

## 2005 ASSEMBLY BILL 307

1     **AN ACT** *to repeal* 60.23 (21) (title); *to renumber and amend* 60.23 (21); and *to*  
2             *amend* 66.0107 (1) (a), 66.0107 (1) (b), 349.02 (2) (b) 2., 349.02 (2) (b) 4., 778.25  
3             (1) (a) 1., 778.25 (1) (a) 1m., 818.02 (7) and 961.577 of the statutes; **relating to:**  
4             municipal ordinances regarding drug paraphernalia.

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*Analysis by the Legislative Reference Bureau*

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

5             **SECTION 1.** 60.23 (21) (title) of the statutes is repealed.

6             **SECTION 2.** 60.23 (21) of the statutes is renumbered 66.0107 (1) (bp) and  
7             amended to read:

8             66.0107 (1) (bp) ~~Adopt~~ Enact and enforce an ordinance to prohibit conduct that  
9             is the same as that prohibited by s. 961.573 (1) or (2), 961.574 (1) or (2), or 961.575  
10            (1) or (2) and provide a forfeiture for violation of the ordinance.

**ASSEMBLY BILL 307****SECTION 3**

1           **SECTION 3.** 66.0107 (1) (a) of the statutes is amended to read:

2           66.0107 **(1)** (a) Prohibit all forms of gambling and fraudulent devices and  
3 practices;

4           **SECTION 4.** 66.0107 (1) (b) of the statutes is amended to read:

5           66.0107 **(1)** (b) Seize anything devised solely for gambling or found in actual  
6 use for gambling and destroy the device after a judicial determination that it was  
7 used solely for gambling or found in actual use for gambling; ~~and.~~

8           **SECTION 5.** 349.02 (2) (b) 2. of the statutes is amended to read:

9           349.02 **(2)** (b) 2. Chapter 961 and local ordinances that strictly conform to s.  
10 961.573 (1) or (2), 961.574 (1) or (2), or 961.575 (1) or (2).

11           **SECTION 6.** 349.02 (2) (b) 4. of the statutes is amended to read:

12           349.02 **(2)** (b) 4. Local ordinances enacted under s. 59.54 (25) or (25m), ~~60.23~~  
13 ~~(21)~~, or 66.0107 (1) (bm).

14           **SECTION 7.** 778.25 (1) (a) 1. of the statutes is amended to read:

15           778.25 **(1)** (a) 1. Under s. 125.07 (4) (a) or (b), 125.085 (3) (b), or 125.09 (2),  
16 ~~961.573 (2), 961.574 (2) or 961.575 (2)~~ or under a local ordinance strictly conforming  
17 to one of those statutes brought against an adult in circuit court or against a minor  
18 in the court assigned to exercise jurisdiction under chs. 48 and 938.

19           **SECTION 8.** 778.25 (1) (a) 1m. of the statutes is amended to read:

20           778.25 **(1)** (a) 1m. Under s. 961.573 (2), 961.574 (2), or 961.575 (2) brought  
21 against a minor in the court assigned to exercise jurisdiction under chs. 48 and 938  
22 or under a local ordinance enacted under s. 59.54 (25m) or 66.0107 (1) (bp) brought  
23 against an adult in circuit court or against a minor in the court assigned to exercise  
24 jurisdiction under chs. 48 and 938.

25           **SECTION 9.** 818.02 (7) of the statutes is amended to read:

