~~ When the parole commission grants parole under this subsection,  
24 it must require the parolee to participate in an intensive supervision program for  
25 drug abusers as a condition of parole.

**SENATE BILL 55****SECTION 3354g**

1           **\*b0568/1.2\* SECTION 3354g.** 302.11 (1) of the statutes is amended to read:

2           302.11 (1) The warden or superintendent shall keep a record of the conduct of  
3 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),  
4 (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on  
5 parole by the department. The mandatory release date is established at two-thirds  
6 of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b)  
7 resulting in fractions of a day shall be rounded in the inmate's favor to a whole day.

8           **\*b0568/1.2\* SECTION 3354r.** 302.11 (1g) (b) 3. of the statutes is created to read:

9           302.11 (1g) (b) 3. Refusal by the inmate to live in a residence that the parole  
10 commission has approved under s. 304.06 (2m) (ak), if applicable.

11           **\*-1855/2.4\* SECTION 3355.** 302.11 (1z) of the statutes is amended to read:

12           302.11 (1z) An inmate who is sentenced to a term of confinement in prison  
13 under s. 973.01 for a felony that is committed on or after December 31, 1999, or a  
14 misdemeanor committed on or after the effective date of this subsection ... [revisor  
15 inserts date], is not entitled under this section to mandatory release on parole under  
16 this section that sentence.

17           **\*-1855/2.5\* SECTION 3357.** 302.11 (3) of the statutes is amended to read:

18           302.11 (3) All consecutive sentences imposed for crimes committed before  
19 December 31, 1999, shall be computed as one continuous sentence.

20           **\*b0568/1.3\* SECTION 3357m.** 302.11 (4m) of the statutes is amended to read:

21           302.11 (4m) An inmate may not be paroled under this section is subject to the  
22 restriction unless he or she agrees to live in a residence that the parole commission  
23 or the department has approved under s. 304.06 (2m) (ak), if applicable, relating to  
24 the counties to which inmates may be paroled.

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1           \***-1855/2.6\*** SECTION 3359. 302.11 (7) (a) of the statutes is renumbered 302.11  
2 (7) (am) and amended to read:

3           302.11 (7) (am) ~~The division of hearings and appeals in the department of~~  
4 ~~administration, upon proper notice and hearing, or the department of corrections, if~~  
5 ~~the parolee waives a hearing, reviewing authority~~ may return a parolee released  
6 under sub. (1) <sup>del space</sup> or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the  
7 remainder of the sentence for a violation of the conditions of parole. The remainder  
8 of the sentence is the entire sentence, less time served in custody prior to parole. The  
9 revocation order shall provide the parolee with credit in accordance with ss. 304.072  
10 and 973.155.

\*\*\*\*NOTE: This is reconciled s. 302.11 (7) (am). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1855 and LRB-2142.

11           \***-1855/2.7\*** SECTION 3360. 302.11 (7) (ag) of the statutes is created to read:

12           302.11 (7) (ag) In this subsection “reviewing authority” means the division of  
13 hearings and appeals in the department of administration, upon proper notice and  
14 hearing, or the department of corrections, if the parolee waives a hearing.

15           \***-1855/2.8\*** SECTION 3361. 302.11 (7) (b) of the statutes is amended to read:

16           302.11 (7) (b) A parolee returned to prison for violation of the conditions of  
17 parole shall be incarcerated for the entire period of time determined by the  
18 ~~department of corrections in the case of a waiver or the division of hearings and~~  
19 ~~appeals in the department of administration in the case of a hearing under par. (a),~~  
20 reviewing authority unless paroled earlier under par. (c). The parolee is not subject  
21 to mandatory release under sub. (1) or presumptive mandatory release under sub.  
22 (1g). The period of time determined under par. ~~(a)~~ (am) may be extended in  
23 accordance with subs. (1q) and (2).

**SENATE BILL 55****SECTION 3363**

1           \*~~1855/2.9~~\* **SECTION 3363.** 302.11 (7) (d) of the statutes is amended to read:

2           302.11 (7) (d) A parolee who is subsequently released either after service of the  
3           period of time determined by the department of corrections in the case of a waiver  
4           or the division of hearings and appeals in the department of administration in the  
5           case of a hearing under par. (a) reviewing authority or by a grant of parole under par.  
6           (c) is subject to all conditions and rules of parole until expiration of sentence or  
7           discharge by the department.

8           \*~~1855/2.10~~\* **SECTION 3364.** 302.11 (7) (e) of the statutes is created to read:

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

13          \*~~0447/3.3~~\* **SECTION 3365.** 302.11 (10) of the statutes is amended to read:

14          302.11 (10) An inmate subject to an order under s. 48.366 or ~~938.34 (4h)~~ is not  
15          entitled to mandatory release and may be released or discharged only as provided  
16          under s. 48.366 or ~~938.538~~.

17          \*~~1855/2.11~~\* **SECTION 3367.** 302.113 (4) of the statutes is amended to read:

18          302.113 (4) All consecutive sentences imposed for crimes committed on or after  
19          December 31, 1999, shall be computed as one continuous sentence. The person shall  
20          serve any term of extended supervision after serving all terms of confinement in  
21          prison.

22          \*~~b0568/1.4~~\* **SECTION 3367g.** 302.113 (7) of the statutes is amended to read:

23          302.113 (7) Any inmate released to extended supervision under this section is  
24          subject to all conditions and rules of extended supervision until the expiration of the  
25          term of extended supervision portion of the bifurcated sentence. The department

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1 may set conditions of extended supervision in addition to any conditions of extended  
2 supervision required under s. 302.116, if applicable, or set by the court under s.  
3 973.01 (5) if the conditions set by the department do not conflict with the court's  
4 conditions.

5 \*b0568/1.4\* SECTION 3367r. 302.114 (8) of the statutes is amended to read:

6 302.114 (8) Any inmate released to extended supervision under this section is  
7 subject to all conditions and rules of extended supervision. The department may set  
8 conditions of extended supervision in addition to any conditions of extended  
9 supervision required under s. 302.116, if applicable, or set by the court under sub.  
10 (5) (d) if the conditions set by the department do not conflict with the court's  
11 conditions.

12 \*-1855/2.12\* SECTION 3368. 302.113 (8m) of the statutes is created to read:

13 302.113 (8m) Every person released to extended supervision under this section  
14 remains in the legal custody of the department. If the department alleges that any  
15 condition or rule of extended supervision has been violated by the person, the  
16 department may take physical custody of the person for the investigation of the  
17 alleged violation.

18 \*-1855/2.13\* SECTION 3369. 302.113 (9) (a) of the statutes is renumbered  
19 302.113 (9) (am) and amended to read:

20 302.113 (9) (am) If a person released to extended supervision under this section  
21 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
22 ~~the department of administration, upon proper notice and hearing, or the~~  
23 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
24 reviewing authority may revoke the person's extended supervision of the person and  
25 return the person to prison. If, Upon revocation, the person is returned to prison,

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

9 **\*-1855/2.14\* SECTION 3370.** 302.113 (9) (ag) of the statutes is created to read:

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

14 **\*-1855/2.15\* SECTION 3371.** 302.113 (9) (b) of the statutes is amended to read:

15 302.113 (9) (b) A person who is returned to prison after revocation of extended  
16 supervision shall be incarcerated for the entire period of time specified by the  
17 ~~department of corrections in the case of a waiver or by the division of hearings and~~  
18 ~~appeals in the department of administration in the case of a hearing under par. (a)~~  
19 reviewing authority. The period of time specified under par. (a) (am) may be extended  
20 in accordance with sub. (3). If a person is returned to prison under par. (am) for a  
21 period of time that is less than the time remaining on the bifurcated sentence, the  
22 person shall be released to extended supervision after he or she has served the period  
23 of time specified under par. (am) and any extensions imposed under sub. (3).

24 **\*-1855/2.16\* SECTION 3372.** 302.113 (9) (c) of the statutes is amended to read:

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1           302.113 (9) (c) A person who is subsequently released to extended supervision  
2 after service of the period of time specified by the department of corrections in the  
3 case of a waiver or by the division of hearings and appeals in the department of  
4 administration in the case of a hearing under par. (a) reviewing authority is subject  
5 to all conditions and rules under sub. (7) until the expiration of the term of remaining  
6 extended supervision portion of the bifurcated sentence. The remaining extended  
7 supervision portion of the bifurcated sentence is the total length of the bifurcated  
8 sentence, less the time served by the person in confinement under the bifurcated  
9 sentence before release to extended supervision under sub. (2) and less all time  
10 served in confinement for any revocation of extended supervision under the  
11 bifurcated sentence.

