

2003 Assembly Bill 71

Date of enactment: **December 11, 2003**  
Date of publication\*: **December 29, 2003**

## 2003 WISCONSIN ACT 104

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.

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

**SECTION 1.** 947.017 of the statutes is created to read:

**947.017 Threats to release chemical, biological, or radioactive substances.** (1) In this section:

(a) "Biological agent" means a microorganism or an infectious substance, or any naturally occurring, bioengineered, or synthesized toxin or component of a microorganism or an infectious substance that is capable of causing death, disease, or other biological malfunction in humans.

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

(c) "Microorganism" includes a bacterium, virus, fungus, rickettsia, or protozoan.

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

(e) "Toxic chemical" means any chemical that through its chemical action on life processes can cause

death, temporary incapacitation, or permanent harm to humans.

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

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

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

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

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

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

**SECTION 3. Effective date.**

(1) This act takes effect on February 1, 2003, or on the day after publication, whichever is later.

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\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].