

2007 DRAFTING REQUEST

Bill

Received: 10/02/2007

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie Laundrie**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice
Tax, Other - sales**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Age of adult criminal criminal jurisdiction; video game tax; youth aids

Instructions:

See Attached

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>
/?	gmalaise 10/02/2007	bkraft 10/08/2007		_____			S&L
	jkreye 10/03/2007			_____			
/1	jkreye 12/05/2007	bkraft 12/10/2007	pgreensl 10/08/2007	_____	sbasford 10/08/2007		S&L
/2			nmatzke 12/10/2007	_____	lparisi 12/10/2007	cduerst 12/14/2007	

for Senate per Julie Laundrie

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*at
intro*

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/1		1/2 bjk 12/10	pgreensl 10/08/2007 nwn 12/10	_____	sbasford 10/08/2007		

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FE Sent For:

<END>

Malaise, Gordon

From: Laundrie, Julie
Sent: Friday, September 28, 2007 1:15 PM
To: Malaise, Gordon
Cc: McGinnis, Cindy; 'Wendy Henderson'
Subject: drafting request - age of jurisdiction

TO: Gordon Maliasé
FR: Senator Erpenbach, Julie Laundrie

Requested draft: age of jurisdiction bill

Purpose:

The purpose of the bill is to return the upper age of jurisdiction of the juvenile court to 17, and return the adult criminal court jurisdiction to 18 and over. This bill would not change current statute which allows other younger juveniles who have committed certain crimes already enumerated by statute to be tried in adult court, or who have been judicially transferred to be tried in adult court. It would add 17-year-olds to the juveniles who could be waived to adult court on a case-by-case basis.

This bill is similar to 2005 AB 82 as amended in the Assembly committee last session.

The details:

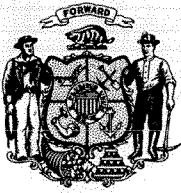
The major changes will fall in Chapters 48 and 938. As was already drafted in 2005 AB 82, the definition of adult in 48.02(1d) would change to, "Adult" means a person who is 18 years of age or older." The statutory changes detailed in AB 82 would be the same (as far as replacing 17 with 18 in a lot of places).

Funding component:

A 1% sales tax increase on video games and video gaming components.

You may speak with Wendy Henderson of the Wisconsin Council on Children and Families and Cindy McGinnis from Representative Grigsby's office regarding this request.

Julie Laundrie
Office of State Senator Jon Erpenbach
608-266-6670
cell 608-772-0110



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3260
GM&JK.....

bjk

*SA ✓
X-ref ✓*

in 10-3-07

gen. cat.

*an additional sales
on additional use
and use*

1 AN ACT ...; relating to: the age at which a person who is alleged to have violated
2 a criminal law, a civil law, or a municipal ordinance is subject to circuit court
3 or municipal court rather than juvenile court jurisdiction, imposing a tax on
4 video games, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, a person 17 years of age or older who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, is subject to sentencing under the Criminal Code, which may include a sentence of imprisonment in the Wisconsin state prisons. Currently, subject to certain exceptions, a person under 17 years of age who is alleged to have violated a criminal law is subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, is subject to an array of dispositions under that code including placement in a juvenile correctional facility. This bill raises from 17 to 18 the age at which a person who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, to sentencing under the Criminal Code.

Similarly, under current law, a person 17 years of age or older who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court, while a person under 17 years of age who is alleged to have violated a civil law or municipal ordinance, subject to certain exceptions, is subject to the jurisdiction and procedures of the court assigned to exercise jurisdiction under the Juvenile Justice Code. This bill raises from 17 to 18 the age at which a person who is alleged to have violated a

civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court.

Under current law, the state imposes a sales and use tax at the rate of 5 percent of the gross receipts on the sale of tangible personal property, including video games, and on the sale of certain services. Under the bill, the state imposes an additional sales and use tax on the sale of video games at the rate of 1 percent of the gross receipts from such sales. This bill appropriates all moneys received from the video games sales and use tax to the Department of Corrections (DOC) and requires DOC to allocate those moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services.

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. 20.410 (3) (h) of the statutes is created to read:

2 ✓ 20.410 (3) (h) *Video games tax; community youth and family aids.* All moneys
3 received from the video games tax imposed under ss. 77.52 (1b) and 77.53 (1b) for the
4 improvement and provision of juvenile delinquency-related services under s. 301.26
5 and for reimbursement to counties having a population of less than 500,000 for the
6 cost of court-attached intake services as provided in s. 938.06 (4). Notwithstanding
7 ss. 20.001 (3) (a) and 20.002 (1), the department of corrections may transfer moneys
8 under this paragraph between fiscal years. Except for moneys authorized for
9 transfer under s. 301.26 (3), all moneys from this paragraph allocated under s. 301.26
10 (3) and not spent or encumbered by counties by December 31 of each year shall lapse
11 into the county aid fund on the succeeding January 1. The joint committee on finance
12 may transfer additional moneys to the next calendar year.

13 SECTION 2. 46.215 (2) (c) 3. of the statutes is amended to read:

14 ✓ 46.215 (2) (c) 3. A county department of social services shall develop, under the
15 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related

1 care and services to be purchased. The department of corrections may review the
2 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
3 federal funds are available for such purposes. The joint committee on finance may
4 require the department of corrections to submit the contracts to the committee for
5 review and approval. The department of corrections may not make any payments
6 to a county for programs included in a contract under review by the committee. The
7 department of corrections shall reimburse each county for the contracts from the
8 appropriations under s. 20.410 (3) (cd), (h), and (ko) as appropriate.

9 **SECTION 3.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

10 ✓ 46.22 (1) (e) 3. c. A county department of social services shall develop, under
11 the requirements of s. 301.08 (2), plans and contracts for juvenile
12 delinquency-related care and services to be purchased. The department of
13 corrections may review the contracts and approve them if they are consistent with
14 s. 301.08 (2) and to the extent that state or federal funds are available for such
15 purposes. The joint committee on finance may require the department of corrections
16 to submit the contracts to the committee for review and approval. The department
17 of corrections may not make any payments to a county for programs included in the
18 contract that is under review by the committee. The department of corrections shall
19 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
20 (cd), (h), and (ko) as appropriate.

21 **SECTION 4.** 48.02 (1d) of the statutes is amended to read:

22 ✓ 48.02 (1d) "Adult" means a person who is 18 years of age or older, ~~except that~~
23 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
24 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
25 ~~means a person who has attained 17 years of age.~~ ✓

SECTION 5

1 **SECTION 5.** 48.02 (2) of the statutes is amended to read:

2 ~~48.02 (2) "Child" means a person who is less than 18 years of age, except that~~
3 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
4 ~~a state or federal criminal law or any civil law or municipal ordinance, "child" does~~
5 ~~not include a person who has attained 17 years of age.~~

6 **SECTION 6.** 48.366 (8) of the statutes is amended to read:

7 ~~48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections~~
8 ~~may transfer a person subject to an order between juvenile correctional facilities.~~
9 ~~After the person attains the age of 17 18 years, the department of corrections may~~
10 ~~place the person in a state prison named in s. 302.01, except that the department of~~
11 ~~corrections may not place any person under the age of 18 years in the correctional~~
12 ~~institution authorized in s. 301.16 (1n). If the department of corrections places a~~
13 ~~person subject to an order under this section in a state prison, that department shall~~
14 ~~provide services for that person from the appropriate appropriation under s. 20.410~~
15 ~~(1). The department of corrections may transfer a person placed in a state prison~~
16 ~~under this subsection to or between state prisons named in s. 302.01 without~~
17 ~~petitioning for revision of the order under sub. (5) (a), except that the department of~~
18 ~~corrections may not transfer any person under the age of 18 years to the correctional~~
19 ~~institution authorized in s. 301.16 (1n).~~

20 **SECTION 7.** Subchapter IX (title) of chapter 48 [precedes 48.44] of the statutes
21 is amended to read:

CHAPTER 48**SUBCHAPTER IX****JURISDICTION OVER PERSON 17 18 OR OLDER**

24 **SECTION 8.** 48.44 (title) of the statutes is amended to read:
25

1 ✓ 48.44 (title) **Jurisdiction over persons 17 18 or older.**

2 SECTION 9. 48.44 (1) of the statutes is amended to read:

3 ✓ 48.44 (1) The court has jurisdiction over persons 17 18 years of age or older as
4 provided under ss. 48.133, 48.355 (4), and 48.45 and as otherwise specifically
5 provided in this chapter.

6 SECTION 10. 48.45 (1) (a) of the statutes is amended to read:

7 ✓ 48.45 (1) (a) If in the hearing of a case of a child alleged to be in a condition
8 described in s. 48.13 it appears that any person 17 18 years of age or older has been
9 guilty of contributing to, encouraging, or tending to cause by any act or omission,
10 such that condition of the child, the judge may make orders with respect to the
11 conduct of such that person in his or her relationship to the child, including orders
12 determining the ability of the person to provide for the maintenance or care of the
13 child and directing when, how, and from where funds for the maintenance or care
14 shall be paid.

15 SECTION 11. 48.45 (1) (am) of the statutes is amended to read:

16 ✓ 48.45 (1) (am) If in the hearing of a case of an unborn child and the unborn
17 child's expectant mother alleged to be in a condition described in s. 48.133 it appears
18 that any person 17 18 years of age or over has been guilty of contributing to,
19 encouraging, or tending to cause by any act or omission, such that condition of the
20 unborn child and expectant mother, the judge may make orders with respect to the
21 conduct of such that person in his or her relationship to the unborn child and
22 expectant mother.

23 SECTION 12. 48.45 (3) of the statutes is amended to read:

24 ✓ 48.45 (3) If it appears at a court hearing that any person 17 18 years of age or
25 older has violated s. 948.40, the judge shall refer the record to the district attorney

1 for criminal proceedings as may be warranted in the district attorney's judgment.

2 This subsection does not prevent prosecution of violations of s. 948.40 without the
3 prior reference by the judge to the district attorney, as in other criminal cases.

4 **SECTION 13.** 49.45 (6m) (br) 1. of the statutes is amended to read:

5 49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (h), or (ko), 20.435 (4) (bt)
6 or (7) (b), or 20.445 (3) (dz), the department shall reduce allocations of funds to
7 counties in the amount of the disallowance from the appropriation account under s.
8 20.435 (4) (bt) or (7) (b), or the department shall direct the department of workforce
9 development to reduce allocations of funds to counties or Wisconsin works agencies
10 in the amount of the disallowance from the appropriation account under s. 20.445 (3)
11 (dz) or direct the department of corrections to reduce allocations of funds to counties
12 in the amount of the disallowance from the appropriation account under s. 20.410 (3)
13 (cd), (h), or (ko) in accordance with s. 16.544 to the extent applicable.

14 **SECTION 14.** 77.52 (1) of the statutes is amended to read:

15 77.52 (1) For Except as provided in sub. (1b), for the privilege of selling, leasing,
16 or renting tangible personal property, including accessories, components,
17 attachments, parts, supplies, and materials, at retail a tax is imposed upon all
18 retailers at the rate of 5% of the gross receipts from the sale, lease, or rental of
19 tangible personal property, including accessories, components, attachments, parts,
20 supplies, and materials, sold, leased, or rented at retail in this state.

History: 1973 c. 156; 1975 c. 39; 1977 c. 29, 142, 418; 1979 c. 174, 221; 1981 c. 20, 317; 1983 a. 2, 27; 1983 a. 189 ss. 99, 103, 107, 329 (12); 1983 a. 341, 510, 544; 1985
a. 29, 149; 1987 a. 27, 399; 1989 a. 31, 335; 1991 a. 39, 316; 1993 a. 112, 213, 308, 437; 1995 a. 27, 225, 351; 1997 a. 27, 237, 291; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a.
16, 104, 109; 2003 a. 33, 321; 2005 a. 149, 327, 344; s. 16.93 (1) (b) and (2) (c); 2007 a. 11.

21 **SECTION 15.** 77.52 (1b) of the statutes is created to read:

22 77.52 (1b) In addition to the tax imposed on sub. (1), a tax is imposed upon all
23 retailers at the rate of 1 percent of the gross receipts from the sale, lease, or rental
24 of video games, including accessories, components, attachments, parts, and supplies

1 that are sold, leased, or rented at retail in this state. All moneys from the tax imposed
2 under this subsection shall be credited to the appropriation under s. 20.410 (3) (h).

3 **SECTION 16.** 77.52 (17m) (f) 2. of the statutes is amended to read:

4 **77.52 (17m)** (f) 2. Maintain accounting records that show the tax under ss.
5 77.52 (1), (1b), and (2) and 77.53 (3) paid on each purchase during each reporting
6 period under s. 77.58 and the total tax paid during each reporting period, pay the tax
7 under ss. 77.52 (1), (1b), and (2) and 77.53 (3) on either all or none of the purchases
8 made from each retailer during each reporting period and pay the tax under s. 77.53
9 (1) to the department on all of the purchases for which the tax is due.

History: 1973 c. 156; 1975 c. 39; 1977 c. 29, 142, 418; 1979 c. 174, 221; 1981 c. 20, 317; 1983 a. 2, 27; 1983 a. 189 ss. 99, 103, 107, 329 (12); 1983 a. 341, 510, 544; 1985 a. 29, 149; 1987 a. 27, 399; 1989 a. 31, 335; 1991 a. 39, 316; 1993 a. 112, 213, 308, 437; 1995 a. 27, 225, 351; 1997 a. 27, 237, 291; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a. 16, 104, 109; 2003 a. 33, 321; 2005 a. 149, 327, 344; s. 13.93 (1) (b) and (2) (c); 2007 a. 11.

10 **SECTION 17.** 77.53 (1) of the statutes is amended to read:

11 **77.53 (1)** Except as provided in sub. subs. (1b) and (1m), an excise tax is levied
12 and imposed on the use or consumption in this state of taxable services under s. 77.52
13 purchased from any retailer, at the rate of 5% of the sales price of those services; on
14 the storage, use, or other consumption in this state of tangible personal property
15 purchased from any retailer, at the rate of 5% of the sales price of that property; and
16 on the storage, use, or other consumption of tangible personal property
17 manufactured, processed, or otherwise altered, in or outside this state, by the person
18 who stores, uses or consumes it, from material purchased from any retailer, at the
19 rate of 5% of the sales price of that material.

History: 1971 c. 125, 211; 1977 c. 29, 418; 1979 c. 1, 174; 1981 c. 317; 1983 a. 2; 1985 a. 29; 1987 a. 27, 268, 399; 1991 a. 39, 316; 1993 a. 16, 112; 1995 a. 27, 209; 1997 a. 27, 41, 237; 1999 a. 31; 2001 a. 109; 2003 a. 321; 2005 a. 44; 2007 a. 11.

20 **SECTION 18.** 77.53 (1b) of the statutes is created to read:

21 **77.53 (1b)** In addition to the tax imposed under sub. (1), an excise tax is levied
22 and imposed on the storage, use, or other consumption in this state of video games
23 purchased from any retailer, at the rate of 1 percent of the sales price of such games.

1 All moneys from the tax imposed under this subsection shall be credited to the
2 appropriation under s. 20.410 (3) (h).

3 **SECTION 19.** 77.61 (4) (c) of the statutes is amended to read:

4 77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax
5 imposed on the retailer under s. 77.53 (3) and the accounting connected with it,
6 retailers may deduct 0.5% of those taxes payable or \$10 for that reporting period
7 required under s. 77.58 (1), whichever is greater, but not more than the amount of
8 the sales taxes or use taxes that is payable under ss. 77.52 (1) and (1b) and 77.53 (3)
9 for that reporting period required under s. 77.58 (1), as administration expenses if
10 the payment of the taxes is not delinquent. For purposes of calculating the retailer's
11 discount under this paragraph, the taxes on retail sales reported by retailers under
12 subch. V, including taxes collected and remitted as required under s. 77.785, shall be
13 included if the payment of those taxes is not delinquent.

History: 1971 c. 125; 1975 c. 186, 224; 1977 c. 29, 200, 418; 1979 c. 89, 125, 174; 1981 c. 20; 1983 a. 189 s. 329 (12); 1983 a. 405; 1983 a. 544 s. 47 (1); 1985 a. 29, 41;
1987 a. 27, 92, 119, 246; 1989 a. 31, 122, 359; 1991 a. 39, 269, 316; 1993 a. 205, 399; 1995 a. 27, 233, 280; 1997 a. 27, 191, 237; 1999 a. 83; 2001 a. 44, 103; 2005 a. 25, 49;
2007 a. 11.

14 **SECTION 20.** 118.163 (4) of the statutes is amended to read:

15 118.163 (4) A person who is under 17 18 years of age on the date of disposition
16 is subject to s. 938.342.

17 **SECTION 21.** 125.07 (4) (d) of the statutes is amended to read:

18 125.07 (4) (d) A person who is under 17 18 years of age on the date of disposition
19 is subject to s. 938.344 unless proceedings have been instituted against the person
20 in a court of civil or criminal jurisdiction after dismissal of the citation under s.
21 938.344 (3).

22 **SECTION 22.** 125.07 (4) (e) 1. of the statutes is amended to read:

23 125.07 (4) (e) 1. In this paragraph, "defendant" means a person found guilty
24 of violating par. (a) or (b) who is 17, 18, 19, or 20 years of age.

X
SECTION 23. 125.085 (3) (bt) of the statutes is amended to read:

✓ 125.085 (3) (bt) A person who is under 17 ✓ 18 years of age on the date of disposition is subject to s. 938.344 unless proceedings have been instituted against the person in a court of civil or criminal jurisdiction after dismissal of the citation under s. 938.344 (3).

X
SECTION 24. 165.83 (1) (c) 1. of the statutes is amended to read:

✓ 165.83 (1) (c) 1. An act that is committed by a person who has attained the age of 17 ✓ 18 and that is a felony or a misdemeanor.

X
SECTION 25. 165.83 (1) (c) 2. of the statutes is amended to read:

✓ 165.83 (1) (c) 2. An act that is committed by a person who has attained the age of 10 but who has not attained the age of 17 ✓ 18 and that would be a felony or misdemeanor if committed by an adult.

X
SECTION 26. 301.12 (2m) of the statutes is amended to read:

14 ✓ 301.12 (2m) The liability specified in sub. (2) shall not apply to persons 17 ✓ 18 and older receiving care, maintenance, services, ✓ and supplies provided by prisons named in s. 302.01.

X
SECTION 27. 301.12 (14) (a) of the statutes is amended to read:

✓ 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person specified in sub. (2) or s. 301.03 (18) for care and maintenance of persons under 17 ✓ 18 years of age in residential, nonmedical facilities such as group homes, foster homes, treatment foster homes, child caring institutions, and juvenile correctional institutions is determined in accordance with the cost-based fee established under s. 301.03 (18). The department shall bill the liable person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd-party benefits, subject to rules ✓ which that include formulas governing ability to pay

Years of age

1 promulgated by the department under s. 301.03 (18). Any liability of the resident not
2 payable by any other person terminates when the resident reaches age 17[✓] 18, unless
3 the liable person has prevented payment by any act or omission.

4 **SECTION 28.** 301.26 (3) (c) of the statutes is amended to read:

5 [✓] 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
6 [✓] (h), and (ko), the department shall allocate funds to each county for services under
7 this section.

8 **SECTION 29.** 301.26 (3) (em) of the statutes is amended to read:

9 [✓] 301.26 (3) (em) The department may carry forward any emergency funds
10 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
11 by December 31 to the next 2 calendar years. The department may transfer moneys
12 from or within s. 20.410 (3) (cd), [✓] (h), and (ko) to accomplish this purpose. The
13 department may allocate these transferred moneys to counties that are eligible for
14 emergency payments under sub. (7) (e). The allocation does not affect a county's base
15 allocation.

16 **SECTION 30.** 301.26 (4) (a) of the statutes is amended to read:

17 [✓] 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
18 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
19 [✓] (h), and (ko) for the costs of care, services and supplies purchased or provided by the
20 department of corrections for each person receiving services under s. 48.366, 938.183
21 or 938.34 or the department of health and family services for each person receiving
22 services under s. 46.057 or 51.35 (3). The department of corrections may not bill a
23 county for or deduct from a county's allocation the cost of care, services and supplies
24 provided to a person subject to an order under s. 48.366 or 938.183 after the person
25 reaches 18 years of age. Payment shall be due within 60 days after the billing date.

1 If any payment has not been received within 60 days, the department of corrections
2 may withhold aid payments in the amount due from the appropriation under s.
3 20.410 (3) (cd). X ✓

4 SECTION 31. 301.26 (6) (a) of the statutes is amended to read:

5 ✓ 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
6 legislature in allocating funding, excluding funding for base allocations, from the
7 appropriations under s. 20.410 (3) (cd), (h), and (ko) for purposes described in this
8 section. X ✓

9 SECTION 32. 302.31 (7) of the statutes is amended to read:

10 ✓ 302.31 (7) The temporary placement of persons in the custody of the
11 department, other than persons under ~~17~~ 18 years of age, and persons who have
12 attained the age of ~~17~~ 18 years but have not attained the age of 25 years who are
13 under the supervision of the department under s. 48.366 or 938.355 (4) and who have
14 been taken into custody pending revocation of aftercare supervision under s. 48.366
15 (5) or 938.357 (5) (e). X ✓

16 SECTION 33. 938.02 (1) of the statutes is amended to read:

17 ✓ 938.02 (1) "Adult" means a person who is 18 years of age or older, ~~except that~~ ✓
18 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
19 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
20 ~~means a person who has attained 17 years of age.~~ ✓

21 SECTION 34. 938.02 (10m) of the statutes is amended to read:

22 ✓ 938.02 (10m) "Juvenile" means a person who is less than 18 years of age, ~~except~~ ✓
23 ~~that for purposes of investigating or prosecuting a person who is alleged to have~~
24 ~~violated a state or federal criminal law or any civil law or municipal ordinance,~~
25 ~~"juvenile" does not include a person who has attained 17 years of age.~~ ✓

1 **SECTION 35.** 938.12 (2) of the statutes is amended to read:

2 ✓ 938.12 (2) ~~SEVENTEEN-YEAR-OLDS~~ EIGHTEEN-YEAR-OLDS. If a petition alleging
3 that a juvenile is delinquent is filed before the juvenile is ~~17~~ 18 years of age, but the
4 juvenile becomes ~~17~~ 18 years of age before admitting the facts of the petition at the
5 plea hearing or if the juvenile denies the facts, before an adjudication, the court
6 retains jurisdiction over the case.

7 **SECTION 36.** 938.18 (2) of the statutes is amended to read:

8 ✓ 938.18 (2) **PETITION.** The petition for waiver of jurisdiction may be filed by the
9 district attorney or the juvenile or may be initiated by the court and shall contain a
10 brief statement of the facts supporting the request for waiver. The petition for waiver
11 of jurisdiction shall be accompanied by or filed after the filing of a petition alleging
12 delinquency and shall be filed prior to the plea hearing, except that if the juvenile
13 denies the facts of the petition and becomes ~~17~~ 18 years of age before an adjudication,
14 the petition for waiver of jurisdiction may be filed at any time prior to the
15 adjudication. If the court initiates the petition for waiver of jurisdiction, the judge
16 shall disqualify himself or herself from any future proceedings on the case.

17 **SECTION 37.** 938.183 (3) of the statutes is amended to read:

18 ✓ 938.183 (3) **PLACEMENT IN STATE PRISON; PAROLE.** When a juvenile who is subject
19 to a criminal penalty under sub. (1m) or s. 938.183 (2), 2003 stats., attains the age
20 of ~~17~~ 18 years, the department may place the juvenile in a state prison named in s.
21 302.01, ~~except that the department may not place any person under the age of 18~~
22 ~~years in the correctional institution authorized in s. 301.16 (1n).~~ ✓ A juvenile who is
23 subject to a criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for
24 an act committed before December 31, 1999, is eligible for parole under s. 304.06.

25 **SECTION 38.** 938.255 (1) (intro.) of the statutes is amended to read:

1 ✓ 938.255 (1) TITLE AND CONTENTS. (intro.) A petition initiating proceedings
2 under this chapter, ~~other than a petition initiating proceedings under s. 938.12,~~
3 ~~938.125, or 938.13 (12),~~ shall be entitled, "In the interest of (juvenile's name), a
4 person under the age of 18". ~~A petition initiating proceedings under s. 938.12,~~
5 ~~938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a person~~
6 ~~under the age of 17".~~ ✓ A petition initiating proceedings under this chapter shall
7 specify all of the following:

8 ✓ SECTION 39. 938.344 (3) of the statutes is amended to read:

9 ✓ 938.344 (3) PROSECUTION IN ADULT COURT. If the juvenile alleged to have
10 committed the violation is within 3 months of his or her ~~17th~~ ✓ 18th birthday, the court
11 assigned to exercise jurisdiction under this chapter and ch. 48 may, at the request
12 of the district attorney or on its own motion, dismiss the citation without prejudice
13 and refer the matter to the district attorney for prosecution under s. 125.07 (4). The
14 juvenile is entitled to a hearing only on the issue of his or her age. This subsection
15 does not apply to violations under s. 961.573 (2), 961.574 (2), or 961.575 (2) or a local
16 ordinance that strictly conforms to one of those statutes.

17 ✓ SECTION 40. 938.35 (1m) of the statutes is amended to read:

18 ✓ 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
19 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation
20 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
21 in criminal court when the juvenile attains ~~17~~ ✓ 18 years of age. This ~~paragraph~~ ✓
22 subsection ✓ does not affect proceedings in criminal court that have been transferred
23 under s. 938.18.

24 ✓ SECTION 41. 938.355 (4) (b) of the statutes is amended to read:

1 may expunge the record if the court determines that the juvenile has satisfactorily
2 complied with the conditions of his or her dispositional order and that the juvenile
3 will benefit from, and society will not be harmed by, the expungement.

4 SECTION 43. 938.39 of the statutes is amended to read:

5 ✓ 938.39 **Disposition by court bars criminal proceeding.** Disposition by the
6 court of any violation of state law within its jurisdiction under s. 938.12 bars any
7 future criminal proceeding on the same matter in circuit court when the juvenile
8 reaches the age of 17 [✓]18. This section does not affect criminal proceedings in circuit
9 court that were transferred under s. 938.18.

10 SECTION 44. Subchapter IX (title) of chapter 938 [precedes 938.44] of the
11 statutes is amended to read:

12 CHAPTER 938

13 SUBCHAPTER IX

14 JURISDICTION OVER PERSONS 17 [✓]18 OR OLDER

15 SECTION 45. 938.44 of the statutes is amended to read:

16 ✓ 938.44 **Jurisdiction over persons 17 [✓]18 or older.** The court has jurisdiction
17 over persons 17 [✓]18 years of age or older as provided under ss. 938.355 (4) and 938.45
18 and as otherwise specified in this chapter.

19 SECTION 46. 938.45 (1) (a) of the statutes is amended to read:

20 ✓ 938.45 (1) (a) If in the hearing of a case of a juvenile alleged to be delinquent
21 under s. 938.12 or in need of protection or services under s. 938.13 it appears that any
22 person 17 [✓]18 years of age or older has been guilty of contributing to, encouraging, or
23 tending to cause by any act or omission, [✓]such that condition of the juvenile, the court
24 may make orders with respect to the conduct of that person in his or her relationship
25 to the juvenile, including orders relating to determining the ability of the person to

1 provide for the maintenance or care of the juvenile and directing when, how, and
2 where funds for the maintenance or care shall be paid.

3 **SECTION 47.** 938.45 (3) of the statutes is amended to read:

4 938.45 (3) PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE.
5 If it appears at a court hearing that any person 17 18 years of age or older has violated
6 s. 948.40, the court shall refer the record to the district attorney. This subsection does
7 not prohibit prosecution of violations of s. 948.40 without the prior reference by the
8 court to the district attorney.

9 **SECTION 48.** 938.48 (4m) (a) of the statutes is amended to read:

10 938.48 (4m) (a) Is at least 17 18 years of age.

11 **SECTION 49.** 938.48 (4m) (b) of the statutes is amended to read:

12 938.48 (4m) (b) Was under the supervision of the department under s. 938.183,
13 938.34 (4h), (4m), or (4n) or 938.357 (4) when the person reached 17 18 years of age.

14 **SECTION 50.** 938.48 (14) of the statutes is amended to read:

15 938.48 (14) SCHOOL-RELATED EXPENSES FOR JUVENILES OVER 17 18. Pay
16 maintenance, tuition, and related expenses from the appropriation under s. 20.410
17 (3) (ho) for persons who, when they attained 17 18 years of age, were students
18 regularly attending a school, college, or university or regularly attending a course of
19 vocational or technical training designed to prepare them for gainful employment,
20 and who upon attaining that age were under the supervision of the department
21 under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4) as a result of a judicial
22 decision.

23 **SECTION 51.** 938.57 (3) (a) 1. of the statutes is amended to read:

24 938.57 (3) (a) 1. Is 17 18 years of age or older.

25 **SECTION 52.** 938.57 (3) (a) 3. of the statutes is amended to read:

1 ✓ 938.57 (3) (a) 3. Received funding under s. 46.495 (1) (d) immediately prior to
2 his or her ~~17th~~ [✓] 18th birthday.

3 SECTION 53. ~~938.57~~ [✓] (3) (b) of the statutes is amended to read:

4 ✓ 938.57 (3) (b) The funding provided for the maintenance of a juvenile under par.
5 (a) shall be in an amount equal to that to which the juvenile would receive under s.
6 46.495 (1) (d) if the juvenile were ~~16~~ [✓] 17 years of age.

7 SECTION 54. ~~946.50~~ [✓] (intro.) of the statutes is amended to read:

8 ✓ **946.50 Absconding.** [✓] (intro.) Any person who is adjudicated delinquent, but
9 who intentionally fails to appear before the court assigned to exercise jurisdiction
10 under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who
11 does not return to that court for a dispositional hearing before attaining the age of
12 ~~17~~ [✓] 18 years is guilty of the following:

13 SECTION 55. ~~948.01~~ [✓] (1) of the statutes is amended to read:

14 ✓ 948.01 (1) "Child" means a person who has not attained the age of 18 years,
15 ~~except that for purposes of prosecuting a person who is alleged to have violated a~~
16 ~~state or federal criminal law, "child" does not include a person who has attained the~~
17 ~~age of 17 years.~~ [✓]

18 SECTION 56. ~~948.11~~ [✓] (2) (am) (intro.) of the statutes is amended to read:

19 ✓ 948.11 (2) (am) (intro.) Any person who has attained the age of ~~17~~ [✓] 18 and who,
20 with knowledge of the character and content of the description or narrative account,
21 verbally communicates, by any means, a harmful description or narrative account
22 to a child, with or without monetary consideration, is guilty of a Class I felony if any
23 of the following applies:

24 SECTION 57. ~~948.45~~ [✓] (1) of the statutes is amended to read:

1 ✓ 948.45 (1) Except as provided in sub. (2), any person 17 18 years of age or older
2 who, by any act or omission, knowingly encourages or contributes to the truancy, as
3 defined under s. 118.16 (1) (c), of a person 17 18 years of age or under is guilty of a
4 Class C misdemeanor.

5 **SECTION 58.** 948.60 (2) (d) of the statutes is amended to read:

6 ✓ 948.60 (2) (d) A person under 17 18 years of age who has violated this
7 subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under
8 s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction
9 under s. 938.183.

10 **SECTION 59.** 948.61 (4) of the statutes is amended to read:

11 ✓ 948.61 (4) A person under 17 18 years of age who has violated this section is
12 subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18 or
13 the person is subject to the jurisdiction of a court of criminal jurisdiction under s.
14 938.183.

15 **SECTION 60.** 961.455 (1) of the statutes is amended to read:

16 ✓ 961.455 (1) Any person who has attained the age of 17 18 years who knowingly
17 solicits, hires, directs, employs, or uses a person who is under the age of 17 18 years
18 for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

19 **SECTION 61.** 961.46 of the statutes is amended to read:

20 ✓ **961.46 Distribution to persons under age 18.** If a person 17 18 years of age
21 or over violates s. 961.41 (1) by distributing or delivering a controlled substance or
22 a controlled substance analog to a person 17 years of age or under who is at least 3
23 years his or her junior, the applicable maximum term of imprisonment prescribed
24 under s. 961.41 (1) for the offense may be increased by not more than 5 years.

25 **SECTION 62.** 961.573 (2) of the statutes is amended to read:

1 ✓ 961.573 (2) Any person who violates sub. (1) who is under ~~17~~ 18 years of age
2 who violates sub. (1) is subject to a disposition under s. 938.344 (2e).

3 **SECTION 63.** 961.574 (2) of the statutes is amended to read:

4 ✓ 961.574 (2) Any person who violates sub. (1) who is under ~~17~~ 18 years of age
5 who violates sub. (1) is subject to a disposition under s. 938.344 (2e).

6 **SECTION 64.** 961.575 (1) of the statutes is amended to read:

7 ✓ 961.575 (1) Any person ~~17~~ 18 years of age or over who violates s. 961.574 (1)
8 by delivering drug paraphernalia to a person 17 years of age or under who is at least
9 3 years younger than the violator may be fined not more than \$10,000 or imprisoned
10 for not more than 9 months or both.

11 **SECTION 65.** 961.575 (2) of the statutes is amended to read:

12 ✓ 961.575 (2) Any person who violates ~~this section~~ who is under ~~17~~ under 18 years
13 of age who violates s. 961.574 (3) is subject to a disposition under s. 938.344 (2e).

14 **SECTION 66.** 961.575 (3) of the statutes is amended to read:

15 ✓ 961.575 (3) Any person ~~17~~ 18 years of age or over who violates s. 961.574 (3)
16 by delivering drug paraphernalia to a person 17 years of age or under is guilty of a
17 Class G felony.

18 **SECTION 67.** 990.01 (3) of the statutes is amended to read:

19 ✓ 990.01 (3) ADULT. "Adult" means a person who has attained the age of 18 years,
20 ~~except that for purposes of investigating or prosecuting a person who is alleged to~~
21 ~~have violated any state or federal criminal law or any civil law or municipal~~
22 ~~ordinance, "adult" means a person who has attained the age of 17 years.~~

23 **SECTION 68.** 990.01 (20) of the statutes is amended to read:

24 ✓ 990.01 (20) MINOR. "Minor" means a person who has not attained the age of
25 18 years, ~~except that for purposes of investigating or prosecuting a person who is~~

1 ~~alleged to have violated a state or federal criminal law or any civil law or municipal~~
2 ~~ordinance, "minor" does not include a person who has attained the age of 17 years.~~ ✓

3 **SECTION 69. Initial applicability.**

4 (1) AGE OF ADULT JURISDICTION. This act first applies to a violation of a criminal
5 law, ✓ civil law, ✓ or municipal ordinance allegedly committed on the effective date of this
6 subsection, ✓ except as follows: ✓

7 (a) The treatment of sections 77.52 (1), (1b), and (17m) (f) 2., 77.53 (1) and (1b),
8 and 77.61 (4) (c) of the statutes first applies to sales completed on the first day of the
9 2nd month beginning after publication. ✓

10 (END) ✓

Malaise, Gordon

From: Laundrie, Julie
Sent: Wednesday, December 05, 2007 10:23 AM
To: Malaise, Gordon
Subject: please draft a /2 to LRB 3260 which includes a def for video game and changes tax to fee

Attachments: Video Game.doc

Hi Gordon,

Call me if you have questions. Attached is the def I would like to be added to the bill draft – obviously if you feel it needs to be changed go ahead. Is there anyway we can change the word tax to fee in the draft or is that just not going to happen – please advise. Thanks



Video Game.doc (33
KB)

Sen Erpenbach would like to circulate early next week.
Julie

Julie Laundrie
Office of State Senator Jon Erpenbach
608-266-6670
cell 608-772-0110

Video Game: Any electronically operated game involving the manipulation of images produced by a computer program on a visual display unit, such as a computer screen, a TV screen, a Game Boy, etc.

Video Gaming Device: a video game console or handheld device which has the primary purpose of displaying video games.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3260/1
GM&JK:bjk:pg

Insert

stays

RM:MK

2007 BILL

Proof with 2007 Act 20

SA ✓
X-ref ✓

in 12-5-07
due Monday 12-10
- re gen ←

1 **AN ACT to amend** 46.215 (2) (c) 3., 46.22 (1) (e) 3. c., 48.02 (1d), 48.02 (2), 48.366
2 (8), subchapter IX (title) of chapter 48 [precedes 48.44], 48.44 (title), 48.44 (1),
3 48.45 (1) (a), 48.45 (1) (am), 48.45 (3), 49.45 (6m) (br) 1., 77.52 (1), 77.52 (17m)
4 (f) 2., 77.53 (1), 77.61 (4) (c), 118.163 (4), 125.07 (4) (d), 125.07 (4) (e) 1., 125.085
5 (3) (bt), 165.83 (1) (c) 1., 165.83 (1) (c) 2., 301.12 (2m), 301.12 (14) (a), 301.26 (3)
6 (c), 301.26 (3) (em), 301.26 (4) (a), 301.26 (6) (a), 302.31 (7), 938.02 (1), 938.02
7 (10m), 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.344 (3), 938.35
8 (1m), 938.355 (4) (b), 938.355 (4m) (a), 938.39, subchapter IX (title) of chapter
9 938 [precedes 938.44], 938.44, 938.45 (1) (a), 938.45 (3), 938.48 (4m) (a), 938.48
10 (4m) (b), 938.48 (14), 938.57 (3) (a) 1., 938.57 (3) (a) 3., 938.57 (3) (b), 946.50
11 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d), 948.61 (4),
12 961.455 (1), 961.46, 961.573 (2), 961.574 (2), 961.575 (1), 961.575 (2), 961.575
13 (3), 990.01 (3) and 990.01 (20); and **to create** 20.410 (3) (h), 77.52 (1b) and 77.53
14 (1b) of the statutes; **relating to:** the age at which a person who is alleged to

BILL

1 SECTION 1. 20.410 (3) (h) of the statutes is created to read:

2 20.410 (3) (h) *Video games tax* ^{fee} ~~community youth and family aids~~. All moneys
3 received from the ~~video games tax~~ ^{fees} imposed under ss. 77.52 (1b) ^(1d) and 77.53 (1b) ^(1d) for the
4 improvement and provision of juvenile delinquency-related services under s. 301.26
5 and for reimbursement to counties having a population of less than 500,000 for the
6 cost of court attached intake services as provided in s. 938.06 (4). Notwithstanding
7 ss. 20.001 (3) (a) and 20.002 (1), the department of corrections may transfer moneys
8 under this paragraph between fiscal years. Except for moneys authorized for
9 transfer under s. 301.26 (3), all moneys from this paragraph allocated under s. 301.26
10 (3) and not spent or encumbered by counties by December 31 of each year shall lapse
11 into the county aid fund on the succeeding January 1. The joint committee on finance
12 may transfer additional moneys to the next calendar year.

13 SECTION 2. 46.215 (2) (c) 3. of the statutes is amended to read:

14 46.215 (2) (c) 3. A county department of social services shall develop, under the
15 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
16 care and services to be purchased. The department of corrections may review the
17 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
18 federal funds are available for such purposes. The joint committee on finance may
19 require the department of corrections to submit the contracts to the committee for
20 review and approval. The department of corrections may not make any payments
21 to a county for programs included in a contract under review by the committee. The
22 department of corrections shall reimburse each county for the contracts from the
23 appropriations under s. 20.410 (3) (cd), (h), and (ko) as appropriate.

24 SECTION 3. 46.22 (1) (e) 3. c. of the statutes is amended to read:

BILL

1 46.22 (1) (e) 3. c. A county department of social services shall develop, under
2 the requirements of s. 301.08 (2), plans and contracts for juvenile
3 delinquency-related care and services to be purchased. The department of
4 corrections may review the contracts and approve them if they are consistent with
5 s. 301.08 (2) and to the extent that state or federal funds are available for such
6 purposes. The joint committee on finance may require the department of corrections
7 to submit the contracts to the committee for review and approval. The department
8 of corrections may not make any payments to a county for programs included in the
9 contract that is under review by the committee. The department of corrections shall
10 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
11 (cd), (h), and (ko) as appropriate.

12 **SECTION 4.** 48.02 (1d) of the statutes is amended to read:

13 48.02 (1d) "Adult" means a person who is 18 years of age or older, ~~except that~~
14 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
15 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
16 ~~means a person who has attained 17 years of age.~~

17 **SECTION 5.** 48.02 (2) of the statutes is amended to read:

18 48.02 (2) "Child" means a person who is less than 18 years of age, ~~except that~~
19 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
20 ~~a state or federal criminal law or any civil law or municipal ordinance, "child" does~~
21 ~~not include a person who has attained 17 years of age.~~

22 **SECTION 6.** 48.366 (8) of the statutes is amended to read:

23 48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections
24 may transfer a person subject to an order between juvenile correctional facilities.
25 After the person attains the age of ~~17~~ 18 years, the department of corrections may

BILL

1 place the person in a state prison named in s. 302.01, ~~except that the department of~~
2 ~~corrections may not place any person under the age of 18 years in the correctional~~
3 ~~institution authorized in s. 301.16 (1n).~~ If the department of corrections places a
4 person subject to an order under this section in a state prison, that department shall
5 provide services for that person from the appropriate appropriation under s. 20.410
6 (1). The department of corrections may transfer a person placed in a state prison
7 under this subsection to or between state prisons named in s. 302.01 without
8 petitioning for revision of the order under sub. (5) (a), ~~except that the department of~~
9 ~~corrections may not transfer any person under the age of 18 years to the correctional~~
10 ~~institution authorized in s. 301.16 (1n).~~

11 **SECTION 7.** Subchapter IX (title) of chapter 48 [precedes 48.44] of the statutes
12 is amended to read:

CHAPTER 48**SUBCHAPTER IX****JURISDICTION OVER PERSON ~~17~~ 18 OR OLDER**

16 **SECTION 8.** ~~48.44~~ (title) of the statutes is amended to read:

17 **48.44** (title) **Jurisdiction over persons ~~17~~ 18 or older.**

18 **SECTION 9.** ~~48.44~~ (1) of the statutes is amended to read:

19 **48.44 (1)** The court has jurisdiction over persons ~~17~~ 18 years of age or older as
20 provided under ss. 48.133, 48.355 (4), and 48.45 and as otherwise specifically
21 provided in this chapter.

22 **SECTION 10.** ~~48.45~~ (1) (a) of the statutes is amended to read:

23 **48.45 (1) (a)** If in the hearing of a case of a child alleged to be in a condition
24 described in s. 48.13 it appears that any person ~~17~~ 18 years of age or older has been
25 guilty of contributing to, encouraging, or tending to cause by any act or omission,

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1 such that condition of the child, the judge may make orders with respect to the
2 conduct of such that person in his or her relationship to the child, including orders
3 determining the ability of the person to provide for the maintenance or care of the
4 child and directing when, how, and from where funds for the maintenance or care
5 shall be paid.

6 **SECTION 11.** 48.45 (1) (am) of the statutes is amended to read:

7 48.45 (1) (am) If in the hearing of a case of an unborn child and the unborn
8 child's expectant mother alleged to be in a condition described in s. 48.133 it appears
9 that any person ~~17~~ 18 years of age or over has been guilty of contributing to,
10 encouraging, or tending to cause by any act or omission, such that condition of the
11 unborn child and expectant mother, the judge may make orders with respect to the
12 conduct of such that person in his or her relationship to the unborn child and
13 expectant mother.

14 **SECTION 12.** 48.45 (3) of the statutes is amended to read:

15 48.45 (3) If it appears at a court hearing that any person ~~17~~ 18 years of age or
16 older has violated s. 948.40, the judge shall refer the record to the district attorney
17 for criminal proceedings as may be warranted in the district attorney's judgment.
18 This subsection does not prevent prosecution of violations of s. 948.40 without the
19 prior reference by the judge to the district attorney, as in other criminal cases.

20 **SECTION 13.** 49.45 (6m) (br) 1. of the statutes is amended to read:

21 49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (h), or (ko), 20.435 (4) (bt)
22 or (7) (b), or 20.445 (3) (dz), the department shall reduce allocations of funds to
23 counties in the amount of the disallowance from the appropriation account under s.
24 20.435 (4) (bt) or (7) (b), or the department shall direct the department of workforce
25 development to reduce allocations of funds to counties or Wisconsin works agencies

BILL

Insert 7-4a
INSERT 7-4b

1 in the amount of the disallowance from the appropriation account under s. 20.445 (3)
2 (dz) or direct the department of corrections to reduce allocations of funds to counties
3 in the amount of the disallowance from the appropriation account under s. 20.410 (3)
4 (cd), (h), or (ko) in accordance with s. 16.544 to the extent applicable.

5 **SECTION 14.** 77.52 (1) of the statutes is amended to read:

6 77.52 (1) ~~For~~ Except as provided in sub. (1b), for the privilege of selling, leasing,
7 or renting tangible personal property, including accessories, components,
8 attachments, parts, supplies, and materials, at retail a tax is imposed upon all
9 retailers at the rate of 5% of the gross receipts from the sale, lease, or rental of
10 tangible personal property, including accessories, components, attachments, parts,
11 supplies, and materials, sold, leased, or rented at retail in this state.

12 **SECTION 15.** 77.52 (1b) of the statutes is created to read:

13 77.52 (1b) In addition to the tax imposed on sub. (1), a ~~tax~~ fee is imposed upon all
14 retailers at the rate of 1 percent of the gross receipts from the sale, lease, or rental
15 of video games, including accessories, components, attachments, parts, and supplies
16 that are sold, leased, or rented at retail in this state. All moneys from the ~~tax~~ fee imposed
17 under this subsection shall be credited to the appropriation under s. 20.410 (3) (h).

18 **SECTION 16.** 77.52 (17m) (f) 2. of the statutes is amended to read:

19 77.52 (17m) (f) 2. Maintain accounting records that show the tax under ss.
20 77.52 (1), (1b), and (2) and 77.53 (3) paid on each purchase during each reporting
21 period under s. 77.58 and the total tax paid during each reporting period, pay the tax
22 under ss. 77.52 (1), (1b), and (2) and 77.53 (3) on either all or none of the purchases
23 made from each retailer during each reporting period and pay the tax under s. 77.53
24 (1) to the department on all of the purchases for which the tax is due.

25 **SECTION 17.** 77.53 (1) of the statutes is amended to read:

and video gaming devices

BILL

(1d)
re

1 77.53 (1) Except as provided in sub. subs. (1b) and (1m), an excise tax is levied
 2 and imposed on the use or consumption in this state of taxable services under s. 77.52
 3 purchased from any retailer, at the rate of 5% of the sales price of those services; on
 4 the storage, use, or other consumption in this state of tangible personal property
 5 purchased from any retailer, at the rate of 5% of the sales price of that property; and
 6 on the storage, use, or other consumption of tangible personal property
 7 manufactured, processed, or otherwise altered, in or outside this state, by the person
 8 who stores, uses or consumes it, from material purchased from any retailer, at the
 9 rate of 5% of the sales price of that material.

10 **SECTION 18.** 77.53 (1b) of the statutes is created to read:

(1d) (1b) (1d)

11 77.53 (1b) In addition to the tax imposed under sub. (1), ~~an excise tax~~ is levied
 12 and imposed on the storage, use, or other consumption in this state of video games
 13 purchased from any retailer, at the rate of 1 percent of the sales price of such games.

14 All moneys from the ~~tax~~ ^{fee} imposed under this subsection shall be credited to the
 15 appropriation under s. 20.410 (3) (h). and the fee imposed under s. 77.52 (1d)

16 **SECTION 19.** 77.61 (4) (c) of the statutes is amended to read:

17 77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax
 18 imposed on the retailer under s. 77.53 (3) and the accounting connected with it,
 19 retailers may deduct 0.5% of those taxes payable or \$10 for that reporting period
 20 required under s. 77.58 (1), whichever is greater, but not more than the amount of
 21 the sales taxes or use taxes that is payable under ss. 77.52 (1) and (1b) and 77.53 (3)
 22 for that reporting period required under s. 77.58 (1), as administration expenses if
 23 the payment of the taxes is not delinquent. For purposes of calculating the retailer's
 24 discount under this paragraph, the taxes on retail sales reported by retailers under

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1 subch. V, including taxes collected and remitted as required under s. 77.785, shall be
2 included if the payment of those taxes is not delinquent.

3 **SECTION 20.** 118.163 (4) of the statutes is amended to read:

4 118.163 (4) A person who is under 17 18 years of age on the date of disposition
5 is subject to s. 938.342.

6 **SECTION 21.** 125.07 (4) (d) of the statutes is amended to read:

7 125.07 (4) (d) A person who is under 17 18 years of age on the date of disposition
8 is subject to s. 938.344 unless proceedings have been instituted against the person
9 in a court of civil or criminal jurisdiction after dismissal of the citation under s.
10 938.344 (3).

11 **SECTION 22.** 125.07 (4) (e) 1. of the statutes is amended to read:

12 125.07 (4) (e) 1. In this paragraph, "defendant" means a person found guilty
13 of violating par. (a) or (b) who is 17, 18, 19, or 20 years of age.

14 **SECTION 23.** 125.085 (3) (bt) of the statutes is amended to read:

15 125.085 (3) (bt) A person who is under 17 18 years of age on the date of
16 disposition is subject to s. 938.344 unless proceedings have been instituted against
17 the person in a court of civil or criminal jurisdiction after dismissal of the citation
18 under s. 938.344 (3).

19 **SECTION 24.** 165.83 (1) (c) 1. of the statutes is amended to read:

20 165.83 (1) (c) 1. An act that is committed by a person who has attained the age
21 of 17 18 and that is a felony or a misdemeanor.

22 **SECTION 25.** 165.83 (1) (c) 2. of the statutes is amended to read:

23 165.83 (1) (c) 2. An act that is committed by a person who has attained the age
24 of 10 but who has not attained the age of 17 18 and that would be a felony or
25 misdemeanor if committed by an adult.

BILL

1 SECTION ~~26~~[✓]. 301.12 (2m) of the statutes is amended to read:

2 301.12 (2m) The liability specified in sub. (2) shall not apply to persons ~~17~~ 18
3 years of age and older receiving care, maintenance, services, and supplies provided
4 by prisons named in s. 302.01.

5 SECTION ~~27~~[✓]. 301.12 (14) (a) of the statutes is amended to read:

6 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person
7 specified in sub. (2) or s. 301.03 (18) for care and maintenance of persons under ~~17~~
8 18 years of age in residential, nonmedical facilities such as group homes, foster
9 homes, treatment foster homes, child caring institutions, and juvenile correctional
10 institutions is determined in accordance with the cost-based fee established under
11 s. 301.03 (18). The department shall bill the liable person up to any amount of
12 liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd-party
13 benefits, subject to rules ~~which~~ that include formulas governing ability to pay
14 promulgated by the department under s. 301.03 (18). Any liability of the resident not
15 payable by any other person terminates when the resident reaches age ~~17~~ 18, unless
16 the liable person has prevented payment by any act or omission.

17 SECTION ~~28~~[✓]. 301.26 (3) (c) of the statutes is amended to read:

18 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
19 (h), and (ko), the department shall allocate funds to each county for services under
20 this section.

21 SECTION ~~29~~[✓]. 301.26 (3) (em) of the statutes is amended to read:

22 301.26 (3) (em) The department may carry forward any emergency funds
23 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
24 by December 31 to the next 2 calendar years. The department may transfer moneys
25 from or within s. 20.410 (3) (cd), (h), and (ko) to accomplish this purpose. The

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1 department may allocate these transferred moneys to counties that are eligible for
2 emergency payments under sub. (7) (e). The allocation does not affect a county's base
3 allocation.

4 **SECTION 30.** 301.26 (4) (a) of the statutes is amended to read:

5 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
6 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
7 (h), and (ko) for the costs of care, services and supplies purchased or provided by the
8 department of corrections for each person receiving services under s. 48.366, 938.183
9 or 938.34 or the department of health and family services for each person receiving
10 services under s. 46.057 or 51.35 (3). The department of corrections may not bill a
11 county for or deduct from a county's allocation the cost of care, services and supplies
12 provided to a person subject to an order under s. 48.366 or 938.183 after the person
13 reaches 18 years of age. Payment shall be due within 60 days after the billing date.

14 If any payment has not been received within 60 days, the department of corrections
15 may withhold aid payments in the amount due from the appropriation under s.
16 20.410 (3) (cd).

17 **SECTION 31.** 301.26 (6) (a) of the statutes is amended to read:

18 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
19 legislature in allocating funding, excluding funding for base allocations, from the
20 appropriations under s. 20.410 (3) (cd), (h), and (ko) for purposes described in this
21 section.

22 **SECTION 32.** 302.31 (7) of the statutes is amended to read:

23 302.31 (7) The temporary placement of persons in the custody of the
24 department, other than persons under 17 18 years of age, and persons who have
25 attained the age of 17 18 years but have not attained the age of 25 years who are

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1 under the supervision of the department under s. 48.366 or 938.355 (4) and who have
2 been taken into custody pending revocation of aftercare supervision under s. 48.366
3 (5) or 938.357 (5) (e).

4 **SECTION 33.** 938.02 (1) of the statutes is amended to read:

5 938.02 (1) "Adult" means a person who is 18 years of age or older, ~~except that~~
6 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
7 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
8 ~~means a person who has attained 17 years of age.~~

9 **SECTION 34.** 938.02 (10m) of the statutes is amended to read:

10 938.02 (10m) "Juvenile" means a person who is less than 18 years of age, ~~except~~
11 ~~that for purposes of investigating or prosecuting a person who is alleged to have~~
12 ~~violated a state or federal criminal law or any civil law or municipal ordinance,~~
13 ~~"juvenile" does not include a person who has attained 17 years of age.~~

14 **SECTION 35.** 938.12 (2) of the statutes is amended to read:

15 938.12 (2) ~~SEVENTEEN-YEAR-OLDS~~ EIGHTEEN-YEAR-OLDS. If a petition alleging
16 that a juvenile is delinquent is filed before the juvenile is ~~17~~ 18 years of age, but the
17 juvenile becomes ~~17~~ 18 years of age before admitting the facts of the petition at the
18 plea hearing or if the juvenile denies the facts, before an adjudication, the court
19 retains jurisdiction over the case.

20 **SECTION 36.** 938.18 (2) of the statutes is amended to read:

21 938.18 (2) PETITION. The petition for waiver of jurisdiction may be filed by the
22 district attorney or the juvenile or may be initiated by the court and shall contain a
23 brief statement of the facts supporting the request for waiver. The petition for waiver
24 of jurisdiction shall be accompanied by or filed after the filing of a petition alleging
25 delinquency and shall be filed prior to the plea hearing, except that if the juvenile

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1 denies the facts of the petition and becomes 17 18 years of age before an adjudication,
2 the petition for waiver of jurisdiction may be filed at any time prior to the
3 adjudication. If the court initiates the petition for waiver of jurisdiction, the judge
4 shall disqualify himself or herself from any future proceedings on the case.

5 **SECTION 37.** 938.183 (3) of the statutes is amended to read:

6 938.183 (3) PLACEMENT IN STATE PRISON; PAROLE. When a juvenile who is subject
7 to a criminal penalty under sub. (1m) or s. 938.183 (2), 2003 stats., attains the age
8 of 17 18 years, the department may place the juvenile in a state prison named in s.
9 302.01, ~~except that the department may not place any person under the age of 18~~
10 ~~years in the correctional institution authorized in s. 301.16 (1n).~~ A juvenile who is
11 subject to a criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for
12 an act committed before December 31, 1999, is eligible for parole under s. 304.06.

13 **SECTION 38.** 938.255 (1) (intro.) of the statutes is amended to read:

14 938.255 (1) TITLE AND CONTENTS. (intro.) A petition initiating proceedings
15 under this chapter, ~~other than a petition initiating proceedings under s. 938.12,~~
16 ~~938.125, or 938.13 (12),~~ shall be entitled, "In the interest of (juvenile's name), a
17 person under the age of 18". ~~A petition initiating proceedings under s. 938.12,~~
18 ~~938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a person~~
19 ~~under the age of 17".~~ A petition initiating proceedings under this chapter shall
20 specify all of the following:

21 **SECTION 39.** 938.344 (3) of the statutes is amended to read:

22 938.344 (3) PROSECUTION IN ADULT COURT. If the juvenile alleged to have
23 committed the violation is within 3 months of his or her 17th 18th birthday, the court
24 assigned to exercise jurisdiction under this chapter and ch. 48 may, at the request
25 of the district attorney or on its own motion, dismiss the citation without prejudice

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1 and refer the matter to the district attorney for prosecution under s. 125.07 (4). The
2 juvenile is entitled to a hearing only on the issue of his or her age. This subsection
3 does not apply to violations under s. 961.573 (2), 961.574 (2), or 961.575 (2) or a local
4 ordinance that strictly conforms to one of those statutes.

5 **SECTION 40.** 938.35 (1m) of the statutes is amended to read:

6 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
7 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation
8 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
9 in criminal court when the juvenile attains ~~17~~ 18 years of age. This ~~paragraph~~
10 subsection does not affect proceedings in criminal court that have been transferred
11 under s. 938.18.