12           \*–1855/2.17\* SECTION 3373. 302.113 (9) (d) of the statutes is created to read:

13           302.113 (9) (d) When determining under pars. (am) and (c) the amount of time  
14 a person has served in confinement before release to extended supervision or the  
15 amount of time a person has served in confinement for a revocation of extended  
16 supervision, the reviewing authority shall include any extensions imposed under  
17 sub. (3).

18           \*–1855/2.18\* SECTION 3374. 302.113 (9) (e) of the statutes is created to read:

19           302.113 (9) (e) If a hearing is to be held under par. (am) before the division of  
20 hearings and appeals in the department of administration, the hearing examiner  
21 may order the taking and allow the use of a videotaped deposition under s. 967.04  
22 (7) to (10).

23           \*–1855/2.19\* SECTION 3375. 302.113 (9) (f) of the statutes is created to read:

24           302.113 (9) (f) A reviewing authority may consolidate proceedings before it  
25 under par. (am) with other proceedings before that reviewing authority under par.



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

3 **\*-1855/2.20\* \*-2889/P3.5\* SECTION 3376.** 302.113 (9) (g) of the statutes is  
4 created to read:

5 302.113 (9) (g) If there is a hearing under par. (am) before the division of  
6 hearings and appeals in the department of administration, the person on extended  
7 supervision may seek review of a decision to revoke extended supervision and the  
8 department of corrections may seek review of a decision to not revoke extended  
9 supervision. Review of a decision under this paragraph may be sought only by an  
10 action for certiorari.

11 **\*-1855/2.21\* SECTION 3377.** 302.114 (4) of the statutes is amended to read:

12 302.114 (4) All consecutive sentences imposed for crimes committed on or after  
13 December 31, 1999, shall be computed as one continuous sentence. An inmate  
14 subject to this section shall serve any term of extended supervision after serving all  
15 terms of confinement in prison.

16 **\*-1855/2.22\* SECTION 3378.** 302.114 (8m) of the statutes is created to read:

17 302.114 (8m) Every person released to extended supervision under this section  
18 remains in the legal custody of the department. If the department alleges that any  
19 condition or rule of extended supervision has been violated by the person, the  
20 department may take physical custody of the person for the investigation of the  
21 alleged violation.

22 **\*-1855/2.23\* SECTION 3379.** 302.114 (9) (a) of the statutes is renumbered  
23 302.114 (9) (am) and amended to read:

24 302.114 (9) (am) If a person released to extended supervision under this section  
25 violates a condition of extended supervision, the ~~division of hearings and appeals in~~

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1 ~~the department of administration, upon proper notice and hearing, or the~~  
2 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
3 reviewing authority may revoke the person's extended supervision of the person and  
4 ~~return the person to prison. If. Upon revocation, the person is returned to prison,~~  
5 ~~he or she~~ shall be returned to prison for a specified period of time, as provided under  
6 par. (b).

7 **\*-1855/2.24\* SECTION 3380.** 302.114 (9) (ag) of the statutes is created to read:  
8 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given  
9 in s. 302.113 (9) (ag).

10 **\*-1855/2.25\* SECTION 3381.** 302.114 (9) (b) of the statutes is amended to read:  
11 302.114 (9) (b) If a person is returned to prison under par. (a) (am) after  
12 revocation of extended supervision, the ~~department of corrections in the case of a~~  
13 ~~waiver or the division of hearings and appeals in the department of administration~~  
14 ~~in the case of a hearing under par. (a)~~ reviewing authority shall specify a period of  
15 time for which the person shall be incarcerated before being eligible for release to  
16 extended supervision. The period of time specified under this paragraph may not be  
17 less than 5 years and may be extended in accordance with sub. (3).

18 **\*-1855/2.26\* SECTION 3382.** 302.114 (9) (bm) of the statutes is amended to  
19 read:

20 302.114 (9) (bm) A person who is returned to prison under par. (a) (am) after  
21 revocation of extended supervision may, upon petition to the sentencing court, be  
22 released to extended supervision after he or she has served the entire period of time  
23 specified in par. (b), including any periods of extension imposed under sub. (3). A  
24 person may not file a petition under this paragraph earlier than 90 days before the  
25 date on which he or she is eligible to be released to extended supervision. If a person

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1 files a petition for release to extended supervision under this paragraph at any time  
2 earlier than 90 days before the date on which he or she is eligible to be released to  
3 extended supervision, the court shall deny the petition without a hearing. The  
4 procedures specified in sub. (5) (am) to (f) apply to a petition filed under this  
5 paragraph.

6 **\*-1855/2.27\* SECTION 3383.** 302.114 (9) (d) of the statutes is created to read:  
7 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of  
8 hearings and appeals in the department of administration, the hearing examiner  
9 may order the taking and allow the use of a videotaped deposition under s. 967.04  
10 (7) to (10).

11 **\*-1855/2.28\* SECTION 3384.** 302.114 (9) (e) of the statutes is created to read:  
12 302.114 (9) (e) A reviewing authority may consolidate proceedings before it  
13 under par. (am) with other proceedings before that reviewing authority under par.  
14 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the  
15 parole or extended supervision of the same person.

16 **\*-1855/2.29\* \*-2889/P3.9\* SECTION 3385.** 302.114 (9) (f) of the statutes is  
17 created to read:

18 302.114 (9) (f) If there is a hearing under par. (am) before the division of  
19 hearings and appeals in the department of administration, the person on extended  
20 supervision may seek review of a decision to revoke extended supervision and the  
21 department of corrections may seek review of a decision to not revoke extended  
22 supervision. Review of a decision under this paragraph may be sought only by an  
23 action for certiorari.

24 **\*b0568/1.5\* SECTION 3385g.** 302.115 of the statutes is renumbered 302.105.

25 **\*b0568/1.5\* SECTION 3385r.** 302.116 of the statutes is created to read:

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1           **302.116 Extended supervision conditions for sex offenders.** (1) In this  
2 section:

3           (a) “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or  
4 (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a  
5 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

6           (b) “Sex offender” means a person serving a sentence for a serious sex offense.

7           (2) As a condition of extended supervision, a sex offender shall agree to live in  
8 a residence that the department has approved under sub. (3).

9           (3) Subject to the requirements of subs. (4) to (6) and s. 301.03 (19), before  
10 releasing a sex offender to extended supervision, the department shall assess the  
11 appropriateness of the sex offender’s prospective residence by doing at least all of the  
12 following:

13           (a) Considering the sex offender’s access to potential victims if he or she lives  
14 there. If the victim of the serious sex offense that the sex offender committed was  
15 a child, the department, in meeting this requirement, shall contact the department  
16 of health and family services, the local county department responsible for  
17 certification of child care providers under s. 48.651, and the local school board to  
18 determine whether there are any day care providers located near the sex offender’s  
19 prospective residence.

20           (b) Ensuring that others living in the prospective residence are aware of the sex  
21 offender’s offense history.

22           (4) The department shall use its best efforts to select a residence under sub.  
23 (3) that is in the sex offender’s county of residence.

24           (5) If the victim of the serious sex offense that the sex offender committed was  
25 a child who resided with the sex offender at the time of the offense, the department

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1 may not permit the sex offender to return home, unless the extended supervision  
2 officer and any person providing sex offender treatment to the sex offender  
3 determines that the sex offender's return will not jeopardize the safety of anyone  
4 residing in the home.

5 (6) The department may not approve a residence under sub. (3) if it is located  
6 in a county where there is a correctional institution that has a specialized sex  
7 offender treatment program, unless that county is also the sex offender's county of  
8 residence.

9 (7) The department shall determine a sex offender's county of residence under  
10 this section by doing all of the following:

11 (a) Considering residence as the voluntary concurrence of physical presence  
12 with intent to remain in a place of fixed habitation and considering physical presence  
13 as prima facie evidence of intent to remain.

14 (b) Applying the criteria for consideration of residence and physical presence  
15 under par. (a) to the facts that existed on the date on which the sex offender  
16 committed the serious sex offense that resulted in the sentence that the sex offender  
17 is serving.

18 \*-0447/3.4\* SECTION 3386. 302.18 (7) of the statutes is amended to read:

19 302.18 (7) Except as provided in s. 973.013 (3m), the department shall keep all  
20 ~~prisoners~~ a person under 15 years of age who has been sentenced to the Wisconsin  
21 state prisons in a secured juvenile correctional facilities or facility or a secured child  
22 caring institutions institution, but the department may transfer ~~them~~ that person  
23 to an adult correctional institutions institution after ~~they attain~~ the person attains  
24 15 years of age.

