

2003 Senate Bill 105

Date of enactment: **April 8, 2004**  
Date of publication\*: **April 22, 2004**

## 2003 WISCONSIN ACT 200

AN ACT *to amend* 343.10 (1) (a) and 343.31 (3) (a); and *to create* 343.31 (2s), 938.34 (14q) and 973.137 of the statutes; **relating to**: mandatory operating privilege suspension for certain firearm offenses and bomb scares.

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

**SECTION 1.** 343.10 (1) (a) of the statutes is amended to read:

343.10 (1) (a) If a person's license or operating privilege is revoked or suspended under this chapter or s. 767.303, 938.34 (14q), or 961.50 and if the person is engaged in an occupation, including homemaking or full-time or part-time study, or a trade making it essential that he or she operate a motor vehicle, the person, after payment of the fee provided in sub. (6), may file an application with the department setting forth in detail the need for operating a motor vehicle. No person may file more than one application with respect to each revocation or suspension of the person's license or operating privilege under this chapter or s. 767.303, 938.34 (14q), or 961.50, except that this limitation does not apply to an application to amend an occupational license restriction.

**SECTION 2.** 343.31 (2s) of the statutes is created to read:

343.31 (2s) The department may suspend a person's operating privilege for 2 years upon receiving a record of conviction under s. 973.137. If the department receives a record of conviction under s. 973.137 or a notice of suspension under s. 938.34 (14q) for a person whose license or operating privilege is currently suspended or revoked

or for a person who does not currently possess a valid operator's license, the suspension is first effective on the date on which the person is first eligible for issuance, renewal, or reinstatement of an operator's license.

**SECTION 3.** 343.31 (3) (a) of the statutes is amended to read:

343.31 (3) (a) Except as otherwise provided in this subsection or sub. (2m) or (2s), all revocations or suspensions under this section shall be for a period of one year.

**SECTION 4.** 938.34 (14q) of the statutes is created to read:

938.34 (14q) **CERTAIN BOMB SCARES AND FIREARM VIOLATIONS.** In addition to any other disposition imposed under this section, if the juvenile is found to have violated s. 947.015 and the property involved is owned or leased by the state or any political subdivision of the state, or if the property involved is a school premises, as defined in s. 948.61 (1) (c), or if the juvenile is found to have violated s. 941.235 or 948.605, the court may immediately suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for 2 years. The court shall immediately forward to the department of transportation the notice of suspension, clearly stating that the suspension is for a violation of s. 947.015 involving school premises, or for a violation of s. 941.235 or 948.605. If otherwise eligible, the juvenile is eligible for an occupational license under s. 343.10.

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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].

**2003 Wisconsin Act 200**

**2003 Senate Bill 105**

**SECTION 5.** 973.137 of the statutes is created to read:  
**973.137 Courts to report convictions to the department of transportation.** Upon conviction of a person for any of the following offenses, the clerk of the court in which such conviction occurred shall promptly forward the record of conviction to the department of transportation:

(1) A violation of s. 941.235.

(1m) A violation of s. 947.015, if the property

involved is owned or leased by the state or any political subdivision of the state, or if the property involved is a school premises, as defined in s. 948.61 (1) (c).

(2) A violation of s. 948.605.

**SECTION 6. Initial applicability.**

(1) This act first applies to violations of section 941.235, 947.015, or 948.605 of the statutes committed on the effective date of this subsection.

