

1 detention facility or return the juvenile to placement in a Type 1 secured correctional
2 facility or a secured child caring institution. This paragraph does not preclude a
3 juvenile who has violated a condition of the juvenile's participation in the corrective
4 sanctions program from being taken into and held in custody under ss. 938.19 to
5 938.21.

6 ***-0446/2.11* SECTION 3916.** 938.534 (1) (b) 3m. of the statutes is created to
7 read:

8 938.534 (1) (b) 3m. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile
9 who has violated a condition of the juvenile's participation in the program from being
10 taken into and held in custody under ss. 938.19 to 938.21.

11 ***-0448/3.3* SECTION 3917.** 938.538 (3) (a) 1. of the statutes is amended to read:
12 938.538 (3) (a) 1. Subject to subd. 1m., placement in a Type 1 secured
13 correctional facility, or a secured child caring institution or, if the participant is 17
14 years of age or over or 15 years of age or over and transferred under s. 938.357 (4)
15 (d), a Type 1 prison, as defined in s. 301.01 (5), for a period of not more than 3 years,
16 unless that period is extended under sub. (4m) (a) 1. or 2. or both.

17 ***-0447/3.9* SECTION 3918.** 938.538 (3) (a) 1m. of the statutes is amended to
18 read:

19 938.538 (3) (a) 1m. If the participant has been adjudicated delinquent for
20 committing an act that would be a Class A felony if committed by an adult, placement
21 in a Type 1 secured correctional facility, or a secured child caring institution or, if the
22 participant is 17 years of age or over or 15 years of age or over and transferred under
23 s. 938.357 (4) (d), a Type 1 prison, as defined in s. 301.01 (5), until the participant
24 reaches 25 years of age, unless the participant is released sooner, subject to a
25 mandatory minimum period of confinement of not less than one year.

1 *~~0447/3.10~~* SECTION 3919. 938.538 (3) (a) 2. of the statutes is amended to
2 read:

3 938.538 (3) (a) 2. Intensive or other field supervision, including corrective
4 sanctions supervision under s. 938.533, or aftercare supervision ~~or, if the participant~~
5 ~~is 17 years of age or over, intensive sanctions supervision under s. 301.048.~~

6 *~~0448/3.4~~* SECTION 3920. 938.538 (3) (b) of the statutes is amended to read:

7 938.538 (3) (b) The department may provide the sanctions under par. (a) in any
8 order, may provide more than one sanction at a time ~~and~~, may return a participant
9 to a sanction that was used previously for ~~a~~ the participant, and, in returning a
10 participant to the sanction provided in par. (a) 1., may extend the period specified in
11 par. (a) 1. as provided in sub. (4m) (a) 1. or petition the court to extend that period
12 as provided in sub. (4m) (a) 2., or both. Notwithstanding ss. 938.357, 938.363, and
13 938.533 (3), but subject to sub. (4m) (a) 2., a participant is not entitled to a hearing
14 regarding the department's exercise of authority under this subsection unless the
15 department provides for a hearing by rule.

16 *~~0447/3.11~~* SECTION 3921. 938.538 (4) (a) of the statutes is amended to read:

17 938.538 (4) (a) A participant in the serious juvenile offender program is under
18 the supervision and control of the department, is subject to the rules and discipline
19 of the department, and is considered to be in custody, as defined in s. 946.42 (1) (a).
20 Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or
21 her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2
22 secured correctional facility the department may, without a hearing, take the
23 participant into custody and return him or her to placement in a Type 1 secured
24 correctional facility, or a secured child caring institution ~~or, if the participant is 17~~
25 ~~years of age or over, a Type 1 prison, as defined in s. 301.01 (5).~~ Any intentional

1 failure of a participant to remain within the extended limits of his or her placement
2 while participating in the serious juvenile offender program ~~or to return within the~~
3 ~~time prescribed by the administrator of the division of intensive sanctions in the~~
4 ~~department~~ is considered an escape under s. 946.42 (3) (c).

5 ***-0446/2.12*** SECTION 3922. 938.538 (4) (a) of the statutes, as affected by 2001
6 Wisconsin Act (this act), is amended to read:

7 938.538 (4) (a) A participant in the serious juvenile offender program is under
8 the supervision and control of the department, is subject to the rules and discipline
9 of the department, and is considered to be in custody, as defined in s. 946.42 (1) (a).
10 Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or
11 her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2
12 secured correctional facility the department may, without a hearing, take the
13 participant into custody and return him or her to placement in a Type 1 secured
14 correctional facility or a secured child caring institution. Any intentional failure of
15 a participant to remain within the extended limits of his or her placement while
16 participating in the serious juvenile offender program is considered an escape under
17 s. 946.42 (3) (c). This paragraph does not preclude a juvenile who has violated a
18 condition of the juvenile's participation in the program under sub. (3) (a) 2. to 9. from
19 being taken into and held in custody under ss. 938.19 to 938.21.

20 ***-0448/3.5*** SECTION 3923. 938.538 (4m) of the statutes is created to read:

21 938.538 (4m) EXTENSION OF TYPE 1 PLACEMENT PERIOD. (a) 1. The department
22 may extend the period for which a participant may be placed as described in sub. (3)
23 (a) 1. for an additional period of not more than 30 days. A participant is not entitled
24 to a hearing regarding the department's exercise of authority under this subdivision
25 unless the department provides for a hearing by rule.

1 2. The department or the district attorney of the county in which the
2 dispositional order was entered may petition the court to extend the period for which
3 a participant may be placed as described in sub. (3) (a) 1. for an additional period of
4 not more than 2 years. The petition shall set forth in detail facts showing that the
5 participant is in need of the supervision, care, and rehabilitation that a placement
6 described in sub. (3) (a) 1. provides and that public safety considerations require that
7 the participant be placed in that placement. The court shall hold a hearing on the
8 petition, unless written waivers of objection to the extension are signed by all parties
9 entitled to receive notice and the court approves. If a hearing is held, the court shall
10 provide notice of the hearing, together with a copy of the petition, to the participant,
11 the participant's parent, guardian, and legal custodian, all parties bound by the
12 dispositional order, and the district attorney of the county in which the dispositional
13 order was entered at least 3 days prior to the hearing and, at the hearing, any of those
14 persons may present evidence relevant to the issue of extension and make
15 alternative placement recommendations. If the court finds by a preponderance of the
16 evidence that the participant is in need of the supervision, care, and rehabilitation
17 that a placement described in sub. (3) (a) 1. provides and that public safety
18 considerations require that the participant be placed in that placement, the court
19 may extend the period for which the participant may be placed as described in sub
20 (3) (a) 1. for an additional period of not more than 2 years.

21 3. An extension of a participant's placement under subd. 1. does not preclude
22 an extension of that participant's placement under subd. 2., and vice versa.

23 (b) By the first day of the 2nd month beginning after the effective date of this
24 paragraph [revisor inserts date], the department shall provide notice to all
25 participants in the serious juvenile offender program that a placement under sub.

1 (3) (a) 1. may be extended under par. (a) 1. or 2. or both. Notwithstanding par. (a) 1.
2 and 2. and sub. (3) (a) 1., the department may not extend, or petition the court to
3 extend, the placement under sub. (3) (a) 1. of a juvenile who is a participant in the
4 serious juvenile offender program on the effective date of this paragraph [revisor
5 inserts date], based on acts committed by that participant prior to the date on which
6 the notice under this paragraph is given to that participant.

7 ~~*-0447/3.12*~~ SECTION 3924. 938.538 (5) (c) of the statutes is amended to read:

8 938.538 (5) (c) Sections 938.357 and 938.363 do not apply to changes of
9 placement and revisions of orders for a juvenile who is a participant in the serious
10 juvenile offender program, ~~except that s. 938.357 (4) (d) applies to the transfer of a~~
11 ~~participant to the Racine youthful offender correctional facility named in s. 302.01.~~

12 ~~*-0447/3.13*~~ SECTION 3925. 938.538 (6) of the statutes is amended to read:

13 938.538 (6) PURCHASE OF SERVICES. The department of corrections may contract
14 with the department of health and family services, a county department, or any
15 public or private agency for the purchase of goods, care, and services for participants
16 in the serious juvenile offender program. The department of corrections shall
17 reimburse a person from whom it purchases goods, care, or services under this
18 subsection from the appropriation under s. 20.410 (3) (cg) ~~or, if the person for whom~~
19 ~~the goods, care or services are purchased is placed in a Type 1 prison, as defined s.~~
20 ~~301.01 (5), or is under intensive sanctions supervision under s. 301.048, from the~~
21 ~~appropriate appropriation under s. 20.410 (1).~~

22 ~~*-0446/2.13*~~ SECTION 3926. 938.539 (3) of the statutes is amended to read:

23 938.539 (3) Notwithstanding ss. 938.19 to 938.21, if a juvenile placed in a
24 Type 2 child caring institution under s. 938.34 (4d) or 938.357 (4) (c) or in a Type 2
25 secured correctional facility under s. 938.357 (4) (a) or (c) violates a condition of his

1 or her placement in the Type 2 child caring institution or Type 2 secured correctional
2 facility, the juvenile may be placed in a Type 1 secured correctional facility as
3 provided in s. 938.357 (4) (b). This subsection does not preclude a juvenile who has
4 violated a condition of the juvenile's placement in a Type 2 secured correctional
5 facility or a Type 2 child caring institution from being taken into and held in custody
6 under ss. 938.19 to 938.21.

7 *~~0447/3.14~~* SECTION 3929. 938.992 (3) of the statutes is amended to read:

8 938.992 (3) Notwithstanding s. 938.991 (3) (b), “delinquent juvenile” does not
9 include a person subject to an order under s. 48.366 who is confined to a state prison
10 under s. 302.01 ~~or a person subject to an order under s. 938.34 (4h) who is 17 years~~
11 ~~of age or over.~~

12 *~~1855/2.32~~* SECTION 3930. 939.32 (1) (title) of the statutes is created to read:

13 939.32 (1) (title) GENERALLY.

14 *~~1855/2.33~~* SECTION 3931. 939.32 (1m) of the statutes is created to read:

15 939.32 (1m) BIFURCATED SENTENCES. (a) Subject to s. 973.01 (2) (d), if the court
16 imposes a bifurcated sentence under s. 973.01 (1) for an attempt to commit a crime
17 that is punishable under sub. (1) (intro.), the following requirements apply:

18 1. If the completed crime is a classified felony, the maximum term of
19 confinement in prison is one-half of the maximum term of confinement in prison for
20 the classified felony.

21 2. If the completed crime is not a classified felony, the maximum term of
22 confinement is 75% of the maximum term of imprisonment under sub. (1) (intro.) for
23 an attempt to commit the crime.

24 (b) Subject to s. 973.01 (2) (d), the maximum term of confinement in prison
25 specified under par. (a) may be increased under s. 939.62 (1) or 961.48. If the

1 maximum term of confinement in prison specified in par. (a) is increased under this
2 paragraph, the maximum term of imprisonment under sub. (1) is increased by the
3 same amount.

4 ***-1855/2.34* SECTION 3932.** 939.32 (2) (title) of the statutes is created to read:
5 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

6 ***-1855/2.35* SECTION 3933.** 939.32 (3) (title) of the statutes is created to read:
7 939.32 (3) (title) REQUIREMENTS.

8 ***-1617/P3.3* SECTION 3934.** 939.74 (1) of the statutes is amended to read:
9 939.74 (1) Except as provided in ~~sub. subs.~~ (2), and (2d) and s. 946.88 (1),
10 prosecution for a felony must be commenced within 6 years and prosecution for a
11 misdemeanor or for adultery within 3 years after the commission thereof. Within the
12 meaning of this section, a prosecution has commenced when a warrant or summons
13 is issued, an indictment is found, or an information is filed.

14 ***-1617/P3.4* SECTION 3935.** 939.74 (2) (c) of the statutes is amended to read:
15 939.74 (2) (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a),
16 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.08, or 948.095 shall be commenced
17 before the victim reaches the age of 31 years or be barred, except as provided in sub.
18 (2d) (c).

19 ***-1617/P3.5* SECTION 3936.** 939.74 (2d) of the statutes is created to read:
20 939.74 (2d) (a) In this subsection, “deoxyribonucleic acid profile” means any
21 analysis of deoxyribonucleic acid that results in the identification of an individual’s
22 patterned chemical structure of genetic information.

23 (b) If the state has evidence of a deoxyribonucleic acid profile of a person who
24 committed a violation of s. 940.225 (1) or (2), the evidence was collected before the
25 time limitation under sub. (1) expired, and comparisons of the evidence to

1 deoxyribonucleic acid profiles of known persons made before the time limitation
2 expired did not result in a probable identification of the person, the state may
3 commence prosecution of the person within 12 months after comparison of the
4 deoxyribonucleic evidence relating to the violation results in a probable
5 identification of the person.

6 (c) If the state has evidence of a deoxyribonucleic acid profile of a person who
7 committed a violation of s. 948.02 (1) or (2) or 948.025, the evidence was collected
8 before the time limitation under sub. (2) (c) expired, and comparisons of the evidence
9 to deoxyribonucleic acid profiles of known persons made before the time limits
10 expired did not result in a probable identification of the person, the state may
11 commence prosecution of the person within 12 months after comparison of the
12 deoxyribonucleic evidence relating to the violation results in a probable
13 identification of the person.

14 *b0493/3.6* SECTION 3937j. 940.09 (1d) of the statutes is renumbered 940.09
15 (1d) (b) and amended to read:

16 940.09 (1d) (b) If the person who committed an offense under sub. (1) (a), (b),
17 (c), or (d) has 2 or more prior convictions, suspensions, or revocations, as counting
18 convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other
19 convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure
20 under s. 346.65 (6) may be followed regarding the immobilization or the seizure and
21 forfeiture of a motor vehicle owned by the person who committed the offense or the
22 equipping of a motor vehicle owned by the person with an ignition interlock device.

23 *b0493/3.6* SECTION 3937k. 940.09 (1d) (a) of the statutes is created to read:

24 940.09 (1d) (a) ~~Notwithstanding par. (b), if the person who committed an~~
25 ~~offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions,~~

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1 347.417 (2) The department shall design a warning label which shall be affixed
2 by the owner of each immobilization device before the device is used to immobilize
3 any motor vehicle under s. ~~343.301 (2) or 346.65 (6), 1999 stats., or s. 343.301 (2).~~
4 The label shall provide notice of the penalties for removing, disconnecting,
5 tampering with, or otherwise circumventing the operation of the immobilization
6 device.”.

7 **6.** Page 1690, line 3: delete lines 3 to 20 and substitute:

8 “SECTION 3937j. 940.09 (1d) of the statutes is renumbered 940.09 (1d) (b) and
9 amended to read:

10 940.09 (1d) (b) If the person who committed an offense under sub. (1) (a), (b),
11 (c), or (d) has 2 or more prior convictions, suspensions, or revocations, as counting
12 convictions under sub. (1) and s. 940.25 in the person’s lifetime, plus other
13 convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure
14 under s. 346.65 (6) may be followed regarding the immobilization or the seizure and
15 forfeiture of a motor vehicle owned by the person who committed the offense or the
16 equipping of a motor vehicle owned by the person with an ignition interlock device.

17 **SECTION 3937k.** 940.09 (1d) (a) of the statutes is created to read:

18 940.09 (1d) (a) Notwithstanding par. (b), if the person who committed an
19 offense under sub. (1) (a), (b), (c), or (d) has 2 or more convictions, suspensions, or
20 revocations counted under s. 343.307 (1) within any 5-year period, the procedure
21 under s. 343.301 shall be followed if the court enters an order regarding operating
22 privilege restriction and the installation of an ignition interlock device or enters an
23 order regarding immobilization.

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or revocations counted under s. 343.307 (1) within a 5-year period, the procedure under s. 343.301 shall be followed if the court orders that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are equipped with an ignition interlock device and the court orders the installation of an ignition interlock device in each motor vehicle titled in the name of the person or if the court orders that each motor vehicle titled in the name of the person be immobilized.

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***b0493/3.6* SECTION 3937m.** 940.09 (1d) (a) of the statutes, as created by 2001 Wisconsin Act (this act), is renumbered 940.09 (1d) (a) 2.

***b0493/3.6* SECTION 3937n.** 940.09 (1d) (a) 1. of the statutes is created to read:

940.09 (1d) (a) 1. Except as provided in subd. 2., if ~~the~~^{the} person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court ~~orders that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are equipped with an ignition interlock device or if the court orders that the motor vehicle used during the refusal or violation and owned by the person be immobilized.~~ ^{enters an order regarding operating privilege restriction or enters an order regarding immobilization}

***b0493/3.6* SECTION 3937p.** 940.09 (1d) (b) of the statutes, as affected by 2001 Wisconsin Act (this act), is amended to read:

940.09 (1d) (b) If the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure

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1 under s. 346.65 (6) ~~may shall~~ be followed regarding the immobilization or if the court
2 orders the seizure and forfeiture of ~~a the~~ motor vehicle owned by the person who
3 ~~committed the offense or the equipping of a motor vehicle owned by the person with~~
4 an ignition interlock device and used in the violation.

5 *b0493/3.6* SECTION 3938j. 940.25 (1d) of the statutes is renumbered 940.25
6 (1d) (b) and amended to read:

7 940.25 (1d) (b) If the person who committed an offense under sub. (1) (a), (b),
8 (c), or (d) has 2 or more prior convictions, suspensions, or revocations, as counting
9 convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other
10 convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure
11 under s. 346.65 (6) may be followed regarding the immobilization or the seizure and
12 forfeiture of a motor vehicle owned by the person who committed the offense or the
13 equipping of a motor vehicle owned by the person with an ignition interlock device.

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14 *b0493/3.6* SECTION 3938k. 940.25 (1d) (a) of the statutes is created to read:

15 940.25 (1d) (a) Notwithstanding par. (b), if the person who committed an
16 offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions,
17 or revocations counted under s. 343.307 (1) within a 5-year period, the procedure
18 under s. 343.301 shall be followed if the court orders that the person's operating
19 privilege for the operation of "Class D" vehicles be restricted to operating "Class D"
20 vehicles that are equipped with an ignition interlock device and the court orders the
21 installation of an ignition interlock device in each motor vehicle titled in the name
22 of the person or if the court orders that each motor vehicle titled in the name of the
23 person be immobilized.

24 *b0493/3.6* SECTION 3938m. 940.25 (1d) (a) of the statutes, as created by 2001
25 Wisconsin Act (this act), is renumbered 940.25 (1d) (a) 2.

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1 convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure
2 under s. 346.65 (6) may be followed regarding the immobilization or the seizure and
3 forfeiture of a motor vehicle owned by the person who committed the offense or the
4 equipping of a motor vehicle owned by the person with an ignition interlock device.

5 **SECTION 3938k.** 940.25 (1d) (a) of the statutes is created to read:

6 940.25 (1d) (a) Notwithstanding par. (b), if the person who committed an
7 offense under sub. (1) (a), (b), (c), or (d) has 2 or more convictions, suspensions, or
8 revocations counted under s. 343.307 (1) within any 5-year period, the procedure
9 under s. 343.301 shall be followed if the court enters an order regarding operating
10 privilege restriction and the installation of an ignition interlock device or enters an
11 order regarding immobilization.

12 **SECTION 3938m.** 940.25 (1d) (a) of the statutes, as created by 2001 Wisconsin
13 Act (this act), is renumbered 940.25 (1d) (a) 2.

14 **SECTION 3938n.** 940.25 (1d) (a) 1. of the statutes is created to read:

15 940.25 (1d) (a) 1. Except as provided in subd. 2., if the person who committed
16 an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions,
17 suspensions, or revocations, counting convictions under sub. (1) and s. 940.09 (1) in
18 the person's lifetime, plus other convictions, suspensions, or revocations counted
19 under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court
20 enters an order regarding operating privilege restriction or enters an order
21 regarding immobilization.

22 **SECTION 3938p.** 940.25 (1d) (b) of the statutes, as affected by 2001 Wisconsin
23 Act (this act), is amended to read:

24 940.25 (1d) (b) If the person who committed an offense under sub. (1) (a), (b),
25 (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting

1 ***b0493/3.6* SECTION 3938n.** 940.25 (1d) (a) 1. of the statutes is created to read: *the*

2 940.25 (1d) (a) 1. Except as provided in subd. 2., if ~~a~~ person who committed an
3 offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions,
4 or revocations, counting convictions under sub. (1) and s. 940.09 (1) in the person's
5 lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307
6 (1), the procedure under s. 343.301 shall be followed if the court ~~orders that the~~
7 ~~person's operating privilege for the operation of "Class D" vehicles be restricted to~~
8 ~~operating "Class D" vehicles that are equipped with an ignition interlock device or~~
9 ~~if the court orders that the motor vehicle used during the refusal or violation and~~
10 ~~owned by the person be immobilized.~~ *enters an order regarding operating*
privilege restriction or enters an order
regarding immobilization

11 ***b0493/3.6* SECTION 3938p.** 940.25 (1d) (b) of the statutes, as affected by 2001
12 Wisconsin Act (this act), is amended to read:

13 940.25 (1d) (b) If the person who committed an offense under sub. (1) (a), (b),
14 (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting
15 convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other
16 convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure
17 under s. 346.65 (6) ~~may shall~~ be followed ~~regarding the immobilization or if the court~~
18 ~~orders~~ the seizure and forfeiture of ~~a~~ the motor vehicle owned by the person ~~who~~
19 ~~committed the offense or the equipping of a motor vehicle owned by the person with~~
20 ~~an ignition interlock device and used in the violation.~~

21 ***b0675/2.1* SECTION 3938u.** 943.01 (2) (d) of the statutes is amended to read:

22 943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced
23 in value by more than ~~\$1,000~~ \$2,500. For the purposes of this paragraph, property
24 is reduced in value by the amount which it would cost either to repair or replace it,
25 whichever is less.

1 ***b0675/2.1* SECTION 3938v.** 943.01 (2g) (c) of the statutes is amended to read:

2 943.01 (2g) (c) The total property damaged in violation of sub. (1) is reduced
3 in value by more than \$500 but not more than ~~\$1,000~~ \$2,500. For purposes of this
4 paragraph, property is reduced in value by the amount that it would cost to repair
5 or replace it, whichever is less, plus other monetary losses associated with the
6 damage.

7 ***b0675/2.1* SECTION 3938w.** 943.017 (2) (d) of the statutes is amended to read:

8 943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced
9 in value by more than ~~\$1,000~~ \$2,500. For the purposes of this paragraph, property
10 is reduced in value by the amount which it would cost to repair or replace it or to
11 remove the marking, drawing, writing or etching, whichever is less.

12 ***-0857/1.1* SECTION 3939.** 943.20 (1) (e) of the statutes is amended to read:

13 943.20 (1) (e) Intentionally fails to return any personal property which is in his
14 or her possession or under his or her control by virtue of a written lease or written
15 rental agreement, ~~within 10 days~~ after the lease or rental agreement has expired.
16 This paragraph does not apply to a person who returns personal property, except a
17 motor vehicle, which is in his or her possession or under his or her control by virtue
18 of a written lease or written rental agreement, within 10 days after the lease or rental
19 agreement expires.

20 ***b0675/2.2* SECTION 3939b.** 943.20 (3) (a) of the statutes is amended to read:

21 943.20 (3) (a) If the value of the property does not exceed ~~\$1,000~~ \$2,500, is
22 guilty of a Class A misdemeanor.

23 ***b0675/2.2* SECTION 3939c.** 943.20 (3) (b) of the statutes is repealed.

24 ***b0675/2.2* SECTION 3939d.** 943.21 (3) (a) of the statutes is amended to read:

1 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any
2 beverage, food, lodging, accommodation, transportation or other service is ~~\$1,000~~
3 \$2,500 or less.

4 ***b0675/2.2* SECTION 3939e.** 943.21 (3) (b) of the statutes is amended to read:

5 943.21 (3) (b) Is guilty of a Class E felony when the value of any beverage, food,
6 lodging, accommodation, transportation or other service exceeds ~~\$1,000~~ \$2,500.

7 ***b0675/2.2* SECTION 3939f.** 943.24 (1) of the statutes is amended to read:

8 943.24 (1) Whoever issues any check or other order for the payment of not more
9 than ~~\$1,000~~ \$2,500 which, at the time of issuance, he or she intends shall not be paid
10 is guilty of a Class A misdemeanor.

11 ***b0675/2.2* SECTION 3939g.** 943.24 (2) of the statutes is amended to read:

12 943.24 (2) Whoever issues any single check or other order for the payment of
13 more than ~~\$1,000~~ \$2,500 or whoever within a 15-day period issues more than one
14 check or other order amounting in the aggregate to more than ~~\$1,000~~ \$2,500 which,
15 at the time of issuance, the person intends shall not be paid is guilty of a Class E
16 felony.

17 ***b0675/2.2* SECTION 3939h.** 943.34 (1) (a) of the statutes is amended to read:

18 943.34 (1) (a) A Class A misdemeanor, if the value of the property does not
19 exceed ~~\$1,000~~ \$2,500.

