

2003 DRAFTING REQUEST

Bill

Received: 11/22/2002

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Steve Wieckert (608) 266-3070

By/Representing: Scott

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - guns and weapons  
Criminal Law - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Wieckert@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Threatening use of biological, chemical, or radioactive substances

Instructions:

2001 AB-673 + AA1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mdsida 01/17/2003	wjackson 01/17/2003					S&L Crime
/1			pgreensl 01/21/2003		amentkow 01/21/2003	-sbasford 01/29/2003 sbasford 01/29/2003	

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For: 01/22/2003.

(7/1")

<END>

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		1/17	1/17	1/21	1/21		

FE Sent For:

1/17

1/17  
PS

1/21  
PS/CPH  
<END>

Plc fo Scott

Make like bomb scare.

bc 1/24

2003

2001 ASSEMBLY BILL 673

December 7, 2001 - Introduced by Representatives WIECKERT, URBAN, DUFF, SUDER, MUSSER, JESKEWITZ, SYKORA, LADWIG, SKINDRUD, LIPPERT, OTT, ALBERS, TOWNSEND, KRAWCZYK, LASSA, LEIBHAM, OWENS, FREESE, PLOUFF, LOEFFELHOLZ, PETROWSKI, PETTIS, HINES, SINICKI, OLSEN, HAHN and PLALE, cosponsored by Senators GROBSCHMIDT, DARLING, COWLES, BURKE, SCHULTZ and ROESSLER. Referred to Committee on Criminal Justice.

REGEN

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

on or after February 1, 2003,

harmful

biological agent

Analysis by the Legislative Reference Bureau

Current law prohibits making or conveying a threat to destroy property with explosives knowing that the threat is false. This bill prohibits intentionally making a threat to release or disseminate a harmful substance knowing that the threat is false, if the threat induces a reasonable expectation or fear that the person making the threat will release or disseminate a harmful substance. The bill defines "harmful substance" as a radioactive material that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a disease organism. A person who violates the prohibition against threats concerning harmful substances may be fined not more than \$10,000, sentenced to a period of confinement in prison followed by a term of extended supervision that together may not exceed five years, or both.

The bill also requires that courts assess against persons convicted of making threats related to harmful substances, certain costs incurred by state and local government agencies in responding to the threat, including the cost of supplying emergency law enforcement and medical personnel to respond to the threat, the cost of analyzing any alleged harmful substance, and the cost of treating alleged victims exposed to an alleged harmful substance.

three and a half

Suspected

ly

**ASSEMBLY BILL 673**

CRIME

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 947.017<sup>x</sup> of the statutes is created to read:

2 947.017 Threats to release chemical, biological, or radioactive  
3 substances. (1) In this section, <sup>Ⓢ</sup>harmful substance<sup>Ⓢ</sup> means radioactive material  
4 that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a  
5 disease organism.

INS  
215

6 (2) Whoever, knowing the threat to be false, intentionally threatens to release  
7 or disseminate a harmful substance, if the threat induces a reasonable expectation  
8 or fear that the person will release or disseminate a harmful substance, is guilty of  
9 a Class ~~B~~ <sup>I</sup> felony.

10 SECTION 2. 973.06 (1) (ar)<sup>x</sup> of the statutes is created to read:

11 973.06 (1) (ar) If the defendant violated s. 947.017,<sup>√</sup> the moneys expended by  
12 a state or local government agency for the following activities in connection with a  
13 threat under s. 947.017 (2):<sup>√</sup>

14 1. The response to the threat by emergency medical personnel, as defined in  
15 s. 941.37 (1) (c).<sup>√</sup>

16 2. The analysis of any substance alleged to be a harmful substance, as defined  
17 in s. 947.017 (1).<sup>√</sup>

18 3. The medical treatment of persons who are alleged to have been exposed to  
19 an alleged harmful substance, as defined <sup>in</sup> under s. 947.017 (1).

20

(END)

INS 2/19<sup>√</sup>



**ASSEMBLY AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 673**

INS  
2/5

January 23, 2002 - Offered by Representative WIECKERT.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: delete lines 3 to 5 and substitute "**substances.** (1) In this  
3 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.

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

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

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

1 (e) "Toxic chemical" means any chemical that through its chemical action on life  
2 processes can cause death, temporary incapacitation, or permanent harm to  
3 humans.

~~(END)~~

*[Handwritten signatures and initials]*  
WB/AB

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRE [REDACTED] ns  
MCD:.....

INSERT 2/19

SECTION <sup>#</sup>4. Effective date.

<sup>#</sup>(b) This act takes effect on February 1, 2003, or on the day after publication,  
whichever is later.

## Basford, Sarah

---

**From:** Basford, Sarah  
**Sent:** Wednesday, January 22, 2003 10:31 AM  
**To:** Becher, Scott  
**Subject:** LRB -0847/1 (attached)



03-0847/1

**Sarah Basford**  
Program Assistant  
State of Wisconsin  
Legislative Reference Bureau  
PH: (608) 266-3561/FAX: (608) 264-6948  
[sarah.basford@legis.state.wi.us](mailto:sarah.basford@legis.state.wi.us)

**Basford, Sarah**

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**From:** Sommers, Tim

**Sent:** Tuesday, January 28, 2003 5:54 PM

**To:** LRB.Legal

**Subject:** Jacket LRB 0847

I am requesting that LRB 0847 be jacketed. Thank you.

**Tim Sommers**

Legislative Assistant

Office of Rep. Steve Wieckert

(608) 266-3070 FAX (608) 282-3657

01/29/2003

# Memo

To: Senator  Representative  Wieckert

(The Draft's Requestor)

Per your request ... the attached is a fiscal estimate was prepared for your un-introduced 2003 draft.

LRB Number: LRB -0847

Version: " / 1 "

Fiscal Estimate Prepared By: (agency abbr.) CTS

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requestor Via E-Mail: 01 / 31 / 2003

\* \* \* \* \*

To: LRB - Legal Section PA's

Subject: *Fiscal Estimate Received For A Un-Introduced Draft*

- > **If re-drafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version this fiscal estimate was based on), and before mark-up of the draft on the updated version.
- > **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version this fiscal estimate was based on), and before mark-up of the draft on the updated version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.
- > **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the drafts introduction number below and give to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2003 AB 71

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Friday, January 31, 2003 8:28 AM  
**To:** Rep.Wieckert  
**Subject:** LRB-0847/1 (FE by CTS - attached - for your review)



FE\_Wieckert.pdf

FE\_Wieckert.pdf