25 \*-0447/3.5\* SECTION 3387. 302.255 of the statutes is amended to read:

**SENATE BILL 55****1           302.255 Interstate corrections compact; additional applicability.**

2           “Inmate”, as defined under s. 302.25 (2) (a), includes persons subject to an order  
3           under s. 48.366 who are confined to a state prison under s. 302.01 ~~and persons subject~~  
4           ~~to an order under s. 938.34 (4h) who are 17 years of age or older.~~

5           \*~~0470/1.1~~\* **SECTION 3388.** 302.386 (3) (a) of the statutes is amended to read:

6           302.386 (3) (a) Except as provided in par. (b), the department may require a  
7           resident housed in a prison identified in s. 302.01 or in a secured correctional facility,  
8           as defined in s. 938.02 (15m), who ~~earns wages during residency and who receives~~  
9           medical or dental services to pay a deductible, coinsurance, copayment, or similar  
10          charge upon the medical or dental service that he or she receives. The department  
11          shall collect the allowable deductible, coinsurance, copayment, or similar charge.

12          \*~~0447/3.6~~\* **SECTION 3389.** 302.386 (5) (d) of the statutes is amended to read:

13          302.386 (5) (d) Any participant in the serious juvenile offender program under  
14          s. 938.538 unless ~~he or she~~ the participant is placed in a Type 1 secured correctional  
15          facility, as defined in s. 938.02 (19), ~~or in a Type 1 prison other than the institution~~  
16          ~~authorized under s. 301.046 (1).~~

17          \*~~b0338/1.4~~\* **SECTION 3389f.** 302.46 (1) (a) of the statutes is amended to read:

18          302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture  
19          for a violation of state law or for a violation of a municipal or county ordinance except  
20          for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or state laws or  
21          municipal or county ordinances involving nonmoving traffic violations or safety belt  
22          use violations under s. 347.48 (2m), the court, in addition, shall impose a jail  
23          assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever  
24          is greater. If multiple offenses are involved, the court shall determine the jail  
25          assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended

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1 in whole or in part, the court shall reduce the jail assessment in proportion to the  
2 suspension.

3 **\*b0568/1.6\* SECTION 3389m.** 304.01 (3) of the statutes is created to read:

4 304.01 (3) The parole commission shall work with the department to minimize,  
5 to the greatest extent possible, the residential population density of sex offenders,  
6 as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended  
7 supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s.  
8 980.08 (5).

9 **\*b0568/1.6\* SECTION 3389p.** 304.02 (4m) of the statutes is amended to read:

10 304.02 (4m) A prisoner may not be paroled under this section is subject to the  
11 restriction unless he or she agrees to live in a residence that the department has  
12 approved under s. 304.06 (2m) (ak), if applicable, relating to the counties to which  
13 prisoners may be paroled.

14 **\*b0568/1.6\* SECTION 3389q.** 304.06 (2m) (a) of the statutes is renumbered  
15 304.06 (2m) (a) (intro.) and amended to read:

16 304.06 (2m) (a) (intro.) In this subsection, ~~“serious;~~

17 1. “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or  
18 (2), 948.025, 948.06 or 948.07 or a solicitation, conspiracy or attempt to commit a  
19 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07.

20 **\*b0568/1.6\* SECTION 3389r.** 304.06 (2m) (a) 2. of the statutes is created to read:

21 304.06 (2m) (a) 2. “Sex offender” means a person serving a sentence for a  
22 serious sex offense.

23 **\*b0568/1.6\* SECTION 3389s.** 304.06 (2m) (af) of the statutes is created to read:

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1           304.06 (2m) (af) Neither the parole commission nor the department may parole  
2 a sex offender unless he or she agrees to live in a residence that the parole  
3 commission or the department has approved under par. (ak).

4           **\*b0568/1.6\* SECTION 3389t.** 304.06 (2m) (ak) of the statutes is created to read:

5           304.06 (2m) (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss.  
6 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole  
7 commission or the department shall assess the appropriateness of the sex offender's  
8 prospective residence by doing at least all of the following:

9           1. Considering the sex offender's access to potential victims if he or she lives  
10 there. If the victim of the serious sex offense that the sex offender committed was  
11 a child, the parole commission or the department, in meeting this requirement, shall  
12 contact the department of health and family services, the local county department  
13 responsible for certification of child care providers under s. 48.651, and the local  
14 school board to determine whether there are any day care providers located near the  
15 sex offender's prospective residence.

16           2. Ensuring that others living in the prospective residence are aware of the sex  
17 offender's offense history.

18           **\*b0568/1.6\* SECTION 3389u.** 304.06 (2m) (ap) of the statutes is created to read:

19           304.06 (2m) (ap) The parole commission or the department shall use its best  
20 efforts to select a residence under par. (ak) that is in the sex offender's county of  
21 residence.

22           **\*b0568/1.6\* SECTION 3389v.** 304.06 (2m) (at) of the statutes is created to read:

23           304.06 (2m) (at) If the victim of the serious sex offense that the sex offender  
24 committed was a child who resided with the sex offender at the time of the offense,  
25 neither the parole commission nor the department may permit the sex offender to



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1 return home, unless the parole officer and any person providing sex offender  
2 treatment to the sex offender determines that the sex offender's return will not  
3 jeopardize the safety of anyone residing in the home.

4 **\*b0568/1.6\* SECTION 3389w.** 304.06 (2m) (b) of the statutes is amended to  
5 read:

6 304.06 (2m) (b) Except as provided in par. (c), no ~~prisoner who is serving a~~  
7 ~~sentence for a serious sex offense~~ offender may be paroled to any county where there  
8 is a correctional institution that has a specialized sex offender treatment program.

9 **\*b0568/1.6\* SECTION 3389x.** 304.06 (2m) (c) of the statutes is amended to read:

10 304.06 (2m) (c) A ~~prisoner who is serving a sentence for a serious sex offense~~  
11 ~~offender~~ may be paroled to a county where there is a correctional institution that has  
12 a specialized sex offender treatment program if that county is also the ~~prisoner's~~ sex  
13 offender's county of residence.

14 **\*b0568/1.6\* SECTION 3389y.** 304.06 (2m) (d) of the statutes is amended to read:

15 304.06 (2m) (d) The parole commission or the department shall determine a  
16 ~~prisoner's~~ sex offender's county of residence for the purposes of this subsection by  
17 doing all of the following:

18 1. ~~The parole commission or the department shall consider~~ Considering  
19 residence as the voluntary concurrence of physical presence with intent to remain  
20 in a place of fixed habitation and ~~shall consider~~ considering physical presence as  
21 prima facie evidence of intent to remain.

22 2. ~~The parole commission or the department shall apply~~ Applying the criteria  
23 for consideration of residence and physical presence under subd. 1. to the facts that  
24 existed on the date ~~that the prisoner~~ on which the sex offender committed the serious  
25 sex offense that resulted in the sentence ~~that the prisoner~~ sex offender is serving.

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1           **\*b0576/1.1\* SECTION 3389g.** 303.01 (2) (em) of the statutes is amended to read:

2           303.01 (2) (em) Lease space, with or without equipment, within the precincts  
3 of state prisons, as specified in s. 302.02, or within the confines of correctional  
4 institutions operated by the department for holding in secure custody persons  
5 adjudged delinquent, to not more than 6 private businesses to employ prison  
6 inmates and institution residents to manufacture products or components or to  
7 provide services for sale on the open market. The department shall comply with s.  
8 16.75 in selecting businesses under this paragraph. The department may enter into  
9 a contract under this paragraph only with the approval of the joint committee on  
10 finance. The department may not enter into or amend a contract under this  
11 paragraph unless the contract or amendment specifies each state prison or juvenile  
12 correctional institution at which the private business will employ inmates or  
13 institution residents. The department shall consult with appropriate trade  
14 organizations and labor unions prior to issuing requests for proposals and prior to  
15 selecting proposals under this paragraph. Each such private business may conduct  
16 its operations as a private business, subject to the wage standards under sub. (4), the  
17 disposition of earnings under sub. (8), the provisions regarding displacement in sub.  
18 (11), the requirements for notification and hearing under sub. (1) (c), the requirement  
19 for prison industries board approval under s. 303.015 (1) (b) and the authority of the  
20 department to maintain security and control in its institutions. The private business  
21 and its operations are not a prison industry. Inmates employed by the private  
22 business are not subject to the requirements of inmates participating in prison  
23 industries, except as provided in this paragraph;

24           **\*-1855/2.30\* SECTION 3390.** 304.11 (3) of the statutes is amended to read:

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1           304.11 (3) If upon inquiry it further appears to the governor that the convicted  
2 person has violated or failed to comply with any of those conditions, the governor may  
3 issue his or her warrant remanding the person to the institution from which  
4 discharged, and the person shall be confined and treated as though no pardon had  
5 been granted, except that the person loses any applicable good time which he or she  
6 had earned. If the person is returned to prison, the person is subject to the same  
7 limitations as a revoked parolee under s. 302.11 (7). The department shall determine  
8 the period of incarceration under s. 302.11 (7) (a) (am). If the governor determines  
9 the person has not violated or failed to comply with the conditions, the person shall  
10 be discharged subject to the conditional pardon.