20 ***b0675/2.2* SECTION 3939i.** 943.34 (1) (b) of the statutes is repealed.

21 ***b0675/2.2* SECTION 3939j.** 943.395 (2) (a) of the statutes is amended to read:

22 943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or
23 benefit does not exceed ~~\$1,000~~ \$2,500.

24 ***b0675/2.2* SECTION 3939k.** 943.395 (2) (b) of the statutes is amended to read:

1 943.395 (2) (b) Is guilty of a Class E felony if the value of the claim or benefit
2 exceeds ~~\$1,000~~ \$2,500.

3 ***b0675/2.2* SECTION 3939L.** 943.41 (8) (c) of the statutes is amended to read:

4 943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d),
5 if the value of the money, goods, services or property illegally obtained does not
6 exceed ~~\$1,000~~ \$2,500 is guilty of a Class A misdemeanor; ~~if the value of the money,~~
7 ~~goods, services or property exceeds \$1,000 but does not exceed \$2,500, in a single~~
8 ~~transaction or in separate transactions within a period not exceeding 6 months, the~~
9 ~~person is guilty of a Class E felony; or if, If the value of the money, goods, services~~
10 ~~or property exceeds \$2,500, the person is guilty of a Class C felony.~~

11 ***b0675/2.2* SECTION 3939m.** 943.50 (4) (a) of the statutes is amended to read:

12 943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not
13 exceed ~~\$1,000~~ \$2,500.

14 ***b0675/2.2* SECTION 3939n.** 943.50 (4) (b) of the statutes is repealed.

15 ***b0675/2.2* SECTION 3939p.** 943.61 (5) (a) of the statutes is amended to read:

16 943.61 (5) (a) A Class A misdemeanor, if the value of the library materials does
17 not exceed ~~\$1,000~~ \$2,500.

18 ***b0675/2.2* SECTION 3939q.** 943.61 (5) (b) of the statutes is repealed.

19 ***b0675/2.2* SECTION 3939r.** 943.62 (4) (a) of the statutes is amended to read:

20 943.62 (4) (a) A Class A misdemeanor, if the value of the advance payment or
21 required refund, as applicable, does not exceed ~~\$500~~ \$2,500.

22 ***b0675/2.2* SECTION 3939s.** 943.62 (4) (b) of the statutes is repealed.

23 ***-0795/2.1* SECTION 3940.** 943.70 (1) (a) of the statutes is renumbered 943.70

24 (1) (am).

25 ***-0795/2.2* SECTION 3941.** 943.70 (1) (ag) of the statutes is created to read:

1 943.70 (1) (ag) “Access” means to instruct, communicate with, interact with,
2 intercept, store data in, retrieve data from, or otherwise use the resources of.

3 ***-0795/2.3* SECTION 3942.** 943.70 (1) (gm) of the statutes is created to read:

4 943.70 (1) (gm) “Interruption in service” means inability to access a computer,
5 computer program, computer system, or computer network, or an inability to
6 complete a transaction involving a computer.

7 ***-0795/2.4* SECTION 3943.** 943.70 (2) (a) (intro.) of the statutes is amended to
8 read:

9 943.70 (2) (a) (intro.) Whoever ~~wilfully~~ willfully, knowingly and without
10 authorization does any of the following may be penalized as provided in ~~par.~~ pars. (b)
11 and (c):

12 ***-0795/2.5* SECTION 3944.** 943.70 (2) (a) 3. of the statutes is amended to read:

13 943.70 (2) (a) 3. Accesses ~~data,~~ computer programs or supporting
14 documentation.

15 ***-0795/2.6* SECTION 3945.** 943.70 (2) (am) of the statutes is created to read:

16 943.70 (2) (am) Whoever intentionally causes an interruption in service by
17 submitting a message, or multiple messages, to a computer, computer program,
18 computer system, or computer network that exceeds the processing capacity of the
19 computer, computer program, computer system, or computer network may be
20 penalized as provided in pars. (b) and (c).

21 ***-0795/2.7* SECTION 3946.** 943.70 (2) (b) (intro.) of the statutes is amended to
22 read:

23 943.70 (2) (b) (intro.) Whoever violates ~~this subsection~~ par. (a) or (am) is guilty
24 of:

25 ***-0795/2.8* SECTION 3947.** 943.70 (2) (b) 1. of the statutes is amended to read:

1 943.70 (2) (b) 1. A Class A misdemeanor unless ~~subd. any of subds. 2., 3. or to~~
2 4. applies.

3 *~~0795/2.9~~* SECTION 3948. 943.70 (2) (b) 3. of the statutes is amended to read:

4 943.70 (2) (b) 3. A Class ~~D~~ E felony if the offense results in damage is greater
5 valued at more than \$1,000 but not more than \$2,500 ~~or if it causes an interruption~~
6 ~~or impairment of governmental operations or public communication, of~~
7 ~~transportation or of a supply of water, gas or other public service.~~

8 *~~0795/2.10~~* SECTION 3949. 943.70 (2) (b) 3g. of the statutes is created to read:

9 943.70 (2) (b) 3g. A Class C felony if the offense results in damage valued at
10 more than \$2,500.

11 *~~0795/2.11~~* SECTION 3950. 943.70 (2) (b) 3r. of the statutes is created to read:

12 943.70 (2) (b) 3r. A Class C felony if the offense causes an interruption or
13 impairment of governmental operations or public communication, of transportation,
14 or of a supply of water, gas, or other public service.

15 *~~0795/2.12~~* SECTION 3951. 943.70 (2) (c) of the statutes is created to read:

16 943.70 (2) (c) If a person disguises the identity or location of the computer at
17 which he or she is working while committing an offense under par. (a) or (am) with
18 the intent to make it less likely that he or she will be identified with the crime, the
19 penalties under par. (b) may be increased as follows:

20 1. In the case of a misdemeanor, the maximum fine prescribed by law for the
21 crime may be increased by not more than \$1,000 and the maximum term of
22 imprisonment prescribed by law for the crime may be increased so that the revised
23 maximum term of imprisonment is 12 months.

1 2. In the case of a felony, the maximum fine prescribed by law for the crime may
2 be increased by not more than \$2,500 and the maximum term of imprisonment
3 prescribed by law for the crime may be increased by not more than 2 years.

4 *~~0795/2.13~~* SECTION 3952. 944.205 (title) of the statutes is amended to read:

5 **944.205** (title) ~~Photographs, motion pictures, videotapes or other~~
6 ~~visual representations~~ **Recordings showing nudity.**

7 *~~0795/2.14~~* SECTION 3953. 944.205 (1) of the statutes is renumbered 944.205
8 (1) (intro.) and amended to read:

9 944.205 (1) (intro.) In this section, ~~“nudity”~~:

10 (b) “Nudity” has the meaning given in s. 948.11 (1) (d).

11 *~~0795/2.15~~* SECTION 3954. 944.205 (1) (a) of the statutes is created to read:

12 944.205 (1) (a) “Exhibit” has the meaning given in s. 948.01 (1d).

13 *~~0795/2.16~~* SECTION 3955. 944.205 (1) (c) of the statutes is created to read:

14 944.205 (1) (c) “Recording” has the meaning given in 948.01 (3r).

15 *~~0795/2.17~~* SECTION 3956. 944.205 (2) (a) of the statutes is amended to read:

16 944.205 (2) (a) ~~Takes a photograph or makes a motion picture, videotape or~~
17 ~~other visual representation or reproduction that depicts~~ Records an image of nudity
18 without the knowledge and consent of the person who is depicted nude while that
19 person is nude in a place and circumstance in which he or she has a reasonable
20 expectation of privacy, if the person recording the image knows or has reason to know
21 that the person who is depicted nude does not know of and consent to the taking or
22 making of the photograph, motion picture, videotape or other visual representation
23 or reproduction recording.

24 *~~0795/2.18~~* SECTION 3957. 944.205 (2) (b) of the statutes is repealed and
25 recreated to read:

1 944.205 (2) (b) Copies, possesses, exhibits, stores, or distributes a recording of
2 an image if all of the following apply:

3 1. The recording was done in violation of par. (a) or was previously copied in
4 violation of this paragraph.

5 2. The actor knows or has reason to know that the violation described under
6 subd. 1. has occurred.

7 3. The person depicted nude in the recording did not consent to the copying,
8 possession, exhibition, storage, or distribution of the recording under par. (b) (intro.).

9 4. The recording depicts the same nudity recorded in violation of par. (a).

10 *–0795/2.19* SECTION 3958. 944.205 (3) of the statutes is amended to read:

11 944.205 (3) Notwithstanding sub. (2) (a) and (b), if the person depicted in a
12 photograph, motion picture, videotape or other visual representation or reproduction
13 recording of an image is a child and the making recording, copying, possession,
14 exhibition, storage, or distribution of the photograph, motion picture, videotape or
15 other visual representation or reproduction recording does not violate s. 948.05 or
16 948.12, a parent, guardian, or legal custodian of the child may do any of the following:

17 (a) Make and Record, copy, possess, exhibit, or store the photograph, motion
18 picture, videotape or other visual representation reproduction of the child recording.

19 (b) Distribute a photograph, motion picture, videotape or other visual
20 representation or reproduction made or recording that was recorded, copied,
21 possessed, exhibited, or stored under par. (a) if the distribution is not for commercial
22 purposes.

23 *–0795/2.20* SECTION 3959. 944.205 (4) of the statutes is amended to read:

24 944.205 (4) This section does not apply to a person who receives a photograph,
25 motion picture, videotape or other visual representation or reproduction of recording

1 of an image depicting a child from a parent, guardian, or legal custodian of the child
2 under sub. (3) (b), if the possession and, copying, exhibition, storage, or distribution
3 are is not for commercial purposes.

4 ***-0795/2.21* SECTION 3960.** 944.21 (2) (am) of the statutes is created to read:
5 944.21 (2) (am) “Exhibit” has the meaning given in s. 948.01 (1d).

6 ***-0795/2.22* SECTION 3961.** 944.21 (2) (c) (intro.) of the statutes is amended
7 to read:

8 944.21 (2) (c) (intro.) “Obscene material” means a writing, picture, sound
9 recording or film which, or other recording that:

10 ***-0795/2.23* SECTION 3962.** 944.21 (2) (dm) of the statutes is created to read:
11 944.21 (2) (dm) “Recording” has the meaning given in s. 948.01 (3r).

12 ***-0795/2.24* SECTION 3963.** 944.21 (3) (a) of the statutes is amended to read:
13 944.21 (3) (a) Imports, prints, sells, has in his or her possession for sale,
14 publishes, exhibits, plays, or transfers distributes any obscene material.

15 ***-0795/2.25* SECTION 3964.** 944.21 (4) (a) and (b) of the statutes are amended
16 to read:

17 944.21 (4) (a) Transfers or Distributes, exhibits, or plays any obscene material
18 to a person under the age of 18 years.

19 (b) Has in his or her possession with intent to transfer or distribute, exhibit,
20 or play to a person under the age of 18 years any obscene material.

21 ***-0795/2.26* SECTION 3965.** 944.21 (9) of the statutes is amended to read:

22 944.21 (9) In determining whether material is obscene under sub. (2) (c) 1. and
23 3., a judge or jury shall examine individual pictures, recordings of images, or
24 passages in the context of the work in which they appear.

25 ***-0795/2.27* SECTION 3966.** 944.25 of the statutes is created to read:

1 **944.25 Sending obscene or sexually explicit electronic messages. (1)**

2 In this section:

3 (a) “Electronic mail solicitation” means an electronic mail message, including
4 any attached program or document, that is sent for the purpose of encouraging a
5 person to purchase property, goods, or services.

6 (b) “Obscene material” has the meaning given in s. 944.21 (2) (c).

7 (c) “Sexually explicit conduct” has the meaning given in s. 948.01 (7).

8 (2) Whoever sends an unsolicited electronic mail solicitation to a person that
9 contains obscene material or a depiction of sexually explicit conduct without
10 including the words “ADULT ADVERTISEMENT” in the subject line of the
11 electronic mail solicitation is guilty of a Class A misdemeanor.

12 ***b0408/2.1* SECTION 3966h.** 945.05 (1) (intro.) of the statutes is amended to
13 read:

14 945.05 (1) (intro.) Except as provided in subs. (1e) (b) and (1m), whoever
15 manufactures, transfers commercially or possesses with intent to transfer
16 commercially either of the following is guilty of a Class E felony:

17 ***b0408/2.1* SECTION 3966j.** 945.05 (1e) of the statutes is renumbered 945.05
18 (1e) (b) (intro.) and amended to read:

19 945.05 (1e) (b) (intro.) Subsection (1) does not apply to a person who
20 manufactures, transfers commercially or possesses with intent to transfer
21 commercially gambling devices described in sub. (1) (a) and (b) to a any of the
22 following:

23 2. A nonprofit or public educational institution that provides an educational
24 program for which it awards a bachelor’s or higher degree for the use in a casino
25 gaming management class.

