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This is an ~~amendment~~
amendment to Sen.
Baumgart's bomb scare
bill. It adds biological
& chemical weapons.

Marks,
Pat



SENATE SUBSTITUTE AMENDMENT,
TO 2001 SENATE BILL 221

1 **AN ACT** *to amend* 938.34 (5g) (d); and *to create* 938.34 (13p) and 947.017 of the
2 statutes; **relating to:** biological or chemical substance scares, juvenile court
3 dispositions for a juvenile who is found to have made a bomb scare or a biological
4 or chemical substance scare involving a school premises or to have possessed
5 or discharged a firearm in a school zone, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

6 **SECTION 1.** 938.34 (5g) (d) of the statutes is amended to read:

7 938.34 (5g) (d) Under this subsection, a juvenile who is under 14 years of age
8 may not be required to perform more than 40 total hours of supervised work or other
9 community service work, except as provided in subs. (13p), (13r), and (14t).

10 **SECTION 2.** 938.34 (13p) of the statutes is created to read:

11 938.34 (13p) **BOMB SCARES, BIOLOGICAL OR CHEMICAL SUBSTANCE SCARES, OR**
12 **FIREARMS AT SCHOOL.** In addition to any other disposition imposed under this section,

1 if the juvenile is found to have violated s. 947.015 and the property involved is a
2 school premises, as defined in s. 948.61 (1) (c), is found to have violated s. 947.017
3 (2) and the threat concerned release or dissemination of a harmful substance on a
4 school premises, as defined in s. 948.61 (1) (c), or is found to have violated s. 948.605
5 (2) (a) or (3) (a), the court may order any one or more of the following dispositions:

6 (a) That the juvenile participate in anger management counseling or any other
7 counseling ordered by the court.

8 (b) That the juvenile participate for 100 hours in a supervised work program
9 under sub. (5g) or perform 100 hours of other community service work, unless the
10 court determines that the juvenile would pose a threat to public safety while
11 participating in that program or other community service work.

12 (c) That the juvenile's operating privilege, as defined in s. 340.01 (40), be
13 restricted or suspended for 2 years. If the court restricts or suspends a juvenile's
14 operating privilege under this paragraph, the court shall immediately forward to the
15 department of transportation notice of the restriction or suspension, clearly stating
16 the reason for and duration of the restriction or suspension. If the juvenile's license
17 or operating privilege is currently suspended or revoked or if the juvenile does not
18 currently possess a valid operator's license issued under ch. 343, the restriction or
19 suspension under this paragraph is effective on the date on which the juvenile is first
20 eligible for issuance or reinstatement of an operator's license under ch. 343.

21 **SECTION 3.** 947.017 of the statutes is created to read:

22 **947.017 Threats to release chemical or biological substances.** (1) In this
23 section, "harmful substance" means a toxic or poisonous chemical or its precursor or
24 a disease organism.

1 (2) Whoever, knowing the threat to be false, intentionally threatens to release
2 or disseminate a harmful substance or conveys a threat to release or disseminate a
3 harmful substance, if the threat induces a reasonable expectation or fear that a
4 harmful substance will be released or disseminated, is guilty of a Class E felony.

5 **SECTION 4. Initial applicability.**

6 (1) BOMB SCARES, BIOLOGICAL OR CHEMICAL SUBSTANCE SCARES, OR FIREARMS AT
7 SCHOOL. This act first applies to violations of section 947.015, 947.017 (2), or 948.605
8 (2) (a) or (3) (a) of the statutes committed on the effective date of this subsection.

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(END)