11           **\*b0283/2.1\* SECTION 3390t.** 340.01 (2g) of the statutes is amended to read:

12           340.01 (2g) "All-terrain vehicle" means an engine-driven device which has a  
13 net weight of ~~650~~ 900 pounds or less, which has a width of 48 inches or less, which  
14 is equipped with a seat designed to be straddled by the operator and which is  
15 designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which  
16 has a minimum width of 6 inches, which is designed to be mounted on a rim with a  
17 maximum diameter of 12 inches and which is designed to be inflated with an  
18 operating pressure not to exceed 6 pounds per square inch as recommended by the  
19 manufacturer.

20           **\*-0019/3.1\* SECTION 3391.** 341.135 (1) of the statutes is amended to read:

21           341.135 (1) DESIGN. Every ~~6th~~ 7th year, the department shall establish new  
22 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),  
23 (6m) ~~or, and~~ (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2)  
24 and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and  
25 for vehicles registered on the basis of gross weight shall comply with the applicable

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1 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for  
2 registration plates specified in this subsection shall be as similar in appearance as  
3 practicable during each ~~6-year~~ 7-year design interval. Each registration plate  
4 issued under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h),  
5 or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each ~~6-year~~ 7-year  
6 design interval shall be of the design established under this subsection. The  
7 department may not redesign registration plates for the special ~~group~~ groups under  
8 s. 341.14 (6r) (f) ~~53., 54., 55., or 56.~~ until ~~January 1, 2005~~ July 1, 2007. Except for  
9 registration plates issued under s. 341.14 (6r) (f) 53., 54., 55., or 56., the first design  
10 cycle for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m),  
11 and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3)  
12 (a) 1. and (am) began July 1, 2000.

13 \***-0019/3.2\* SECTION 3392.** 341.135 (2) (a) 1. of the statutes is amended to read:  
14 341.135 (2) (a) 1. Beginning with registrations initially effective on  
15 July 1, 2000, upon receipt of a completed application to initially register a vehicle  
16 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) ~~53.,~~  
17 54., 55., or 56., or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or  
18 (3) (a) 1. or (am), the department shall issue and deliver prepaid to the applicant 2  
19 new registration plates of the design established under sub. (1).

20 \***-0019/3.3\* SECTION 3393.** 341.135 (2) (a) 2. of the statutes is amended to read:  
21 341.135 (2) (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations  
22 initially effective on July 1, ~~2005~~ 2007, upon receipt of a completed application to  
23 initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), or  
24 s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a) 1. or (am), or  
25 to renew the registration of a vehicle under those sections for which a registration

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## SECTION 3393

1 plate has not been issued during the previous ~~6~~ 7 years, the department shall issue  
2 and deliver prepaid to the applicant ~~2~~ new registration plates of the design  
3 established for that ~~6-year~~ 7-year period under sub. (1).

4 **\*-0019/3.4\* SECTION 3394.** 341.135 (2) (am) of the statutes is amended to read:  
5 341.135 (2) (am) Notwithstanding ~~ss. s.~~ 341.13 (3) and (3m), beginning with  
6 registrations initially effective on July 1, 2000, upon receipt of a completed  
7 application to renew the registration of a vehicle registered under s. 341.14 (1a),  
8 (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) ~~53., 54., 55., or 56.,~~ or s.  
9 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) for which a registration plate of the  
10 design established under sub. (1) has not been issued, the department may issue and  
11 deliver prepaid to the applicant ~~2~~ new registration plates of the design established  
12 under sub. (1). This paragraph does not apply to registration plates issued under s.  
13 341.14 (6r) (f) ~~52., 1997 stats.~~ This paragraph does not apply after June 30, ~~2005~~  
14 2007.

15 **\*-0019/3.5\* SECTION 3395.** 341.135 (2) (e) of the statutes is amended to read:  
16 341.135 (2) (e) The department shall issue new registration plates of the design  
17 established under sub. (1) for every vehicle registered under s. 341.14 (1a), (1m), (1q),  
18 (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2)  
19 or (3) (a) 1. or (am) after ~~January 1, 2005~~ July 1, 2007.

20 **\*-0017/2.1\* SECTION 3396.** 341.14 (2) of the statutes is amended to read:  
21 341.14 (2) Upon compliance with the laws relating to registration of  
22 automobiles and motor homes; motor trucks, dual purpose motor homes, and dual  
23 purpose farm trucks which have a gross weight of not more than 8,000 pounds; and  
24 farm trucks which have a gross weight of not more than 12,000 pounds, includin  
25 payment of the prescribed registration fees therefor plus an additional fee of \$10 \$

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1 when registration plates are issued accompanied by an application showing  
2 satisfactory proof that the applicant is the holder of an unexpired amateur radio  
3 station license issued by the federal communications commission, the department  
4 shall issue registration plates on which, in lieu of the usual registration number,  
5 shall be inscribed in large legible form the call letters of such applicant as assigned  
6 by the federal communications commission. The fee for reissuance of a plate under  
7 this subsection shall be \$10 \$15.

8 \***-0017/2.2\*** **SECTION 3397.** 341.14 (2m) of the statutes is amended to read:

9 341.14 (2m) Upon compliance with laws relating to registration of motor  
10 vehicles, including payment of the prescribed fee, and an additional fee of \$5 \$15  
11 when the original or new registration plates are issued and accompanied by an  
12 application showing satisfactory proof that the applicant has a collector's  
13 identification number as provided in s. 341.266 (2) (d), the department shall issue  
14 registration plates on which, in lieu of the usual registration number, shall be  
15 inscribed the collector's identification number issued under s. 341.266 (2) (d). The  
16 words "VEHICLE COLLECTOR" shall be inscribed across the lower or upper portion  
17 of the plate at the discretion of the department. Additional registrations under this  
18 subsection by the same collector shall bear the same collector's identification number  
19 followed by a suffix letter for vehicle identification. Registration plates issued under  
20 this subsection shall expire annually.

21 \***-0017/2.3\*** **SECTION 3398.** 341.14 (6) (d) of the statutes is amended to read:

22 341.14 (6) (d) For each additional vehicle, a person who maintains more than  
23 one registration under this subsection at one time shall be charged a fee of \$10 \$15  
24 for issuance or reissuance of the plates in addition to the annual registration fee for

**SENATE BILL 55****SECTION 3398**

1 the vehicle. Except as provided in par. (c), a motor truck or dual purpose farm truck  
2 registered under this subsection shall be registered under this paragraph.

3 **\*-0017/2.4\* SECTION 3399.** 341.14 (6) (e) of the statutes is repealed.

4 **\*-0017/2.5\* SECTION 3400.** 341.14 (6m) (a) of the statutes is amended to read:

5 341.14 (6m) (a) Upon application to register an automobile or motor truck  
6 which has a gross weight of not more than 8,000 pounds by any person who is a  
7 resident of this state and a member or retired member of the national guard, the  
8 department shall issue to the person special plates whose colors and design shall be  
9 determined by the department and which have the words "Wisconsin guard member"  
10 placed on the plates in the manner designated by the department. The department  
11 shall consult with or obtain the approval of the adjutant general with respect to any  
12 word or symbol used to identify the national guard. An additional fee of \$10 \$15 shall  
13 be charged for the issuance or reissuance of the plates. Registration plates issued  
14 under this subsection shall expire annually.

15 **\*-0017/2.6\* SECTION 3401.** 341.14 (6r) (b) 2. of the statutes is amended to read:

16 341.14 (6r) (b) 2. An additional fee of \$10 \$15 shall be charged for the issuance  
17 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~  
18 ~~and 51.~~

19 **\*b0690/2.11\* SECTION 3401x.** 341.14 (6r) (b) 3. of the statutes is amended to  
20 read:

21 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or  
22 reissuance of a plate issued on an annual basis for a special group specified under  
23 par. (f) 35. to 47., 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under  
24 par. (fm). An additional fee of \$15 shall be charged for the issuance or reissuance of  
25 a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47.,

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1 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under par. (fm) if the plate  
 2 is issued during the first year of the biennial registration period or \$15 for the  
 3 issuance or reissuance if the plate is issued during the 2nd year of the biennial  
 4 registration period. The department shall deposit in the general fund and credit to  
 5 the appropriation account under s. 20.395 (5) (cj) all fees collected under this  
 6 subdivision for the issuance or reissuance of a plate for a special group designated  
 7 by the department under par. (fm).