1 ***b0408/2.1* SECTION 3966m.** 945.05 (1e) (a) of the statutes is created to read:
2 945.05 (1e) (a) In this subsection, “authorized gambling facility” means any of
3 the following:

- 4 1. An Indian gaming facility, as defined in s. 569.01 (1j).
- 5 2. A gaming establishment located on lands acquired after October 17, 1998,
6 by the U.S. secretary of the interior in trust for the benefit of an Indian tribe.
- 7 3. A facility at which gambling lawfully takes place.

8 ***b0408/2.1* SECTION 3966q.** 945.05 (1e) (b) 1. of the statutes is created to read:
9 945.05 (1e) (b) 1. An authorized gambling facility.

10 ***b0675/2.3* SECTION 3966n.** 946.82 (4) of the statutes is amended to read:
11 946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961
12 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission
13 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
14 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637,
15 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,
16 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20
17 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,
18 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) ~~(b) to (c)~~
19 and (d), 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28,
20 943.30, 943.32, 943.34 (1) ~~(b) and (c)~~, 943.38, 943.39, 943.40, 943.41 (8) (b) and (c),
21 943.50 (4) ~~(b) and (c)~~, 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33
22 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12,
23 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76,
24 947.015, 948.05, 948.08, 948.12, and 948.30.

25 ***-0795/2.28* SECTION 3967.** 948.01 (1d) of the statutes is created to read:

1 948.01 (1d) “Exhibit,” with respect to a recording of an image that is not
2 viewable in its recorded form, means to convert the recording of the image into a form
3 in which the image may be viewed.

4 *~~0795/2.29~~* SECTION 3968. 948.01 (3r) of the statutes is created to read:

5 948.01 (3r) “Recording” includes the creation of a reproduction of an image or
6 a sound or the storage of data representing an image or a sound.

7 *~~0795/2.30~~* SECTION 3969. 948.05 (1) (a) of the statutes is amended to read:

8 948.05 (1) (a) Employs, uses, persuades, induces, entices, or coerces any child
9 to engage in sexually explicit conduct for the purpose of ~~photographing, filming,~~
10 ~~videotaping, recording the sounds of~~ or displaying in any way the conduct.

11 *~~0795/2.31~~* SECTION 3970. 948.05 (1) (b) of the statutes is amended to read:

12 948.05 (1) (b) ~~Photographs, films, videotapes, records the sounds of~~ Records or
13 displays in any way a child engaged in sexually explicit conduct.

14 *~~0795/2.32~~* SECTION 3971. 948.05 (1m) of the statutes is amended to read:

15 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports
16 into the state, reproduces, advertises, sells, distributes, or possesses with intent to
17 sell or distribute, any ~~undeveloped film, photographic negative, photograph, motion~~
18 ~~picture, videotape, sound recording or other reproduction~~ of a child engaging in
19 sexually explicit conduct is guilty of a Class C felony if the person knows the
20 character and content of the sexually explicit conduct involving the child and if the
21 person knows or reasonably should know that the child engaging in the sexually
22 explicit conduct has not attained the age of 18 years.

23 *~~0795/2.33~~* SECTION 3972. 948.07 (4) of the statutes is amended to read:

24 948.07 (4) ~~Taking a picture or making an audio recording of~~ Recording the child
25 engaging in sexually explicit conduct.

1 ***-0795/2.34*** **SECTION 3973.** 948.11 (1) (ar) 2. of the statutes is amended to
2 read:

3 948.11 (1) (ar) 2. Any book, pamphlet, magazine, printed matter however
4 reproduced or ~~sound~~ recording that contains any matter enumerated in subd. 1., or
5 explicit and detailed verbal descriptions or narrative accounts of sexual excitement,
6 sexually explicit conduct, sadomasochistic abuse, physical torture or brutality and
7 that, taken as a whole, is harmful to children.

8 ***-0795/2.35*** **SECTION 3974.** 948.11 (1) (bm) of the statutes is repealed.

9 ***-0795/2.36*** **SECTION 3975.** 948.11 (1) (c) of the statutes is repealed.

10 ***-0795/2.37*** **SECTION 3976.** 948.11 (2) (a) of the statutes is renumbered 948.11
11 (2) (a) (intro.) and amended to read:

12 948.11 (2) (a) (intro.) Whoever, with knowledge of the ~~nature~~ the character and
13 content of the material, sells, rents, exhibits, ~~transfers~~ plays, distributes, or loans to
14 a child any harmful material, with or without monetary consideration, is guilty of a
15 Class E felony: if any of the following applies:

16 ***-0795/2.38*** **SECTION 3977.** 948.11 (2) (a) 1. and 2. of the statutes are created
17 to read:

18 948.11 (2) (a) 1. The person knows or reasonably should know that the child
19 has not attained the age of 18 years.

20 2. The person has face-to-face contact with the child before or during the sale,
21 rental, exhibit, playing, distribution, or loan.

22 ***-0795/2.39*** **SECTION 3978.** 948.11 (2) (am) of the statutes is renumbered
23 948.11 (2) (am) (intro.) and amended to read:

24 948.11 (2) (am) (intro.) Any person who has attained the age of 17 and who, with
25 knowledge of the ~~nature~~ character and content of the description or narrative

1 account, verbally communicates, by any means, a harmful description or narrative
2 account to a child, with or without monetary consideration, is guilty of a Class E
3 felony. if any of the following applies:

4 *~~0795/2.40~~* SECTION 3979. 948.11 (2) (am) 1. and 2. of the statutes are created
5 to read:

6 948.11 (2) (am) 1. The person knows or reasonably should know that the child
7 has not attained the age of 18 years.

8 2. The person has face-to-face contact with the child before or during the
9 communication.

10 *~~0795/2.41~~* SECTION 3980. 948.11 (2) (b) of the statutes is renumbered 948.11
11 (2) (b) (intro.) and amended to read:

12 948.11 (2) (b) (intro.) Whoever, with knowledge of the ~~nature~~ character and
13 content of the material, possesses harmful material with the intent to sell, rent,
14 exhibit, ~~transfer~~ play, distribute, or loan the material to a child is guilty of a Class A
15 misdemeanor. if any of the following applies:

16 *~~0795/2.42~~* SECTION 3981. 948.11 (2) (b) 1. and 2. of the statutes are created
17 to read:

18 948.11 (2) (b) 1. The person knows or reasonably should know that the child
19 has not attained the age of 18 years.

20 2. The person has face-to-face contact with the child.

21 *~~0795/2.43~~* SECTION 3982. 948.11 (2) (c) of the statutes is amended to read:

22 948.11 (2) (c) It is an affirmative defense to a prosecution for a violation of ~~this~~
23 section pars. (a) 2., (am) 2., and (b) 2. if the defendant had reasonable cause to believe
24 that the child had attained the age of 18 years, and the child exhibited to the
25 defendant a draft card, driver's license, birth certificate or other official or

1 apparently official document purporting to establish that the child had attained the
2 age of 18 years. A defendant who raises this affirmative defense has the burden of
3 proving this defense by a preponderance of the evidence.

4 ***-0795/2.44* SECTION 3983.** 948.12 of the statutes is renumbered 948.12 (1m),
5 and 948.12 (1m) (intro.) and (b), as renumbered, are amended to read:

6 948.12 (1m) (intro.) Whoever possesses any undeveloped film, photographic
7 negative, photograph, motion picture, videotape, or other pictorial reproduction, or
8 audio recording of a child engaged in sexually explicit conduct under all of the
9 following circumstances is guilty of a Class E felony:

10 (b) The person knows the character and content of the sexually explicit conduct
11 shown in the material.

12 ***-0795/2.45* SECTION 3984.** 948.12 (2m) of the statutes is created to read:

13 948.12 (2m) Whoever exhibits or plays a recording of a child engaged in
14 sexually explicit conduct, if all of the following apply, is guilty of a Class E felony:

15 (a) The person knows that he or she has exhibited or played the recording.

16 (b) Before the person exhibited or played the recording, he or she knew the
17 character and content of the sexually explicit conduct.

18 (c) Before the person exhibited or played the recording, he or she knew or
19 reasonably should have known that the child engaged in sexually explicit conduct
20 had not attained the age of 18 years.

21 ***b0568/1.7* SECTION 3984m.** 950.04 (1v) (v) of the statutes is amended to read:

22 950.04 (1v) (v) To have the department of corrections make a reasonable
23 attempt to notify the victim under s. 301.046 (4) regarding community residential
24 confinements, under s. 301.048 (4m) regarding participation in the intensive
25 sanctions program, under s. 301.38 regarding escapes from a Type 1 prison, under

1 s. 301.46 (3) regarding persons registered under s. 301.45, under s. ~~302.115~~ 302.105
2 regarding release upon expiration of certain sentences, under s. 304.063 regarding
3 extended supervision and parole releases, and under s. 938.51 regarding release or
4 escape of a juvenile from correctional custody.

5 ***-0991/P1.1* SECTION 3985.** 961.14 (7) (p) of the statutes is created to read:

6 961.14 (7) (p) 4-methylthioamphetamine, commonly known as “4-MTA.”

7 ***-0991/P1.2* SECTION 3986.** 961.41 (1) (b) of the statutes is amended to read:

8 961.41 (1) (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other
9 controlled substance included in schedule I, II or III, or a controlled substance analog
10 of any other controlled substance included in schedule I or II, may be fined not more
11 than \$15,000 or imprisoned for not more than 7 years and 6 months or both.

12 ***-0991/P1.3* SECTION 3987.** 961.41 (1) (hm) of the statutes is created to read:

13 961.41 (1) (hm) Gamma-hydroxybutyric acid, gamma-butyrolactone,
14 3,4-methylenedioxymethamphetamine,
15 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
16 kctamine, or a controlled substance analog of gamma hydroxybutyric acid,
17 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,
18 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is
19 subject to the following penalties if the amount manufactured, distributed, or
20 delivered is:

21 1. Three grams or less, the person shall be fined not less than \$1,000 nor more
22 than \$200,000 and may be imprisoned for not more than 7 years and 6 months.

23 2. More than 3 grams but not more than 10 grams, the person shall be fined
24 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
25 6 months nor more than 7 years and 6 months.

1 3. More than 10 grams but not more than 50 grams, the person shall be fined
2 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
3 one year nor more than 22 years and 6 months.

4 4. More than 50 grams but not more than 200 grams, the person shall be fined
5 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
6 3 years nor more than 22 years and 6 months.

7 5. More than 200 grams but not more than 400 grams, the person shall be fined
8 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
9 5 years nor more than 22 years and 6 months.

10 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
11 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
12 years.

13 ***-0991/P1.4*** SECTION 3988. 961.41 (1) (im) of the statutes is renumbered
14 961.41 (1) (im) (intro.) and amended to read:

15 961.41 (1) (im) (intro.) Flunitrazepam, ~~may be fined not more than \$15,000 or~~
16 ~~imprisoned for not more than 7 years and 6 months or both.~~ is subject to the following
17 penalties if the amount manufactured, distributed, or delivered is:

18 ***-0991/P1.5*** SECTION 3989. 961.41 (1) (im) 1. to 6. of the statutes are created
19 to read:

20 961.41 (1) (im) 1. Three grams or less, the person shall be fined not less than
21 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
22 6 months.

23 2. More than 3 grams but not more than 10 grams, the person shall be fined
24 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
25 6 months nor more than 7 years and 6 months.

1 3. More than 10 grams but not more than 50 grams, the person shall be fined
2 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
3 one year nor more than 22 years and 6 months.

4 4. More than 50 grams but not more than 200 grams, the person shall be fined
5 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
6 3 years nor more than 22 years and 6 months.

7 5. More than 200 grams but not more than 400 grams, the person shall be fined
8 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
9 5 years nor more than 22 years and 6 months.

10 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
11 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
12 years.

13 ***-0991/P1.6*** SECTION 3990. 961.41 (1m) (b) of the statutes is amended to read:

14 961.41 (1m) (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other
15 controlled substance included in schedule I, II or III, or a controlled substance analog
16 of any other controlled substance included in schedule I or II, may be fined not more
17 than \$15,000 or imprisoned for not more than 7 years and 6 months or both.

18 ***-0991/P1.7*** SECTION 3991. 961.41 (1m) (hm) of the statutes is created to
19 read:

20 961.41 (1m) (hm) Gamma-hydroxybutyric acid, gamma-butyrolactone,
21 3,4-methylenedioxymethamphetamine

22 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
23 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
24 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine

25 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is

1 subject to the following penalties if the amount possessed, with intent to
2 manufacture, distribute, or deliver is :

3 1. Three grams or less, the person shall be fined not less than \$1,000 nor more
4 than \$200,000 and may be imprisoned for not more than 7 years and 6 months.

5 2. More than 3 grams but not more than 10 grams, the person shall be fined
6 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
7 6 months nor more than 7 years and 6 months.

8 3. More than 10 grams but not more than 50 grams, the person shall be fined
9 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
10 one year nor more than 22 years and 6 months.

11 4. More than 50 grams but not more than 200 grams, the person shall be fined
12 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
13 3 years nor more than 22 years and 6 months.

14 5. More than 200 grams but not more than 400 grams, the person shall be fined
15 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
16 5 years nor more than 22 years and 6 months.

17 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
18 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
19 years.

20 ***-0991/P1.8* SECTION 3992.** 961.41 (1m) (im) of the statutes is renumbered
21 961.41 (1m) (im) (intro.) and amended to read:

22 961.41 (1m) (im) (intro.) ~~Flunitrazepam, may be fined not more than \$15,000~~
23 ~~or imprisoned for not more than 7 years and 6 months or both.~~ is subject to the
24 following penalties if the amount possessed, with intent to manufacture, distribute,
25 or deliver, is:

1 ***-0991/P1.9* SECTION 3993.** 961.41 (1m) (im) 1. to 6. of the statutes are created
2 to read:

3 961.41 (1m) (im) 1. Three grams or less, the person shall be fined not less than
4 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
5 6 months.

6 2. More than 3 grams but not more than 10 grams, the person shall be fined
7 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
8 6 months nor more than 7 years and 6 months.

9 3. More than 10 grams but not more than 50 grams, the person shall be fined
10 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
11 one year nor more than 22 years and 6 months.

12 4. More than 50 grams but not more than 200 grams, the person shall be fined
13 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
14 3 years nor more than 22 years and 6 months.

15 5. More than 200 grams but not more than 400 grams, the person shall be fined
16 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
17 5 years nor more than 22 years and 6 months.

18 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
19 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
20 years.

21 ***-0991/P1.10* SECTION 3994.** 961.41 (2) (b) of the statutes is amended to read:

22 961.41 (2) (b) ~~Any other~~ Except as provided in pars. (a) and (bm), any
23 counterfeit substance included in schedule I, II or III, may be fined not more than
24 \$15,000 or imprisoned for not more than 7 years and 6 months or both.

25 ***-0991/P1.11* SECTION 3995.** 961.41 (2) (bm) of the statutes is created to read:

1 which the court is located shall transport any defendant not free on bail to the
2 examining facility within a reasonable time after the examination is ordered and for
3 shall transport the defendant ~~to be returned~~ to the jail within a reasonable time after
4 receiving the sheriff and county department of community programs of the county
5 in which the court is located receive notice from the examining facility that the
6 examination has been completed.

7 *~~1855/2.37~~* *~~0590/P5.409~~* SECTION 4000. 971.17 (1) of the statutes is
8 renumbered 971.17 (1) (a) and amended to read:

9 971.17 (1) (a) Felonies committed before the effective date of this paragraph
10 [revisor inserts date]. ~~When~~ Except as provided in par. (c), when a defendant is found
11 not guilty by reason of mental disease or mental defect of a felony committed before
12 the effective date of this paragraph [revisor inserts date], the court shall commit
13 the person to the department of health and family services for a specified period not
14 exceeding two-thirds of the maximum term of imprisonment that could be imposed
15 ~~under s. 973.15 (2) (a)~~ against an offender convicted of the same ~~crime or crimes~~
16 felony, including imprisonment authorized by ~~ss. 346.65 (2) (f), (2j) (d) or (3m),~~
17 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~
18 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, as applicable,
19 subject to the credit provisions of s. 973.155.

20 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~
21 ~~imprisonment is~~ a defendant is found not guilty by reason of mental disease or
22 mental defect of a felony that is punishable by life imprisonment, the commitment
23 period specified by the court may be life, subject to termination under sub. (5).

24 *~~1855/2.38~~* *~~0590/P5.410~~* SECTION 4001. 971.17 (1) (b) of the statutes is
25 created to read:

1 971.17 (1) (b) *Crimes committed on or after the effective date of this paragraph*
2 [revisor inserts date] *for which a bifurcated sentence may be imposed.* When a
3 defendant is found not guilty by reason of mental disease or mental defect of a crime
4 committed on or after the effective date of this paragraph [revisor inserts date],
5 and the crime is one for which a court may impose a bifurcated sentence under s.
6 973.01, the court shall commit the person to the department of health and family
7 services for a specified period not exceeding the maximum term of confinement in
8 prison that could be imposed on an offender convicted of the same crime, including
9 imprisonment authorized by any applicable penalty enhancement statutes, subject
10 to the credit provisions of s. 973.155.

11 *~~1855/2.39~~* *~~0590/P5.411~~* **SECTION 4002.** 971.17 (1) (d) of the statutes is
12 created to read:

13 971.17 (1) (d) *Misdemeanors for which a bifurcated sentence may not be*
14 *imposed.* When a defendant is found not guilty by reason of mental disease or mental
15 defect of one of the following misdemeanors, the court shall commit the person to the
16 department of health and family services for a specified period not exceeding
17 two-thirds of the maximum term of imprisonment that could be imposed against an
18 offender convicted of the same misdemeanor, including imprisonment authorized by
19 any applicable penalty enhancement statutes, subject to the credit provisions of s.
20 973.155:

21 1. A misdemeanor committed before the effective date of this subdivision
22 [revisor inserts date].

23 2. A misdemeanor committed on or after the effective date of this subdivision
24 [revisor inserts date], for which a court may not impose a bifurcated sentence
25 under s. 973.01.

1 ***-0181/2.3*** SECTION 4003. 971.23 (10) of the statutes is amended to read:

2 971.23 (10) PAYMENT OF PHOTOCOPY COSTS IN CASES INVOLVING INDIGENT
3 DEFENDANTS. When the state public defender or a private attorney appointed under
4 s. 977.08 requests photocopies of any item that is discoverable under this section, the
5 state public defender shall pay any fee charged for the photocopies from the
6 appropriation under s. 20.550 (1) ~~(a)~~ (f). If the person providing photocopies under
7 this section charges the state public defender a fee for the photocopies, the fee may
8 not exceed the actual, necessary and direct cost of photocopying.

9 ***-1855/2.40*** SECTION 4004. 972.15 (2c) of the statutes is amended to read:

10 972.15 (2c) If the defendant is subject to being sentenced under s. 973.01 and
11 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing
12 the presentence investigation report shall include in the report a recommendation
13 as to whether the defendant should be eligible for the challenge incarceration
14 program under s. 302.045.

15 ***-1855/2.41*** SECTION 4005. 973.01 (1) of the statutes is amended to read:

16 973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),
17 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
18 for a felony committed on or after December 31, 1999, or a misdemeanor committed
19 on or after the effective date of this subsection [revisor inserts date], the court
20 shall impose a bifurcated sentence that consists of a term of confinement in prison
21 followed by a term of extended supervision under s. 302.113.

22 ***-1855/2.42*** SECTION 4006. 973.01 (2) (intro.) of the statutes is amended to
23 read:

1 973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~
2 that An order imposing a bifurcated sentence imposed under sub. (1) complies shall
3 comply with all of the following:

4 *~~1855/2.43~~* SECTION 4007. 973.01 (2) (a) of the statutes is amended to read:

5 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
6 the total length of the bifurcated sentence may not exceed the maximum period of
7 imprisonment for the felony crime.

8 *~~1855/2.44~~* SECTION 4008. 973.01 (2) (b) (intro.) of the statutes is amended
9 to read:

10 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*
11 (intro.) The portion of the bifurcated sentence that imposes a term of confinement
12 in prison may not be less than one year, subject to any minimum sentence prescribed
13 for the felony crime, and, except as provided in par. (c), ~~may not exceed~~ is subject to
14 whichever of the following limits is applicable:

15 *~~1855/2.45~~* SECTION 4009. 973.01 (2) (b) 6. of the statutes is renumbered
16 973.01 (2) (b) 6. (intro.) and amended to read:

17 973.01 (2) (b) 6. (intro.) For any felony crime other than a felony specified in
18 subds. 1. to 5. one of the following, the term of confinement in prison may not exceed
19 75% of the total length of the bifurcated sentence.;

20 *~~1855/2.46~~* SECTION 4010. 973.01 (2) (b) 6. a. and b. of the statutes are
21 created to read:

22 973.01 (2) (b) 6. a. A felony specified in subds. 1. to 5.

23 b. An attempt to commit a classified felony if the attempt is punishable under
24 s. 939.32 (1) (intro.).

25 *~~1855/2.47~~* SECTION 4011. 973.01 (2) (d) of the statutes is amended to read:

1 973.01 (2) (d) *Minimum term of extended supervision.* The term of extended
2 supervision ~~that follows the term of confinement in prison~~ may not be less than 25%
3 of the length of the term of confinement in prison imposed under par. (b).

4 ***-1855/2.48*** SECTION 4013. 973.01 (6) of the statutes is amended to read:

5 973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under
6 sub. (1) is not eligible for release on parole under that sentence.

7 ***-0447/3.15*** SECTION 4014. 973.013 (3m) of the statutes is amended to read:

8 973.013 (3m) If a person who has not attained the age of ~~16~~ 15 years is
9 sentenced to the Wisconsin state prisons, the department of corrections shall place
10 the person at a secured juvenile correctional facility or a secured child caring
11 institution, unless the department of corrections determines that placement in an
12 institution under s. 302.01 is appropriate based on the person's prior record of
13 adjustment in a correctional setting, if any; the person's present and potential
14 vocational and educational needs, interests, and abilities; the adequacy and
15 suitability of available facilities; the services and procedures available for treatment
16 of the person within the various institutions; the protection of the public; and any
17 other considerations promulgated by the department of corrections by rule. This
18 subsection does not preclude the department of corrections from designating an
19 adult correctional institution as a reception center for the person and subsequently
20 transferring the person to a secured juvenile correctional facility or a secured child
21 caring institution. Section 302.11 and ch. 304 apply to all persons placed in a secured
22 juvenile correctional facility or a secured child caring institution under this
23 subsection.

24 ***-1394/2.113*** SECTION 4015. 973.05 (1) of the statutes is amended to read:

1 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
2 permission for the payment of the fine, of the penalty assessment imposed by s.
3 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
4 assistance surcharge under s. 973.045, the crime laboratories and drug law
5 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
6 analysis surcharge under s. 973.046, any applicable drug abuse program
7 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
8 information protection assessment imposed by s. 100.261, any applicable domestic
9 abuse assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
10 improvement surcharge imposed by s. 346.655, any applicable truck driver
11 education assessment imposed by s. 349.04, any applicable enforcement assessment
12 imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed by s.
13 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any
14 applicable environmental assessment imposed by s. 299.93, any applicable wild
15 animal protection assessment imposed by s. 29.983, any applicable natural resources
16 assessment imposed by s. 29.987, and any applicable natural resources restitution
17 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If
18 no such permission is embodied in the sentence, the fine, the penalty assessment,
19 the jail assessment, the crime victim and witness assistance surcharge, the crime
20 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
21 acid analysis surcharge, any applicable drug abuse program improvement
22 surcharge, any applicable consumer information protection assessment, any
23 applicable domestic abuse assessment, any applicable driver improvement
24 surcharge, any applicable truck driver education assessment, any applicable
25 enforcement assessment, any applicable weapons assessment, any applicable

1 uninsured employer assessment, any applicable environmental assessment, any
2 applicable wild animal protection assessment, any applicable natural resources
3 assessment, and any applicable natural resources restitution payment shall be
4 payable immediately.

5 *~~1394/2.114~~* SECTION 4016. 973.05 (2) of the statutes is amended to read:

6 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
7 probation, the court may make the payment of the fine, the penalty assessment, the
8 jail assessment, the crime victim and witness assistance surcharge, the crime
9 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
10 acid analysis surcharge, any applicable drug abuse program improvement
11 surcharge, any applicable consumer ~~information~~ protection assessment, any
12 applicable domestic abuse assessment, any applicable uninsured employer
13 assessment, any applicable driver improvement surcharge, any applicable truck
14 driver education assessment, any applicable enforcement assessment under s.
15 253.06 (4) (c), any applicable weapons assessment, any applicable environmental
16 assessment, any applicable wild animal protection assessment, any applicable
17 natural resources assessment, and any applicable natural resources restitution
18 payments a condition of probation. When the payments are made a condition of
19 probation by the court, payments thereon shall be applied first to payment of the
20 penalty assessment until paid in full, shall then be applied to the payment of the jail
21 assessment until paid in full, shall then be applied to the payment of part A of the
22 crime victim and witness assistance surcharge until paid in full, shall then be
23 applied to part B of the crime victim and witness assistance surcharge until paid in
24 full, shall then be applied to the crime laboratories and drug law enforcement
25 assessment until paid in full, shall then be applied to the deoxyribonucleic acid

1 analysis surcharge until paid in full, shall then be applied to the drug abuse
2 improvement surcharge until paid in full, shall then be applied to payment of the
3 driver improvement surcharge until paid in full, shall then be applied to the truck
4 driver education assessment if applicable until paid in full, shall then be applied to
5 payment of the domestic abuse assessment until paid in full, shall then be applied
6 to payment of the consumer ~~information~~ protection assessment until paid in full,
7 shall then be applied to payment of the natural resources assessment if applicable
8 until paid in full, shall then be applied to payment of the natural resources
9 restitution payment until paid in full, shall then be applied to the payment of the
10 environmental assessment if applicable until paid in full, shall then be applied to the
11 payment of the wild animal protection assessment if applicable until paid in full,
12 shall then be applied to payment of the weapons assessment until paid in full, shall
13 then be applied to payment of the uninsured employer assessment until paid in full,
14 shall then be applied to payment of the enforcement assessment under s. 253.06 (4)
15 (c), if applicable, until paid in full, and shall then be applied to payment of the fine.

16 *~~1394/2.115~~* SECTION 4017. 973.055 (2) (b) of the statutes is amended to read:

17 973.055 (2) (b) If the assessment is imposed by a municipal court, after a
18 determination by the court of the amount due, the court shall collect and transmit
19 the amount to the treasurer of the county, city, town, or village, and that treasurer
20 shall make payment to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

21 *~~1394/2.116~~* SECTION 4018. 973.07 of the statutes is amended to read:

22 **973.07 Failure to pay fine or costs or to comply with certain**
23 **community service work.** If the fine, costs, penalty assessment, jail assessment,
24 crime victim and witness assistance surcharge, crime laboratories and drug law
25 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,

1 applicable drug abuse program improvement surcharge, applicable consumer
2 ~~information~~ protection assessment, applicable domestic abuse assessment,
3 applicable driver improvement surcharge, applicable truck driver education
4 assessment, applicable enforcement assessment under s. 253.06 (4) (c), applicable
5 weapons assessment, applicable uninsured employer assessment, applicable
6 environmental assessment, applicable wild animal protection assessment,
7 applicable natural resources assessment, and applicable natural resources
8 restitution payments are not paid or community service work under s. 943.017 (3)
9 is not completed as required by the sentence, the defendant may be committed to the
10 county jail until the fine, costs, penalty assessment, jail assessment, crime victim
11 and witness assistance surcharge, crime laboratories and drug law enforcement
12 assessment, applicable deoxyribonucleic acid analysis surcharge, applicable drug
13 abuse program improvement surcharge, applicable consumer ~~information~~
14 protection assessment, applicable domestic abuse assessment, applicable driver
15 improvement surcharge, applicable truck driver education assessment, applicable
16 enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment,
17 applicable uninsured employer assessment, applicable environmental assessment,
18 applicable wild animal protection assessment, applicable natural resources
19 assessment or applicable natural resources restitution payments are paid or
20 discharged, or the community service work under s. 943.017 (3) is completed, for a
21 period fixed by the court not to exceed 6 months.

22 *b0675/2.4* SECTION 4018f. 973.075 (1) (b) 1m. e. of the statutes is amended
23 to read:

24 973.075 (1) (b) 1m. e. To cause more than \$1,000 \$2,500 worth of criminal
25 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

1 ***b0675/2.4* SECTION 4018h.** 973.075 (2) (d) of the statutes is amended to read:

2 973.075 (2) (d) The officer has probable cause to believe that the property was
3 derived from or realized through a crime or that the property is a vehicle which was
4 used to transport any property or weapon used or to be used or received in the
5 commission of any felony, which was used in the commission of a crime relating to
6 a submerged cultural resource in violation of s. 44.47, or which was used to cause
7 more than \$1,000 \$2,500 worth of criminal damage to cemetery property in violation
8 of s. 943.01 (2) (d) or 943.012.

9 ***-1855/2.49* SECTION 4019.** 973.09 (1) (a) of the statutes is amended to read:

10 973.09 (1) (a) Except as provided in par. (c) or if probation is prohibited for a
11 particular offense by statute, if a person is convicted of a crime, the court, by order,
12 may withhold sentence or impose sentence under s. 973.15 and stay its execution,
13 and in either case place the person on probation to the department for a stated period,
14 stating in the order the reasons therefor. The court may impose any conditions which
15 appear to be reasonable and appropriate. The period of probation may be made
16 consecutive to a sentence on a different charge, whether imposed at the same time
17 or previously. If the court imposes an increased term of probation, as authorized
18 under sub. (2) (a) (am) 2. or (b) 2., it shall place its reasons for doing so on the record.

19 ***-1855/2.50* SECTION 4020.** 973.09 (2) (intro.) and (a) 1. of the statutes are
20 consolidated, renumbered 973.09 (2) (am) 1. and amended to read:

21 973.09 (2) (am) 1. The Subject to subd. 2., the original term of probation for an
22 indeterminate sentence misdemeanor shall be: (a) 1. Except as provided in subd. 2.,
23 for misdemeanors, not less than 6 months nor more than 2 years.

24 ***-1855/2.51* SECTION 4021.** 973.09 (2) (a) 2. of the statutes is renumbered
25 973.09 (2) (am) 2. and amended to read:

1 973.09 (2) (am) 2. If the probationer is convicted of not less than 2 nor more than
2 4 indeterminate sentence misdemeanors at the same time, the maximum original
3 term of probation may be increased by one year. If the probationer is convicted of 5
4 or more indeterminate sentence misdemeanors at the same time, the maximum
5 original term of probation may be increased by 2 years.

6 ***-1855/2.52*** SECTION 4022. 973.09 (2) (ag) of the statutes is created to read:

7 973.09 (2) (ag) *Definitions*. In this subsection:

8 1. "Bifurcated sentence misdemeanor" means a misdemeanor committed on or
9 after the effective date of this subdivision [revisor inserts date], for which a court
10 may impose a bifurcated sentence under s. 973.01.

11 2. "Indeterminate sentence misdemeanor" means a misdemeanor other than
12 a bifurcated sentence misdemeanor.

13 ***-1855/2.53*** SECTION 4023. 973.09 (2) (am) (title) of the statutes is created to
14 read:

15 973.09 (2) (am) (title) *Misdemeanors for which a bifurcated sentence may not*
16 *be imposed.*

17 ***-1855/2.54*** SECTION 4024. 973.09 (2) (b) (title) of the statutes is created to
18 read:

19 973.09 (2) (b) (title) *Crimes for which a bifurcated sentence may be imposed.*

20 ***-1855/2.55*** SECTION 4025. 973.09 (2) (b) 1. of the statutes is amended to read:

21 973.09 (2) (b) 1. ~~Except as provided in~~ Subject to subd. 2., the original term of
22 probation for felonies, and bifurcated sentence misdemeanors shall be not less than
23 one year nor more than either the ~~statutory~~ maximum term of ~~imprisonment~~
24 confinement in prison for the crime or 3 years, whichever is greater.

25 ***-1855/2.56*** SECTION 4026. 973.09 (2) (b) 2. of the statutes is amended to read:



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1 973.09 (2) (b) 2. If the probationer is convicted of 2 or more crimes, including
2 at least one felony or bifurcated sentence misdemeanor, at the same time, the
3 maximum original term of probation may be increased by one year for each felony
4 conviction for a felony or a bifurcated sentence misdemeanor.

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973.09(4)(a) and
Sj's

5 → *b0586/2.1* SECTION 4026g. 973.09 (4) of the statutes is/amended to read:

6 plain 973.09 (4) (a) The court may also require as a condition of probation that the
7 probationer be confined during such period of the term of probation as the court
8 prescribes, but not to exceed one year. The court may grant the privilege of leaving
9 the county jail, Huber facility, work camp, or tribal jail during the hours or periods
10 of employment or other activity under s. 303.08 (1) (a) to (e) while confined under this
11 subsection. The court may specify the necessary and reasonable hours or periods
12 during which the probationer may leave the jail, Huber facility, work camp, or tribal
13 jail or the court may delegate that authority to the sheriff. In those counties without
14 a Huber facility under s. 303.09, a work camp under s. 303.10, or an agreement under
15 s. 302.445, the probationer shall be confined in the county jail. In those counties with
16 a Huber facility under s. 303.09, the sheriff shall determine whether confinement
17 under this subsection is to be in that facility or in the county jail. In those counties
18 with a work camp under s. 303.10, the sheriff shall determine whether confinement
19 is to be in the work camp or the county jail. The sheriff may transfer persons confined
20 under this subsection between a Huber facility or a work camp and the county jail.
21 In those counties with an agreement under s. 302.445, the sheriff shall determine
22 whether a person who is confined under this subsection is to be confined in the tribal jail or the county jail,
23 unless otherwise provided under the agreement. In those counties, the sheriff may
24 transfer persons confined under this subsection between a tribal jail and a county
25 jail, unless otherwise provided under the agreement.

but who is not subject to
an order under par. (b)

1 (c) While subject to this subsection, the probationer is subject to s. 303.08 (1),
2 (3) to (6), (8) to (12), and (14) or to s. 303.10, whichever is applicable, and to all the
3 rules of the county jail, Huber facility, work camp or tribal jail facility to which the
4 probationer is confined, and to the discipline of the department, if confined to a
5 facility under par. (b), or the sheriff.

6 *b0586/2.1* SECTION 4026r. 973.09 (4) (b) of the statutes is created to read:

7 973.09 (4) (b) With the consent of the department and when recommended in
8 the presentence investigation, the court may order that a felony offender subject to
9 this subsection be confined in a facility located in the city of Milwaukee under s.
10 301.13 or 301.16 (1q), for the purpose of allowing the offender to complete an alcohol
11 and other drug abuse treatment program.

12 *-1855/2.57* SECTION 4027. 973.15 (2m) of the statutes is created to read:

13 973.15 (2m) (a) *Definitions*. In this subsection:

14 1. "Determinate sentence" means a bifurcated sentence imposed under s.
15 973.01 or a life sentence under which a person is eligible for release to extended
16 supervision under s. 973.014 (1g) (a) 1. or 2.

17 2. "Indeterminate sentence" means a sentence to the Wisconsin state prisons
18 other than one of the following:

19 a. A determinate sentence.

20 b. A sentence under which the person is not eligible for release on parole under
21 s. 939.62 (2m) (c) or 973.014 (1) (c).

22 3. "Period of confinement in prison," with respect to any sentence to the
23 Wisconsin state prisons, means any time during which a person is incarcerated
24 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113

1 (3), or 302.114 (3) and any period of confinement in prison required to be served under
2 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

3 (b) *Determinate sentences imposed to run concurrent with or consecutive to*
4 *determinate sentences.* 1. If a court provides that a determinate sentence is to run
5 concurrent with another determinate sentence, the person sentenced shall serve the
6 periods of confinement in prison under the sentences concurrently and the terms of
7 extended supervision under the sentences concurrently.

8 2. If a court provides that a determinate sentence is to run consecutive to
9 another determinate sentence, the person sentenced shall serve the periods of
10 confinement in prison under the sentences consecutively and the terms of extended
11 supervision under the sentences consecutively and in the order in which the
12 sentences have been pronounced.

13 (c) *Determinate sentences imposed to run concurrent with or consecutive to*
14 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run
15 concurrent with an indeterminate sentence, the person sentenced shall serve the
16 period of confinement in prison under the determinate sentence concurrent with the
17 period of confinement in prison under the indeterminate sentence and the term of
18 extended supervision under the determinate sentence concurrent with the parole
19 portion of the indeterminate sentence.

20 2. If a court provides that a determinate sentence is to run consecutive to an
21 indeterminate sentence, the person sentenced shall serve the period of confinement
22 in prison under the determinate sentence consecutive to the period of confinement
23 in prison under the indeterminate sentence and the parole portion of the
24 indeterminate sentence consecutive to the term of extended supervision under the
25 determinate sentence.

