

2003 ASSEMBLY BILL 71

AN ACT *to create* 947.017 and 973.06 (1) (ar) of the statutes; **relating to:** threats to release or disseminate harmful chemical, biological, or radioactive substances and providing a penalty.

Analysis by the Legislative Reference Bureau

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

- 1 **SECTION 1.** 947.017 of the statutes is created to read:
- 2 **947.017 Threats to release chemical, biological, or radioactive**
- 3 **substances. (1)** In this section:
- 4 (a) “Biological agent” means a microorganism or an infectious substance, or any
- 5 naturally occurring, bioengineered, or synthesized toxin or component of a
- 6 microorganism or an infectious substance that is capable of causing death, disease,
- 7 or other biological malfunction in humans.

ASSEMBLY BILL 71**SECTION 1**

1 (b) “Harmful substance” means radioactive material that is harmful to human
2 life, a toxic chemical or its precursor, or a biological agent.

3 (c) “Microorganism” includes a bacterium, virus, fungus, rickettsia, or
4 protozoan.

5 (d) “Precursor” means any chemical reactant that takes part at any stage in the
6 production by whatever method of a toxic chemical.

7 (e) “Toxic chemical” means any chemical that through its chemical action on life
8 processes can cause death, temporary incapacitation, or permanent harm to
9 humans.

10 **(2)** Whoever, knowing the threat to be false, intentionally threatens to release
11 or disseminate a harmful substance, if the threat induces a reasonable expectation
12 or fear that the person will release or disseminate a harmful substance, is guilty of
13 a Class I felony.

14 **SECTION 2.** 973.06 (1) (ar) of the statutes is created to read:

15 973.06 **(1)** (ar) If the defendant violated s. 947.017, the moneys expended by
16 a state or local government agency for the following activities in connection with a
17 threat under s. 947.017 (2):

18 1. The response to the threat by emergency medical personnel, as defined in
19 s. 941.37 (1) (c).

20 2. The analysis of any substance alleged to be a harmful substance, as defined
21 in s. 947.017 (1).

22 3. The medical treatment of persons who are alleged to have been exposed to
23 an alleged harmful substance, as defined in s. 947.017 (1).

24 **SECTION 3. Effective date.**