8 \***-0017/2.7\*** SECTION 3402. 341.14 (6r) (b) 3. of the statutes, as affected by 2001  
 9 Wisconsin Act .... (this act), is amended to read:

10 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or  
 11 reissuance of a plate issued <sup>stricken commas</sup> on an annual basis for a special group specified under  
 12 par. (f) 35. to 47., 53., 54., ~~or 55.~~ <sup>or 56.</sup> or designated by the department under par. (fm). An  
 13 additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued  
 14 on a biennial basis for a special group specified under par. (f) 35. to 47., 53., 54., ~~or 55.~~  
 15 or designated by the department under par. (fm) if the plate is issued during the first  
 16 year of the biennial registration period or \$15 for the issuance or reissuance if the  
 17 plate is issued during the 2nd year of the biennial registration period. The  
 18 department shall deposit in the general fund and credit to the appropriation account  
 19 under s. 20.395 (5) (cj) all fees collected under this subdivision for the issuance or  
 20 reissuance of a plate for a special group designated by the department under par.  
 21 (fm).

22 \***-0017/2.8\*** SECTION 3403. 341.14 (6r) (b) 4. of the statutes is amended to read:

23 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
 24 subd. 2. ~~or 3.~~ shall be charged for the issuance or renewal of a plate issued on an  
 25 annual basis for a special group specified under par. (f) 35. to 47. An additional fee



**SENATE BILL 55****SECTION 3403**

1 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the  
2 issuance or renewal of a plate issued on a biennial basis for a special group specified  
3 under par. (f) 35. to 47. if the plate is issued or renewed during the first year of the  
4 biennial registration period or \$20 for the issuance or renewal if the plate is issued  
5 or renewed during the 2nd year of the biennial registration period. The fee under  
6 this subdivision is deductible as a charitable contribution for purposes of the taxes  
7 under ch. 71.

8 \*~~0017/2.9~~\* **SECTION 3404.** 341.14 (6r) (b) 6. of the statutes is amended to read:

9 341.14 (6r) (b) 6. An additional fee of \$20 that is in addition to the fee under  
10 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual  
11 basis for the special group specified under par. (f) 53. An additional fee of \$40 that  
12 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal  
13 of a plate issued on a biennial basis for the special group specified under par. (f) 53.  
14 if the plate is issued or renewed during the first year of the biennial registration  
15 period or \$20 for the issuance or renewal if the plate is issued or renewed during the  
16 2nd year of the biennial registration period. All moneys received under this  
17 subdivision in excess of the initial costs of data processing for the special group plate  
18 under par. (f) 53. or \$35,000, whichever is less, shall be deposited in the children's  
19 trust fund. To the extent permitted under ch. 71, the fee under this subdivision is  
20 deductible as a charitable contribution for purposes of the taxes under ch. 71.

21 \*~~0017/2.10~~\* **SECTION 3405.** 341.14 (6r) (b) 7. of the statutes is amended to  
22 read:

23 341.14 (6r) (b) 7. An additional fee of \$25 that is in addition to the fee under  
24 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual  
25 basis for the special group specified under par. (f) 54. An additional fee of \$50 that

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1 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal  
2 of a plate issued on the biennial basis for the special group specified under par. (f) 54.  
3 if the plate is issued or renewed during the first year of the biennial registration  
4 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
5 2nd year of the biennial registration period. All moneys received under this  
6 subdivision in excess of the initial costs of production of the special group plate under  
7 par. (f) 54. or \$196,700, whichever is less, shall be deposited in the conservation fund  
8 and credited to the appropriation under s. 20.370 (5) (au). To the extent permitted  
9 under ch. 71, the fee under this subdivision is deductible as a charitable contribution  
10 for purposes of the taxes under ch. 71.

11 \*~~0017/2.11~~\* **SECTION 3406.** 341.14 (6r) (b) 8. (intro.) of the statutes is amended  
12 to read:

13 341.14 **(6r)** (b) 8. (intro.) An additional fee of \$25 that is in addition to the fee  
14 under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an  
15 annual basis for the special group specified under par. (f) 55. An additional fee of \$50  
16 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or  
17 renewal of a plate issued on the biennial basis for the special group specified under  
18 par. (f) 55. if the plate is issued or renewed during the first year of the biennial  
19 registration period or \$25 for the issuance or renewal if the plate is issued or renewed  
20 during the 2nd year of the biennial registration period. For each professional football  
21 team for which plates are produced under par. (f) 55., all moneys received under this  
22 subdivision in excess of the initial costs of data processing for the special group plate  
23 related to that team under par. (f) 55. or \$35,000, whichever is less, shall be deposited  
24 in the general fund and credited as follows:

**SENATE BILL 55****SECTION 3406d**

1           **\*b0690/2.14\* SECTION 3406d.** 341.14 (6r) (b) 9. of the statutes is created to  
2 read:

3           341.14 (6r) (b) 9. An additional fee of \$20 that is in addition to the fee under  
4 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual  
5 basis for the special group specified under par. (f) 56. An additional fee of \$40 that  
6 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal  
7 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,  
8 if the plate is issued or renewed during the first year of the biennial registration  
9 period or \$20 for the issuance or renewal if the plate is issued or renewed during the  
10 2nd year of the biennial registration period. All moneys received under this  
11 subdivision in excess of the initial costs of production of the special group plate under  
12 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic  
13 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under  
14 this subdivision is deductible as a charitable contribution for purposes of the taxes  
15 under ch. 71.

16           **\*b0690/2.14\* SECTION 3406dm.** 341.14 (6r) (b) 9. of the statutes, as created by  
17 2001 Wisconsin Act .... (this act), is amended to read:

18           341.14 (6r) (b) 9. An additional fee of \$20 that is in addition to the fee under  
19 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual  
20 basis for the special group specified under par. (f) 56. An additional fee of \$40 that  
21 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal  
22 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,  
23 if the plate is issued or renewed during the first year of the biennial registration  
24 period or \$20 for the issuance or renewal if the plate is issued or renewed during the  
25 2nd year of the biennial registration period. All moneys received under this

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1 subdivision in excess of the initial costs of production of the special group plate under  
2 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic  
3 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under  
4 this subdivision is deductible as a charitable contribution for purposes of the taxes  
5 under ch. 71.

6 **\*b0690/2.14\* SECTION 3406e.** 341.14 (6r) (c) of the statutes is amended to read:

7 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the  
8 name of the applicable authorized special group, a symbol representing the special  
9 group, not exceeding one position, and identifying letters or numbers or both, not  
10 exceeding 6 positions and not less than one position. The department shall specify  
11 the design for special group plates, but the department shall consult the president  
12 of the University of Wisconsin System before specifying the word or symbol used to  
13 identify the special groups under par. (f) 35. to 47., the secretary of natural resources  
14 before specifying the word or symbol used to identify for the special group under par.  
15 (f) 50. ~~and~~, the chief executive officer of the professional football team and an  
16 authorized representative of the league of professional football teams described in  
17 s. 229.823 to which that team belongs before specifying the design for the applicable  
18 special group plate under par. (f) 55., and the executive secretary of the arts board  
19 before specifying the word or symbol used to identify the special group under par. (f)  
20 56. Special group plates under par. (f) 50. shall be as similar as possible to regular  
21 registration plates in color and design.

22 **\*b0690/2.14\* SECTION 3406f.** 341.14 (6r) (f) 56. of the statutes is created to  
23 read:

24 341.14 (6r) (f) 56. Persons interested in expressing their support of the arts.

**SENATE BILL 55****SECTION 3406g**

1           **\*b0690/2.14\* SECTION 3406g.** 341.14 (6r) (fm) 7. of the statutes is amended to  
2 read:

3           341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~  
4 ~~par. (f) 55., after~~ After October 1, 1998, additional authorized special groups may  
5 only be special groups designated by the department under this paragraph. The  
6 authorized special groups enumerated in par. (f) shall be limited solely to those  
7 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~  
8 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the  
9 special ~~group~~ groups specified under par. (f) 54., 55., and 56. ✓

10           **\*-0017/2.12\* SECTION 3407.** 341.14 (8) of the statutes is amended to read:

11           341.14 (8) If a special plate for a group associated with a branch of the armed  
12 services or otherwise military in nature has been issued to a person under this  
13 section, upon application by the surviving spouse of the person, the department may  
14 permit the surviving spouse to retain the plate. If the plate has been returned to the  
15 department or surrendered to another state, the department may reissue the plate  
16 to the surviving spouse. The department shall charge an additional fee of \$10 \$15  
17 to reissue the plate. This subsection does not apply to a special plate issued under  
18 s. 341.14 (1) or (1r). ✓

19           **\*b0396/1.2\* SECTION 3408g.** 342.14 (1r) of the statutes is amended to read:

20           342.14 (1r) ~~Upon filing an application under sub. (1) or (3) before December 1,~~  
21 ~~1999, an environmental impact fee of \$5, by the person filing the application.~~ Upon  
22 filing an application under sub. (1) or (3) ~~on or after December 1, 1999,~~ an  
23 environmental impact fee of \$6, by the person filing the application. All moneys  
24 collected under this subsection shall be credited to the environmental fund for

**SENATE BILL 55**

1 environmental management. This subsection does not apply after ~~June 30, 2001~~  
2 December 31, 2003.