1 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*
2 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run
3 concurrent with a determinate sentence, the person sentenced shall serve the period
4 of confinement in prison under the indeterminate sentence concurrent with the
5 period of confinement in prison under the determinate sentence and the parole
6 portion of the indeterminate sentence concurrent with the term of extended
7 supervision required under the determinate sentence.

8 2. If a court provides that an indeterminate sentence is to run consecutive to
9 a determinate sentence, the person sentenced shall serve the period of confinement
10 in prison under the indeterminate sentence consecutive to the period of confinement
11 in prison under the determinate sentence and the parole portion of the
12 indeterminate sentence consecutive to the term of extended supervision under the
13 determinate sentence.

14 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent
15 determinate sentences and extended supervision is revoked in each case, or if a
16 person is serving a determinate sentence concurrent with an indeterminate sentence
17 and both extended supervision and parole are revoked, the person shall concurrently
18 serve any periods of confinement in prison required under those sentences under s.
19 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

20 *-1855/2.58* SECTION 4028. 973.155 (1) (b) of the statutes is amended to read:
21 973.155 (1) (b) The categories in par. (a) include custody of the convicted
22 offender which is in whole or in part the result of a probation, extended supervision
23 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed
24 upon the person for the same course of conduct as that resulting in the new
25 conviction.

1 *~~0447/3.16~~* SECTION 4029. 976.08 of the statutes is amended to read:

2 **976.08 Additional applicability.** In this chapter, “prisoner” includes any
3 person subject to an order under s. 48.366 or 938.183 who is confined to a Wisconsin
4 state prison ~~and any person subject to an order under s. 938.34 (4h) who is 17 years~~
5 ~~of age or older.~~

6 *~~0052/1.1~~* SECTION 4030. 977.05 (6) (c) of the statutes is repealed.

7 *~~0052/1.2~~* SECTION 4031. 977.05 (6) (cm) of the statutes is repealed.

8 *~~b0585/1.4~~* SECTION 4032m. 978.13 (1) (d) of the statutes is amended to read:

9 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
10 and fringe benefit costs of 2 clerk positions providing clerical services to the
11 prosecutors in the district attorney’s office handling cases involving the unlawful
12 possession or use of firearms. The state treasurer shall pay the amount authorized
13 under this paragraph to the county treasurer from the appropriation under s. 20.475
14 (1) (f) pursuant to a voucher submitted by the district attorney to the department of
15 administration. The amount paid under this paragraph may not exceed \$51,300 in
16 ~~the 1999–2000 fiscal year and \$64,000 in the 2000–01 fiscal year~~ the amount
17 appropriated under s. 20.475 (1) (f).

18 *~~b0457/2.3~~* SECTION 4033g. 979.01 (1m) of the statutes is amended to read:

19 979.01 (1m) The coroner or medical examiner receiving notification under sub.
20 (1) shall immediately notify the attorney general and district attorney.

21 *~~b0457/2.3~~* SECTION 4033k. 979.015 of the statutes is amended to read:

22 **979.015 Subpoena for documents.** Upon the request of the coroner, medical
23 examiner, attorney general, or district attorney, a court shall issue a subpoena
24 requiring the production of documents necessary for the determination of a
25 decedent’s cause of death. The documents may include the decedent’s patient health

1 care records and treatment records, as defined in ss. 51.30 and 146.81 (4). The
2 documents shall be returnable to the officer named in the subpoena.

3 *b0457/2.3* SECTION 4033n. 979.02 of the statutes is amended to read:

4 **979.02 Autopsies.** The coroner, medical examiner, attorney general, or
5 district attorney may order ~~the conducting of~~ an autopsy upon the body of a dead
6 person any place within the state in cases where an inquest might be had as provided
7 in s. 979.04 notwithstanding the fact that no such inquest is ordered or conducted.
8 The autopsy shall be conducted by a licensed physician who has specialized training
9 in pathology. The attorney general or district attorney may move the circuit court
10 for the county in which the body is buried for an order disinterring the body for
11 purposes of autopsy. The order shall be granted by the circuit court upon a
12 reasonable showing that any of the criteria specified in s. 979.04 exists. This section
13 does not prevent additional autopsies or examinations of the body if there are
14 unanswered pathological questions concerning the death and the causes of death.

15 *-1606/3.1* SECTION 4034. 979.025 of the statutes is created to read:

16 **979.025 Autopsy of correctional inmate.** (1) INMATE CONFINED TO AN
17 INSTITUTION IN THIS STATE. If an individual dies while he or she is in the legal custody
18 of the department and confined to a correctional facility located in this state, the
19 coroner or medical examiner of the county where the death occurred shall perform
20 an autopsy on the deceased individual. If the coroner or medical examiner who
21 performs the autopsy determines that the individual's death may have been the
22 result of any of the situations that would permit the district attorney to order an
23 inquest under s. 979.04 (1), the coroner or medical examiner shall follow the
24 procedures under s. 979.04 (2).

1 (2) INMATE CONFINED IN AN INSTITUTION IN ANOTHER STATE. If an individual dies
2 while he or she is in the legal custody of the department and confined to a correctional
3 facility in another state under a contract under s. 301.07, 301.21, or 302.25, the
4 department shall have an autopsy performed by an appropriate authority in the
5 other state or by the coroner or medical examiner of the county in which the circuit
6 court is located that sentenced the individual to the custody of the department. If
7 the coroner or medical examiner who performs the autopsy in this state determines
8 that the individual's death may have been the result of any of the situations that
9 would permit the district attorney to order an inquest under s. 979.04 (1), the coroner
10 or medical examiner shall forward the results of the autopsy to the appropriate
11 authority in the other state.

12 (3) COSTS OF AN AUTOPSY. The costs of an autopsy performed under sub. (1) or
13 (2) shall be paid by the department.

14 ***b0457/2.4* SECTION 4034b.** 979.04 (1) of the statutes is amended to read:

15 979.04 (1) If the attorney general or district attorney has notice of the death
16 of any person and there is reason to believe from the circumstances surrounding the
17 death that felony murder, first-degree or 2nd-degree intentional homicide,
18 first-degree or 2nd-degree reckless homicide, homicide by negligent handling of a
19 dangerous weapon, explosives, or fire, homicide by negligent operation of a vehicle,
20 homicide resulting from negligent control of a vicious animal, or homicide by
21 intoxicated user of a vehicle or firearm may have been committed, or that death may
22 have been due to suicide or unexplained or suspicious circumstances, the attorney
23 general or district attorney may order that an inquest be conducted for the purpose
24 of inquiring how the person died. The attorney general or district attorney shall
25 appear in any such inquest representing the state in presenting all evidence which

1 that may be relevant or material to the inquiry of the inquest. The inquest may be
2 held in any county in this state in which venue would lie for the trial of any offense
3 charged as the result of or involving the death. An inquest may only be ordered by
4 the attorney general or district attorney under this subsection or by the circuit judge
5 under sub. (2).

6 *b0457/2.4* SECTION 4034c. 979.04 (2) of the statutes is amended to read:

7 979.04 (2) If the coroner or medical examiner has knowledge of the death of any
8 person in the manner described under sub. (1), he or she shall immediately notify the
9 attorney general and district attorney. The notification shall include information
10 concerning the circumstances surrounding the death. The coroner or medical
11 examiner may request the attorney general and district attorney to order an inquest
12 under sub. (1). If the attorney general and district attorney ~~refuses~~ refuse to order
13 the inquest, a coroner or medical examiner may petition the circuit court to order an
14 inquest. The court may issue the order if it finds that the attorney general or district
15 attorney has abused his or her discretion in not ordering an inquest.

16 *b0457/2.4* SECTION 4034d. 979.04 (3) of the statutes is amended to read:

17 979.04 (3) Subsequent to receipt of notice of the death, the attorney general or
18 district attorney may request the coroner or medical examiner to conduct a
19 preliminary investigation and report back to the attorney general or district
20 attorney. The attorney general or district attorney may determine the scope of the
21 preliminary investigation. This subsection does not limit or prevent any other
22 investigation into the death by any law enforcement agency with jurisdiction over
23 the investigation.

24 *b0457/2.4* SECTION 4034f. 979.05 (2) of the statutes is amended to read:

1 979.05 (2) The inquest shall be conducted before a jury unless the attorney
2 general, district attorney, coroner, or medical examiner requests that the inquest be
3 conducted before only the judge or court commissioner only. If the inquest is to be
4 conducted before a jury, a sufficient number of names of prospective jurors shall be
5 selected from the prospective juror list for the county in which the inquest is to be
6 held by the clerk of circuit court in the manner provided in s. 756.06. The judge or
7 court commissioner conducting the inquest shall summon the prospective jurors to
8 appear before the judge or court commissioner at the time fixed in the summons. The
9 summons may be served by mail, or by personal service if the judge, court
10 commissioner, attorney general, or district attorney determines personal service to
11 be appropriate. The summons shall be in the form used to summon petit jurors in
12 the circuit courts of the county. Any person who fails to appear when summoned as
13 an inquest juror is subject to a forfeiture of not more than \$40. The inquest jury shall
14 consist of 6 jurors. If 6 jurors do not remain from the number originally summoned
15 after establishment of qualifications, the judge or court commissioner conducting the
16 inquest may require the clerk of the circuit court to select sufficient additional jurors'
17 names. Those persons shall be summoned forthwith by the sheriff of the county.

18 ***b0457/2.4* SECTION 4034g.** 979.05 (3) of the statutes is amended to read:

19 979.05 (3) The judge or court commissioner shall examine on oath or
20 affirmation each person who is called as a juror to discover whether the juror is
21 related by blood, marriage, or adoption to the decedent, any member of the decedent's
22 family, the attorney general, district attorney, any other attorney appearing in the
23 case, or any members of the office of the attorney general, district attorney, or of the
24 office of any other attorney appearing in the case; has expressed or formed any
25 opinion regarding the matters ~~being inquired into in~~ of the inquest; or is aware of or

1 has any bias or prejudice concerning the matters ~~being inquired into in~~ of the
2 inquest. If any prospective juror is found to be not indifferent or is found to have
3 formed an opinion ~~which~~ that cannot be laid aside, that juror shall be excused. The
4 judge or court commissioner may select one or more alternate jurors if the inquest
5 is likely to be protracted. This subsection does not limit the right of the attorney
6 general or district attorney to supplement the judge's or court commissioner's
7 examination of any prospective jurors as to qualifications.

8 *b0457/2.4* SECTION 4034h. 979.05 (5) of the statutes is amended to read:

9 979.05 (5) Prior to the submission of evidence to the jury, the judge or court
10 commissioner may instruct the jury on its duties and on the substantive law
11 regarding the issues ~~which may be inquired into~~ before the jury. The attorney
12 general or district attorney may, at any time during the course of the inquest, make
13 statements to the jury relating to procedural or evidentiary matters that he or she
14 and the judge or court commissioner deem appropriate. Section 972.12 applies to the
15 conduct of the inquest jury.

16 *b0457/2.4* SECTION 4034j. 979.05 (6) of the statutes is amended to read:

17 979.05 (6) The judge or court commissioner conducting the inquest may order
18 that proceedings be secret if the attorney general or district attorney so requests or
19 concurs.

20 *b0457/2.4* SECTION 4034m. 979.06 (1) of the statutes is amended to read:

21 979.06 (1) The judge or court commissioner may issue subpoenas for witnesses
22 at the request of the coroner or medical examiner and shall issue subpoenas for
23 witnesses requested by the attorney general or district attorney. Subpoenas are
24 returnable at the time and place stated therein. Persons who are served with a

1 subpoena may be compelled to attend proceedings in the manner provided in s.
2 885.12.

3 *b0457/2.4* SECTION 4034n. 979.06 (2) of the statutes is amended to read:

4 979.06 (2) The judge or court commissioner conducting the inquest and the
5 attorney general or district attorney may require by subpoena the attendance of one
6 or more expert witnesses, including physicians, surgeons, and pathologists, for the
7 purposes of conducting an examination of the body and all relevant and material
8 scientific and medical tests connected with the examination and testifying as to the
9 results of the examination and tests. The expert witnesses so subpoenaed shall
10 receive reasonable fees determined by the attorney general or district attorney and
11 the judge or court commissioner conducting the inquest.

12 *b0457/2.4* SECTION 4034p. 979.07 (1) (a) of the statutes is amended to read:

13 979.07 (1) (a) If a person refuses to testify or to produce books, papers, or
14 documents when required to do so before an inquest for the reason that the testimony
15 or evidence required of the person may tend to incriminate him or her or subject him
16 or her to a forfeiture or penalty, the person may be compelled to testify or produce the
17 evidence by order of the circuit court of the county in which the inquest is convened
18 on motion of the attorney general or district attorney. A person who testifies or
19 produces evidence in obedience to the command of the court in that case is not subject
20 to any forfeiture or penalty for or on account of testifying or producing evidence,
21 except the person is subject to prosecution and punishment for perjury or false
22 swearing committed in so testifying.