3 **\*b0396/1.2\* SECTION 3408r.** 342.14 (1r) of the statutes, as affected by 2001  
4 Wisconsin Act .... (this act), is amended to read:

5 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental  
6 impact fee of ~~\$6~~ \$9, by the person filing the application. All moneys collected under  
7 this subsection shall be credited to the environmental fund for environmental  
8 management. This subsection does not apply after December 31, 2003.

9 **\*b0493/3.1\* SECTION 3409f.** 343.10 (5) (a) 3. of the statutes is amended to read:

10 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions  
11 or revocations, as counted under s. 343.307 (1), the occupational license of the  
12 applicant shall restrict the applicant's operation under the occupational license to  
13 vehicles that are equipped with a functioning ignition interlock device if the court  
14 has ordered under s. ~~346.65 (6) (a) 1. that a motor vehicle owned by the person~~  
15 343.301 (1) that each motor vehicle titled in the name of the person be equipped with  
16 an ignition interlock device or has ordered under s. 346.65 (6) (a) 1. that the motor  
17 vehicle owned by the person and used in the violation or improper refusal be  
18 equipped with an ignition interlock device. A person to whom a restriction under this  
19 subdivision applies violates that restriction if he or she requests or permits another  
20 to blow into an ignition interlock device or to start a motor vehicle equipped with an  
21 ignition interlock device for the purpose of providing the person an operable motor  
22 vehicle without the necessity of first submitting a sample of his or her breath to  
23 analysis by the ignition interlock device. If the occupational license restricts the  
24 applicant's operation to a vehicle that is equipped with an ignition interlock device,

**SENATE BILL 55****SECTION 3409f**

1 the applicant shall be liable for the reasonable costs of equipping the vehicle with the  
2 ignition interlock device.

3 **\*b0493/3.1\* SECTION 3409g.** 343.10 (5) (a) 3. of the statutes, as affected by  
4 2001 Wisconsin Act .... (this act), is amended to read:

5 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions,  
6 or revocations, as counted under s. 343.307 (1), the occupational license of the  
7 applicant shall restrict the applicant's operation under the occupational license to  
8 vehicles that are equipped with a functioning ignition interlock device if the court  
9 has ordered under s. 343.301 (1) that each motor vehicle titled in the name of the  
10 person be equipped with an ignition interlock device or has ordered under s. 346.65  
11 (6) (a) 1., 1999 stats., that the motor vehicle owned by the person and used in the  
12 violation or improper refusal be equipped with an ignition interlock device. A person  
13 to whom a restriction under this subdivision applies violates that restriction if he or  
14 she requests or permits another to blow into an ignition interlock device or to start  
15 a motor vehicle equipped with an ignition interlock device for the purpose of  
16 providing the person an operable motor vehicle without the necessity of first  
17 submitting a sample of his or her breath to analysis by the ignition interlock device.  
18 If the occupational license restricts the applicant's operation to a vehicle that is  
19 equipped with an ignition interlock device, the applicant shall be liable for the  
20 reasonable costs of equipping the vehicle with the ignition interlock device.

21 **\*-0272/2.1\* SECTION 3410.** 343.24 (2) (a) of the statutes is amended to read:

22 343.24 (2) (a) For each file search, \$3 \$5.

23 **\*b0241/2.3\* SECTION 3410k.** 343.24 (2) (a) of the statutes, as affected by 2001  
24 Wisconsin Act .... (this act), is amended to read:

25 343.24 (2) (a) For each file search, \$5 \$5.20.

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1           \*~~0272/2.2~~\* **SECTION 3411.** 343.24 (2) (b) of the statutes is amended to read:

2           343.24 (2) (b) For each computerized search, ~~\$3~~ \$5.

3           \*~~b0241/2.4~~\* **SECTION 3411k.** 343.24 (2) (b) of the statutes, as affected by 2001  
4 Wisconsin Act .... (this act), is amended to read:

5           343.24 (2) (b) For each computerized search, ~~\$5~~ \$5.20.

6           \*~~0272/2.3~~\* **SECTION 3412.** 343.24 (2) (c) of the statutes is amended to read:

7           343.24 (2) (c) For each search requested by telephone, ~~\$4~~ \$6, or an established  
8 monthly service rate determined by the department.

9           \*~~b0241/2.5~~\* **SECTION 3412k.** 343.24 (2) (c) of the statutes, as affected by 2001  
10 Wisconsin Act .... (this act), is amended to read:

11           343.24 (2) (c) For each search requested by telephone, ~~\$6~~ \$6.20, or an  
12 established monthly service rate determined by the department.

13           \*~~0272/2.4~~\* **SECTION 3413.** 343.24 (2m) of the statutes is amended to read:

14           343.24 (2m) If the department, in maintaining a computerized operating  
15 record system, makes copies of its operating record file database, or a portion thereof,  
16 on computer tape or other electronic media, copies of the tape or media may be  
17 furnished to any person on request. The department may also furnish to any person  
18 upon request records on computer tape or other electronic media that contain  
19 information from files of uniform traffic citations or motor vehicle accidents and that  
20 were produced for or developed by the department for purposes related to  
21 maintenance of the operating record file database. The department shall charge a  
22 fee of ~~\$3~~ \$5 for each file of vehicle operators' records contained in the tape or media.  
23 The department shall charge a fee of not more than ~~\$3~~ \$5 for each file of uniform  
24 traffic citations or motor vehicle accidents contained in the tape or media. Nothing  
25 in this subsection requires the department to produce records of particular files or



**SENATE BILL 55****SECTION 3413**

1 data in a particular format except as those records or data are made by the  
2 department for its purposes.

3 **\*b0241/2.6\* SECTION 3413k.** 343.24 (2m) of the statutes, as affected by 2001  
4 Wisconsin Act .... (this act), is amended to read:

5 343.24 (2m) If the department, in maintaining a computerized operating  
6 record system, makes copies of its operating record file database, or a portion thereof,  
7 on computer tape or other electronic media, copies of the tape or media may be  
8 furnished to any person on request. The department may also furnish to any person  
9 upon request records on computer tape or other electronic media that contain  
10 information from files of uniform traffic citations or motor vehicle accidents and that  
11 were produced for or developed by the department for purposes related to  
12 maintenance of the operating record file database. The department shall charge a  
13 fee of \$5 \$5.20 for each file of vehicle operators' records contained in the tape or  
14 media. The department shall charge a fee of not more than \$5 \$5.20 for each file of  
15 uniform traffic citations or motor vehicle accidents contained in the tape or media.  
16 Nothing in this subsection requires the department to produce records of particular  
17 files or data in a particular format except as those records or data are made by the  
18 department for its purposes.

19 **\*-0272/2.5\* SECTION 3414.** 343.245 (3m) (b) of the statutes is amended to read:

20 343.245 (3m) (b) The department shall establish and collect reasonable fees  
21 from employers in the program sufficient to defray the costs of instituting and  
22 maintaining the program, including the registration and withdrawal of employees.  
23 The fee for each notification by the department to an employer under par. (a) shall  
24 be \$3 \$5.

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1           **\*b0241/2.7\* SECTION 3414k.** 343.245 (3m) (b) of the statutes, as affected by  
2 2001 Wisconsin Act .... (this act), is amended to read:

3           343.245 (3m) (b) The department shall establish and collect reasonable fees  
4 from employers in the program sufficient to defray the costs of instituting and  
5 maintaining the program, including the registration and withdrawal of employees.  
6 The fee for each notification by the department to an employer under par. (a) shall  
7 be \$5 \$5.20.