23 *b0457/2.4* SECTION 4034r. 979.08 (1) of the statutes is amended to read:

24 979.08 (1) When the evidence is concluded and the testimony closed, the judge
25 or court commissioner shall instruct the jury on its duties and on the substantive law

1 regarding the issues ~~inquired into~~ before the jury. The attorney general or district
2 attorney shall prepare a written set of appropriate requested instructions and shall
3 submit them to the judge or court commissioner who, together with the attorney
4 general or district attorney, shall compile the final set of instructions ~~which that~~ shall
5 be given. The instructions shall include those criminal offenses for which the judge
6 or court commissioner believes a reasonable jury might return a verdict based upon
7 a finding of probable cause.

8 *b0457/2.4* SECTION 4034t. 979.08 (5) of the statutes is amended to read:

9 979.08 (5) The verdict delivered by the inquest jury is advisory and does not
10 preclude or require the issuance of any criminal charges by the attorney general or
11 district attorney.

12 *b0457/2.4* SECTION 4034u. 979.08 (6) of the statutes is amended to read:

13 979.08 (6) Any verdict so rendered, after being validated and signed by the
14 judge or court commissioner, together with the record of the inquest, shall be
15 delivered to the attorney general or district attorney for consideration. After
16 considering the verdict and record, the attorney general or district attorney may
17 deliver the entire inquest record or any part thereof to the coroner or medical
18 examiner for safekeeping.

19 *b0457/2.4* SECTION 4034v. 979.09 of the statutes is amended to read:

20 **979.09 Burial of body.** If any judge or court commissioner conducts an
21 inquest as to the death of a stranger or of a person whose identity is unknown or
22 whose body is unclaimed, or if the attorney general or district attorney determines
23 that no inquest into the death of such a person is necessary and the circuit judge has
24 not ordered an inquest under s. 979.04 (2), the coroner or medical examiner shall
25 cause the body to be decently buried or cremated and shall certify to all the charges

1 incurred in taking any inquest by him or her and to the expenses of burial or
2 cremation of the dead body. The If the district attorney or circuit court ordered the
3 inquest, charges and expenses shall be audited by the county board of the proper
4 county and paid out of the county treasury. If the attorney general ordered the
5 inquest, charges and expenses, except as provided under s. 979.11, shall be audited
6 and paid by the department of justice.

7 *b0457/2.4* SECTION 4034w. 979.10 (2) of the statutes is amended to read:

8 979.10 (2) If a corpse is to be cremated, the coroner or medical examiner shall
9 make a careful personal inquiry into the cause and manner of death, and conduct an
10 autopsy or order the conducting of an autopsy, if in his or her or the attorney general's
11 or district attorney's opinion it is necessary to determine the cause and manner of
12 death. If the coroner or medical examiner determines that no further examination
13 or judicial inquiry is necessary he or she shall certify that fact. Upon written request
14 by the attorney general or district attorney the coroner or medical examiner shall
15 obtain the concurrence of the attorney general or district attorney before issuing the
16 certification. If the coroner or medical examiner determines that further
17 examination or judicial inquiry is necessary, he or she shall notify the attorney
18 general and district attorney under s. 979.04 (2).

19 *b0457/2.4* SECTION 4034y. 979.11 of the statutes is amended to read:

20 979.11 Compensation of officers. The sole compensation of the coroner and
21 deputy coroners for attendance at an inquest and for any preliminary investigation
22 under this chapter at the direction of the attorney general or district attorney shall
23 be a reasonable sum set by the county board for each day actually and necessarily
24 required for the purpose, and a sum set by the county board for each mile actually
25 and necessarily traveled in performing the duty. Any coroner or deputy coroner may

1 be paid an annual salary and allowance for traveling expenses to be established by
2 the county board under s. 59.22 which shall be in lieu of all fees, per diem and
3 compensation for services rendered.

4 ***b0471/1.1* SECTION 4034m.** 980.08 (5m) of the statutes is created to read:

5 980.08 (5m) (a) In this subsection:

6 1. "Building complex" means a group of contiguous buildings under common
7 ownership.

8 2. "Sex offender registrant" means a person on probation, parole, or extended
9 supervision who is required to register as a sex offender under s. 301.45.

10 (b) The department or a county may not place a person who is on supervised
11 release in a residential building or building complex that is within 2,500 feet of
12 another residential building or building complex in which a sex offender registrant
13 or another person on supervised release is placed. This subsection does not prohibit
14 the department or county from placing a person who is on supervised release in the
15 same residential building or building complex in which a sex offender registrant or
16 another person on supervised release is placed.

17 ***b0497/1.1* SECTION 4034m.** 992.14 of the statutes is created to read:

18 **992.14 Revenue limit agreement.** Notwithstanding s. 121.91, if a school
19 district held a referendum before February 5, 2001, to exceed its revenue limit under
20 s. 121.91 (2m) (e), and the resolution adopted by the school board and referred to in
21 the question submitted to the electors specified a mill rate to be used to calculate the
22 revenue limit increase, the amount by which the school district's revenue limit is
23 increased as a result of the referendum for each year specified in the referendum is
24 the dollar amount agreed to by the department of public instruction and the school
25 board of that school district.

1 ***-0451/1.1*** **SECTION 4035.** 1997 Wisconsin Act 4, section 4 (1) (a), as last
2 affected by 1999 Wisconsin Act 9, section 3261, is amended to read:

3 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
4 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
5 until July 1, ~~2001~~ 2003, operate the secured correctional facility, as defined in section
6 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27, section 9126
7 (26v), as a state prison named in section 302.01 of the statutes, as affected by this
8 act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes,
9 who are not more than 21 years of age and who are not violent offenders, as
10 determined by the department of corrections.

11 ***-1825/1.2*** **SECTION 4036.** 1997 Wisconsin Act 27, section 1622d is repealed.

12 ***-1825/1.3*** **SECTION 4037.** 1997 Wisconsin Act 27, section 1623d is repealed.

13 ***-1825/1.4*** **SECTION 4038.** 1997 Wisconsin Act 27, section 1624d is repealed.

14 ***b0670/3.25*** **SECTION 4039b.** 1997 Wisconsin Act 27, section 9101 (11m) is
15 amended to read:

16 [1997 Wisconsin Act 27] Section 9101 (11m) **REPORT BY LAND INFORMATION**
17 **BOARD AND WISCONSIN LAND COUNCIL.** No later than September 1, ~~2002~~ 2006, the land
18 information board and Wisconsin land council shall report to the legislature in the
19 manner provided under section 13.172 (2) of the statutes and to the governor
20 concerning the issue of continuation of their functions, including the feasibility of
21 combination of their functions.

22 ***b0479/2.3*** **SECTION 4039p.** 1997 Wisconsin Act 27, section 9123 (6) is
23 repealed.

24 ***b0479/2.3*** **SECTION 4039q.** 1997 Wisconsin Act 27, section 9123 (6m) is
25 repealed.

1 ***b0479/2.3* SECTION 4039r.** 1997 Wisconsin Act 27, section 9123 (10g) is
2 repealed.

3 ***-1825/1.5* SECTION 4040.** 1997 Wisconsin Act 27, section 9423 (10f) is
4 repealed.

5 ***b0670/3.26* SECTION 4041b.** 1997 Wisconsin Act 27, section 9456 (3m) is
6 amended to read:

7 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION
8 BOARD AND WISCONSIN LAND COUNCIL. The treatment of sections 15.07 (1) (b) 16.,
9 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505
10 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)
11 (e), 36.25 (12m) (intro.), ~~59.43 (2) (ag) 1. and (e)~~, 59.72 (1) (a) and (b), (3) (intro.), (a)
12 and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2)
13 ~~and (4) and (5)~~, 16.967, 20.505 (1) (ie), (ig), (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and
14 59.72 (1) (am), (3) (c) and (4) of the statutes and SECTION 9101 (1) of this act take effect
15 on September 1, ~~2003~~ 2007.

16 ***b0006/15.35* SECTION 4041m.** 1997 Wisconsin Act 237, section 82er is
17 repealed.

18 ***b0006/15.35* SECTION 4041n.** 1997 Wisconsin Act 237, section 9452 is
19 repealed.

20 ***-1825/1.6* SECTION 4042.** 1997 Wisconsin Act 252, section 51 is repealed.

21 ***-1825/1.7* SECTION 4043.** 1997 Wisconsin Act 252, section 53 is repealed.

22 ***-1825/1.8* SECTION 4044.** 1997 Wisconsin Act 252, section 201 (1) is repealed.

23 ***-2309/3.2* SECTION 4045.** 1999 Wisconsin Act 9, section 11ac is repealed.

24 ***-2309/3.3* SECTION 4046.** 1999 Wisconsin Act 9, section 593ac is repealed.

1 ***b0326/3.2* SECTION 4046v.** 1999 Wisconsin Act 9, section 9123 (3) (a) is
2 amended to read:

3 [1999 Wisconsin Act 9] Section 9123 (3) (a) From the ~~appropriations under~~
4 ~~section 20.435 (6) (a) of the statutes, as affected by this act, and section 20.435 (6) (n)~~
5 appropriation account under section 20.435 (7) (md) of the statutes, the department
6 of health and family services shall expend up to \$398,000 in state fiscal year 2001-02
7 and up to \$38,000 in state fiscal year 2002-03 to contract with counties or federally
8 recognized American Indian tribes or bands to provide up to 4 demonstration projects
9 in state fiscal year 2000-01, except that the department is not precluded from also
10 awarding funds for this purpose under section 46.54 of the statutes, as affected by
11 this act. The demonstration projects shall be to provide mental health and alcohol
12 or other drug abuse services under managed care programs to persons who suffer
13 from mental illness, alcohol or other drug dependency, or both mental illness and
14 alcohol or other drug dependency.

15 ***b0359/4.10* SECTION 4046g.** 1999 Wisconsin Act 9, section 1278t is repealed.

16 ***b0447/2.4* SECTION 4046m.** 1999 Wisconsin Act 9, section 9136 (10) is
17 repealed.

18 ***-1394/2.117* SECTION 4047.** 1999 Wisconsin Act 9, section 9201 (2m) is
19 repealed.

20 ***-1394/2.118* SECTION 4048.** 1999 Wisconsin Act 9, section 9201 (2n) is
21 repealed.

22 ***-1394/2.119* SECTION 4049.** 1999 Wisconsin Act 9, section 9201 (2p) is
23 repealed.

24 ***-1394/2.120* SECTION 4050.** 1999 Wisconsin Act 9, section 9211 (title) and
25 (2g) are repealed.

MOVE

Ejs

1 ***-1394/2.121*** SECTION 4051. 1999 Wisconsin Act 9, section 9230 (title) and (1)
2 are repealed.

3 ***-1394/2.122*** SECTION 4052. 1999 Wisconsin Act 9, section 9230 (2m) is
4 repealed.

5 ***-1394/2.123*** SECTION 4053. 1999 Wisconsin Act 9, section 9230 (3m) is
6 repealed.

7 ***-1394/2.124*** SECTION 4054. 1999 Wisconsin Act 9, section 9238 (title) and
8 (1h) are repealed.

STET: Do NOT
DELETE 4's

9 ***-1394/2.125*** SECTION 4055. 1999 Wisconsin Act 9, section 9239 (title) and
10 (1h) are repealed.

11 ***-1394/2.126*** SECTION 4056. 1999 Wisconsin Act 9, section 9239 (2h) is
12 repealed.

13 ***-0529/6.13*** SECTION 4057. 1999 Wisconsin Act 9, section 9357 (3) is amended
14 to read:

15 [1999 Wisconsin Act 9] Section 9357 (3) ASSIGNMENT OF RECEIVING AND
16 DISBURSING FEES. The treatment of sections 767.265 (1), (2h) (by SECTION 3059) and
17 (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the statutes and the amendment of section
18 767.265 (1m) of the statutes first ~~apply~~ applies to annual receiving and disbursing
19 fees that are ordered on the effective date of this subsection.

20 ***b0670/3.27*** SECTION 4059b. 1999 Wisconsin Act 9, section 9401 (2zt) is
21 amended to read:

22 [1999 Wisconsin Act 9] Section 9401 (2zt) WISCONSIN LAND COUNCIL. The
23 treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on
24 September 1, ~~2003~~ 2007.