8  
9           **\*b0493/3.2\* SECTION 3415m.** 343.30 (1q) (b) 3. of the statutes is amended to  
10 read:

11           343.30 (1q) (b) 3. Except as provided in subd. 4m., if the number of convictions  
12 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
13 convictions, suspensions, and revocations counted under s. 343.307 (1) within a  
14 10-year period, equals 2, the court shall revoke the person's operating privilege for  
15 not less than one year nor more than 18 months. After the first 60 days of the  
16 revocation period or, if the total number of convictions, suspensions, and revocations  
17 counted under this subdivision within any 5-year period equals 2, after one year of  
18 the revocation period has elapsed, the person is eligible for an occupational license  
19 under s. 343.10 if he or she has completed the assessment and is complying with the  
20 driver safety plan ordered under par. (c).

21           **\*b0493/3.2\* SECTION 3416m.** 343.30 (1q) (b) 4. of the statutes is amended to  
22 read:

23           343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions  
24 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
25 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or

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1 more, the court shall revoke the person's operating privilege for not less than 2 years  
2 nor more than 3 years. After the first 90 days of the revocation period or, if the total  
3 number of convictions, suspensions, and revocations counted under this subdivision  
4 within any 5-year period equals 2 or more, after one year of the revocation period has  
5 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she  
6 has completed the assessment and is complying with the driver safety plan ordered  
7 under par. (c).

8 \*b0493/3.2\* **SECTION 3417m.** 343.301 of the statutes is created to read:

9 **343.301 Installation of ignition interlock device or immobilization of**  
10 **a motor vehicle. (1) IGNITION INTERLOCK.** (a) If a person improperly refuses to take  
11 a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the  
12 person has a total of 2 or more convictions, suspensions, or revocations, counted  
13 under s. 343.307 (1) within any 5-year period, the court shall order that the person's  
14 operating privilege for the operation of "Class D" vehicles be restricted to operating  
15 vehicles that are equipped with an ignition interlock device and shall order that each  
16 motor vehicle titled in the name of the person be equipped with an ignition interlock  
17 device. This paragraph does not apply if the court orders the immobilization of each  
18 motor vehicle titled in the name of the person under sub. (2) or, if the person has 2  
19 or more prior convictions, suspensions, or revocations for purposes of this paragraph,  
20 to the motor vehicle that the court orders to be seized and forfeited under s. 346.65  
21 (6).

22 (b) The court shall order the operating privilege restriction and the installation  
23 of an ignition interlock device under par. (a) for a period of not less than one year nor  
24 more than the maximum operating privilege revocation period permitted for the

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1 refusal or violation, beginning one year after the operating privilege revocation  
2 period begins.

3 (c) If the court restricts the person's operating privilege under par. (a), the  
4 person shall be liable for the reasonable cost of equipping and maintaining any  
5 ignition interlock device installed in his or her motor vehicle.

6 (d) A person to whom an order under par. (a) applies violates that order if he  
7 or she requests or permits another to blow into an ignition interlock device or to start  
8 a motor vehicle equipped with an ignition interlock device for the purpose of  
9 providing the person an operable motor vehicle without the necessity of first  
10 submitting a sample of his or her breath to analysis by the ignition interlock device.

11 (e) The court may not order a motor vehicle equipped with an ignition interlock  
12 device if that would result in undue hardship or extreme inconvenience or would  
13 endanger the health and safety of a person.

14 (2) IMMOBILIZATION. (a) If a person improperly refuses to take a test under s.  
15 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total  
16 of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)  
17 within any 5-year period, the court shall order that each motor vehicle titled in the  
18 name of the person be immobilized. This paragraph does not apply if the court orders  
19 the operating privilege restriction and the installation of an ignition interlock device  
20 in each motor vehicle titled in the name of the person under sub. (1) or, if the person  
21 has 2 or more prior convictions, suspensions, or revocations for purposes of this  
22 paragraph, to the motor vehicle that the court orders to be seized and forfeited under  
23 s. 346.65 (6).

24 (b) The court shall order the immobilization under par. (a) for a period of not  
25 less than one year nor more than the maximum operating privilege revocation period

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1 permitted for the refusal or violation, beginning on the first day of the operating  
2 privilege revocation period.

3 (c) If the court orders that the person's motor vehicle be immobilized, the person  
4 shall be liable for the reasonable cost of equipping and maintaining any  
5 immobilization device installed on his or her motor vehicle.

6 (d) The court shall notify the department, in a form and manner prescribed by  
7 the department, that an order to immobilize a motor vehicle has been entered. The  
8 registration records of the department shall reflect that the order has been entered  
9 against the motor vehicle and remains unexecuted. Any law enforcement officer may  
10 execute that order based on the information provided by the department. The law  
11 enforcement agency shall notify the department when an order has been executed  
12 under this paragraph and the department shall amend its vehicle registration  
13 records to reflect that notification.

14 (e) Within 10 days after immobilizing a motor vehicle under par. (d), the law  
15 enforcement agency that immobilized the vehicle shall provide notice of the  
16 immobilization to all lienholders of record. The notice shall set forth the year, make,  
17 model, and vehicle identification number of the motor vehicle, where the motor  
18 vehicle is located and the reason for the immobilization.

19 (f) The court may not order a motor vehicle immobilized if that would result in  
20 undue hardship or extreme inconvenience or would endanger the health and safety  
21 of a person.

22 **\*b0493/3.2\* SECTION 3418m.** 343.301 (1) (a) of the statutes, as created by 2001  
23 Wisconsin Act .... (this act), is renumbered 343.301 (1) (a) 2. and amended to read:

24 343.301 (1) (a) 2. If a person improperly refuses to take a test under s. 343.305  
25 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2

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1 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within  
2 any 5-year period, the court shall order that the person's operating privilege for the  
3 operation of "Class D" vehicles be restricted to operating vehicles that are equipped  
4 with an ignition interlock device and shall order that each motor vehicle titled in the  
5 name of the person be equipped with an ignition interlock device. This paragraph  
6 subdivision does not apply if the court orders the immobilization of each motor  
7 vehicle titled in the name of the person under sub. (2) (a) 2. or, if the person has 2 or  
8 more prior convictions, suspensions, or revocations for purposes of this paragraph,  
9 to the motor vehicle that the court orders to be seized and forfeited under s. 346.65  
10 (6).

11 **\*b0493/3.2\* SECTION 3419m.** 343.301 (1) (a) 1. of the statutes is created to  
12 read:

13 343.301 (1) (a) 1. Except as provided in subd. 2., if a person improperly refuses  
14 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,  
15 and the person has a total of one or more prior convictions, suspensions, or  
16 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's  
17 lifetime and other convictions, suspensions, and revocations counted under s.  
18 343.307 (1), the court may order that the person's operating privilege for the  
19 operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are  
20 equipped with an ignition interlock device.

21 **\*b0493/3.2\* SECTION 3420m.** 343.301 (1) (b) of the statutes, as created by 2001  
22 Wisconsin Act .... (this act), is renumbered 343.301 (1) (b) 2. and amended to read:

23 343.301 (1) (b) 2. The court shall order the operating privilege restriction and  
24 the installation of an ignition interlock device under par. (a) 2. for a period of not less  
25 than one year nor more than the maximum operating privilege revocation period

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1 permitted for the refusal or violation, beginning on the first day of the operating  
2 privilege revocation period.

3 **\*b0493/3.2\* SECTION 3420n.** 343.301 (1) (b) 1. of the statutes is created to read:

4 343.301 (1) (b) 1. The court may restrict the operating privilege restriction  
5 under par. (a) 1. for a period of not less than one year nor more than the maximum  
6 operating privilege revocation period permitted for the refusal or violation.

7 **\*b0493/3.2\* SECTION 3420p.** 343.301 (2) (a) of the statutes, as created by 2001  
8 Wisconsin Act .... (this act), is renumbered 343.301 (2) (a) 2. and amended to read:

9 343.301 (2) (a) 2. If a person improperly refuses to take a test under s. 343.305  
10 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2  
11 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within  
12 any 5-year period, the court shall order that each motor vehicle titled in the name  
13 of the person be immobilized. This paragraph subdivision does not apply if the court  
14 orders the the operating privilege restriction and the installation of an ignition  
15 interlock device in each motor vehicle titled in the name of the person under sub. (1)  
16 (a) 1. or, if the person has 2 or more prior convictions, suspensions, or revocations for  
17 purposes of this paragraph, to they motor vehicle that the court orders to be seized  
18 and forfeited under s. 346.65 (6).

19 **\*b0493/3.2\* SECTION 3420r.** 343.301 (2) (a) 1. of the statutes is created to read:

20 343.301 (2) (a) 1. Except as provided in subd. 2., if a person improperly refuses  
21 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,  
22 and the person has a total of one or more prior convictions, suspensions, or  
23 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's  
24 lifetime and other convictions, suspensions, and revocations counted under s.

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1 343.307 (1), the court may order that the motor vehicle used during the refusal or  
2 violation and titled in the name of the person be immobilized.

3 \*b0493/3.2\* SECTION 3420s. 343.301 (2) (b) of the statutes, as created by 2001  
4 Wisconsin Act ... (this act), is renumbered 343.301 (2) (b) 2. and amended to read:

5 343.301 (2) (b) 2. The court shall order the immobilization under par. (a) 2. for  
6 a period of not less than one year nor more than the maximum operating privilege  
7 revocation period permitted for the refusal or violation, beginning on the first day of  
8 the operating privilege revocation period.

9 \*b0493/3.2\* SECTION 3420t. 343.301 (2) (b) 1. of the statutes is created to read:  
10 343.301 (2) (b) 1. The court may order the immobilization under par. (a) 1. for  
11 a period of not less than one year nor more than the maximum operating privilege  
12 revocation period permitted for the refusal or violation.

13 \*b0493/3.2\* SECTION 3421m. 343.305 (10) (b) 3. of the statutes is amended to  
14 read:

15 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions  
16 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
17 convictions, suspensions, and revocations counted under s. 343.307 (2) within a  
18 10-year period, equals 2, the court shall revoke the person's operating privilege for  
19 2 years. After the first 90 days of the revocation period or, if the total number of  
20 convictions, suspensions, and revocations counted under this subdivision within any  
21 5-year period equals 2, after one year of the revocation period has elapsed, the person  
22 is eligible for an occupational license under s. 343.10 if he or she has completed the  
23 assessment and is complying with the driver safety plan.

24 \*b0493/3.2\* SECTION 3422m. 343.305 (10) (b) 4. of the statutes is amended to  
25 read:



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1           343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions  
2           under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
3           convictions, suspensions, and revocations counted under s. 343.307 (2) within a  
4           10-year period, equals 2, the court shall revoke the person's operating privilege for  
5           2 years. After the first 90 days of the revocation period or, if the total number of  
6           convictions, suspensions, and revocations counted under this subdivision within any  
7           5-year period equals 2, after one year of the revocation period has elapsed, the person  
8           is eligible for an occupational license under s. 343.10 if he or she has completed the  
9           assessment and is complying with the driver safety plan.

10           **\*b0493/3.2\* SECTION 3423g.** 343.305 (10m) of the statutes is amended to read:

11           343.305 (10m) REFUSALS; SEIZURE, IMMOBILIZATION OR IGNITION INTERLOCK OF A  
12           MOTOR VEHICLE. If the person whose operating privilege is revoked under sub. (10)  
13           has 2 or more ~~prior~~ convictions, suspensions, or revocations, as counted under s.  
14           343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be  
15           followed if the court orders the immobilization of each motor vehicle titled in the  
16           name of the person or if the court requires that the person's operating privilege for  
17           the operation of "Class D" vehicles be restricted to operating "Class D" vehicles  
18           equipped with an ignition interlock device and that each vehicle titled in the name  
19           of the person be equipped with an ignition interlock device. If the number of  
20           convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose  
21           operating privilege is revoked under sub. (10), plus the total number of other  
22           convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or  
23           more, the procedure under s. 346.65 (6) shall be followed regarding the  
24           immobilization or seizure and forfeiture of a motor vehicle owned by the person or

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1 the equipping of a motor vehicle owned by the person with an ignition interlock  
2 device.

3 \*b0493/3.2\* SECTION 3423h. 343.305 (10m) of the statutes, as affected by 2001  
4 Wisconsin Act .... (this act), is renumbered 343.305 (10m) (b) and amended to read:  
5 343.305 (10m) (b) If the person whose operating privilege is revoked under sub.  
6 (10) has 2 or more convictions, suspensions, or revocations, as counted under s.  
7 343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be  
8 followed if the court orders the immobilization of each motor vehicle titled in the  
9 name of the person or if the court requires that the person's operating privilege for  
10 the operation of "Class D" vehicles be restricted to operating "Class D" vehicles  
11 equipped with an ignition interlock device and that each vehicle titled in the name  
12 of the person be equipped with an ignition interlock device. If the number of  
13 convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose  
14 operating privilege is revoked under sub. (10), plus the total number of other  
15 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or  
16 more, the procedure under s. 346.65 (6) shall be followed ~~regarding the~~  
17 ~~immobilization or if the court orders~~ seizure and forfeiture of ~~a~~ the motor vehicle  
18 used in the improper refusal and owned by the person ~~or the equipping of a motor~~  
19 ~~vehicle owned by the person with an ignition interlock device.~~

20 \*b0493/3.2\* SECTION 3423j. 343.305 (10m) (a) of the statutes is created to read:  
21 343.305 (10m) (a) Except as provided in par. (b), if the person whose operating  
22 privilege is revoked under sub. (10) has one or more prior convictions, suspensions,  
23 or revocations, as counted under s. 343.307 (1), the procedure under s. 343.301 shall  
24 be followed if the court orders the immobilization of the motor vehicle used in the  
25 violation and owned by the person or if the court requires that the person's operating

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1 privilege for the operation of "Class D" vehicles be restricted to operating "Class D"  
2 vehicles equipped with an ignition interlock device. If the number of convictions  
3 under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege  
4 is revoked under sub. (10), plus the total number of other convictions, suspensions,  
5 and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under  
6 s. 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor  
7 vehicle used in the improper refusal and owned by the person.

8 **\*b0493/3.2\* SECTION 3424b.** 343.31 (3) (bm) 3. of the statutes is amended to  
9 read:

10 343.31 (3) (bm) 3. Except as provided in subd. 4m., if the number of convictions  
11 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of  
12 suspensions, revocations, and other convictions counted under s. 343.307 (1) within  
13 a 10-year period, equals 2, the department shall revoke the person's operating  
14 privilege for not less than one year nor more than 18 months. If an Indian tribal court  
15 in this state revokes the person's privilege to operate a motor vehicle on tribal lands  
16 for not less than one year nor more than 18 months for the conviction specified in par.  
17 (bm) (intro.), the department shall impose the same period of revocation. After the  
18 first 60 days of the revocation period or, if the total number of convictions,  
19 suspensions, and revocations counted under this subdivision within any 5-year  
20 period equals 2, after one year of the revocation period has elapsed, the person is  
21 eligible for an occupational license under s. 343.10.

22 **\*-2018/2.6\* SECTION 3425.** 343.31 (3) (bm) 4. of the statutes is amended to  
23 read:

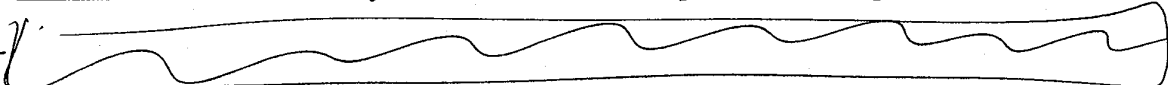
24 343.31 (3) (bm) 4. Except as provided in subd. 4m., if the number of convictions  
25 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other

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1 suspensions, revocations and convictions counted under s. 343.307 (1), equals 3 or  
2 more, the department shall revoke the person's operating privilege for not less than  
3 2 years nor more than 3 years. If an Indian tribal court in this state revokes the  
4 person's privilege to operate a motor vehicle on tribal lands for not less than 2 years  
5 nor more than 3 years for the conviction specified in par. (bm) (intro.), the department  
6 shall impose the same period of revocation. After ~~the first 90 days~~ one year of the  
7 revocation period has elapsed, the person is eligible for an occupational license under  
8 s. 343.10.

9 **\*b0493/3.3\* SECTION 3426m.** 343.31 (3m) (a) of the statutes is amended to  
10 read:

11 343.31 (3m) (a) Any person who has his or her operating privilege revoked  
12 under sub. (3) (c) or (f) is eligible for an occupational license under s. 343.10 after the  
13 first 120 days of the revocation period, except that if the total number of convictions,  
14 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within  
15 any 5-year period equals 2 or more, the person is eligible for an occupational license  
16 under s. 343.10 after one year of the revocation period has elapsed.

17   
18 **\*b0493/3.3\* SECTION 3427m.** 343.31 (3m) (b) of the statutes is amended to  
19 read:

20 343.31 (3m) (b) Any person who has his or her operating privilege revoked  
21 under sub. (3) (e) is eligible for an occupational license under s. 343.10 after the first  
22 60 days of the revocation period, except that if the total number of convictions,  
23 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within  
24 any 5-year period equals 2 or more, the person is eligible for an occupational license  
25 under s. 343.10 after one year of the revocation period has elapsed.

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