12 **SECTION 41.** 938.355 (4) (b) of the statutes is amended to read:

13 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
14 or (4m) made before the juvenile attains 18 years of age may apply for up to 2 years
15 after the date on which the order is granted or until the juvenile's 18th birthday,
16 whichever is earlier, unless the court specifies a shorter period of time or the court
17 terminates the order sooner. If the order does not specify a termination date, it shall
18 apply for one year after the date on which the order is granted or until the juvenile's
19 18th birthday, whichever is earlier, unless the court terminates the order sooner.
20 Except as provided in s. 938.368, an order under s. 938.34 (4h) made before the
21 juvenile attains 18 years of age shall apply for 5 years after the date on which the
22 order is granted, if the juvenile is adjudicated delinquent for committing a violation
23 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
24 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
25 juvenile is adjudicated delinquent for committing an act that would be punishable

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1 as a Class A felony if committed by an adult. Except as provided in s. 938.368, an
2 extension of an order under s. 938.34 (4d), (4h), (4m), or (4n) made before the juvenile
3 attains ~~17~~ 18 years of age shall terminate at the end of one year after the date on
4 which the order is granted unless the court specifies a shorter period of time or the
5 court terminates the order sooner. No extension under s. 938.365 of an original
6 dispositional order under s. 938.34 (4d), (4h), (4m), or (4n) may be granted for a
7 juvenile who is ~~17~~ 18 years of age or older when the original dispositional order
8 terminates.

9 **SECTION ~~42~~** 938.355 (4m) (a) of the statutes is amended to read:

10 938.355 (**4m**) (a) A juvenile who has been adjudged delinquent under s. 48.12,
11 1993 stats., or s. 938.12 may, on attaining ~~17~~ 18 years of age, petition the court to
12 expunge the court's record of the juvenile's adjudication. Subject to par. (b), the court
13 may expunge the record if the court determines that the juvenile has satisfactorily
14 complied with the conditions of his or her dispositional order and that the juvenile
15 will benefit from, and society will not be harmed by, the expungement.

16 **SECTION ~~43~~** 938.39 of the statutes is amended to read:

17 **938.39 Disposition by court bars criminal proceeding.** Disposition by the
18 court of any violation of state law within its jurisdiction under s. 938.12 bars any
19 future criminal proceeding on the same matter in circuit court when the juvenile
20 reaches the age of ~~17~~ 18. This section does not affect criminal proceedings in circuit
21 court that were transferred under s. 938.18.

22 **SECTION ~~44~~** Subchapter IX (title) of chapter 938 [precedes 938.44] of the
23 statutes is amended to read:

CHAPTER 938**SUBCHAPTER IX**

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1 JURISDICTION OVER PERSONS ~~17~~ 18 OR OLDER2 SECTION ~~45~~ [✓] 938.44 of the statutes is amended to read:3 **938.44 Jurisdiction over persons ~~17~~ 18 or older.** The court has jurisdiction
4 over persons ~~17~~ 18 years of age or older as provided under ss. 938.355 (4) and 938.45
5 and as otherwise specified in this chapter.6 SECTION ~~46~~ [✓] 938.45 (1) (a) of the statutes is amended to read:7 938.45 (1) (a) If in the hearing of a case of a juvenile alleged to be delinquent
8 under s. 938.12 or in need of protection or services under s. 938.13 it appears that any
9 person ~~17~~ 18 years of age or older has been guilty of contributing to, encouraging, or
10 tending to cause by any act or omission, ~~such that~~ that condition of the juvenile, the court
11 may make orders with respect to the conduct of that person in his or her relationship
12 to the juvenile, including orders relating to determining the ability of the person to
13 provide for the maintenance or care of the juvenile and directing when, how, and
14 where funds for the maintenance or care shall be paid.15 SECTION ~~47~~ [✓] 938.45 (3) of the statutes is amended to read:16 938.45 (3) PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE.
17 If it appears at a court hearing that any person ~~17~~ 18 years of age or older has violated
18 s. 948.40, the court shall refer the record to the district attorney. This subsection does
19 not prohibit prosecution of violations of s. 948.40 without the prior reference by the
20 court to the district attorney.21 SECTION ~~48~~ [✓] 938.48 (4m) (a) of the statutes is amended to read:22 938.48 (4m) (a) Is at least ~~17~~ 18 years of age.23 SECTION ~~49~~ [✓] 938.48 (4m) (b) of the statutes is amended to read:24 938.48 (4m) (b) Was under the supervision of the department under s. 938.183,
25 938.34 (4h), (4m), or (4n) or 938.357 (4) when the person reached ~~17~~ 18 years of age.

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SECTION 50. 938.48 (14) of the statutes is amended to read:

938.48 (14) SCHOOL-RELATED EXPENSES FOR JUVENILES OVER ~~17~~ 18. Pay maintenance, tuition, and related expenses from the appropriation under s. 20.410 (3) (ho) for persons who, when they attained ~~17~~ 18 years of age, were students regularly attending a school, college, or university or regularly attending a course of vocational or technical training designed to prepare them for gainful employment, and who upon attaining that age were under the supervision of the department under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4) as a result of a judicial decision.

SECTION 51. 938.57 (3) (a) 1. of the statutes is amended to read:

938.57 (3) (a) 1. Is ~~17~~ 18 years of age or older.

SECTION 52. 938.57 (3) (a) 3. of the statutes is amended to read:

938.57 (3) (a) 3. Received funding under s. 46.495 (1) (d) immediately prior to his or her ~~17th~~ 18th birthday.

SECTION 53. 938.57 (3) (b) of the statutes is amended to read:

938.57 (3) (b) The funding provided for the maintenance of a juvenile under par. (a) shall be in an amount equal to that to which the juvenile would receive under s. 46.495 (1) (d) if the juvenile were ~~16~~ 17 years of age.

SECTION 54. 946.50 (intro.) of the statutes is amended to read:

946.50 Absconding. (intro.) Any person who is adjudicated delinquent, but who intentionally fails to appear before the court assigned to exercise jurisdiction under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who does not return to that court for a dispositional hearing before attaining the age of ~~17~~ 18 years is guilty of the following:

SECTION 55. 948.01 (1) of the statutes is amended to read:

Insert
17-14
Insert
17-18

BILL

1 948.01 (1) "Child" means a person who has not attained the age of 18 years,
2 ~~except that for purposes of prosecuting a person who is alleged to have violated a~~
3 ~~state or federal criminal law, "child" does not include a person who has attained the~~
4 ~~age of 17 years.~~

5 SECTION ~~56~~. 948.11 (2) (am) (intro.) of the statutes is amended to read:

6 948.11 (2) (am) (intro.) Any person who has attained the age of ~~17~~ 18 and who,
7 with knowledge of the character and content of the description or narrative account,
8 verbally communicates, by any means, a harmful description or narrative account
9 to a child, with or without monetary consideration, is guilty of a Class I felony if any
10 of the following applies:

11 SECTION ~~57~~. 948.45 (1) of the statutes is amended to read:

12 948.45 (1) Except as provided in sub. (2), any person ~~17~~ 18 years of age or older
13 who, by any act or omission, knowingly encourages or contributes to the truancy, as
14 defined under s. 118.16 (1) (c), of a person ~~17~~ 18 years of age or under is guilty of a
15 Class C misdemeanor.

16 SECTION ~~58~~. 948.60 (2) (d) of the statutes is amended to read:

17 948.60 (2) (d) A person under ~~17~~ 18 years of age who has violated this
18 subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under
19 s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction
20 under s. 938.183.

21 SECTION ~~59~~. 948.61 (4) of the statutes is amended to read:

22 948.61 (4) A person under ~~17~~ 18 years of age who has violated this section is
23 subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18 or
24 the person is subject to the jurisdiction of a court of criminal jurisdiction under s.
25 938.183.

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1 **SECTION 60.** 961.455 (1) of the statutes is amended to read:

2 961.455 (1) Any person who has attained the age of 17 18 years who knowingly
3 solicits, hires, directs, employs, or uses a person who is under the age of 17 18 years
4 for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

5 **SECTION 61.** 961.46 of the statutes is amended to read:

6 **961.46 Distribution to persons under age 18.** If a person 17 18 years of age
7 or over violates s. 961.41 (1) by distributing or delivering a controlled substance or
8 a controlled substance analog to a person 17 years of age or under who is at least 3
9 years his or her junior, the applicable maximum term of imprisonment prescribed
10 under s. 961.41 (1) for the offense may be increased by not more than 5 years.

11 **SECTION 62.** 961.573 (2) of the statutes is amended to read:

12 961.573 (2) Any person ~~who violates sub. (1) who is under 17 18~~ years of age
13 ~~who violates sub. (1)~~ is subject to a disposition under s. 938.344 (2e).

14 **SECTION 63.** 961.574 (2) of the statutes is amended to read:

15 961.574 (2) Any person ~~who violates sub. (1) who is under 17 18~~ years of age
16 ~~who violates sub. (1)~~ is subject to a disposition under s. 938.344 (2e).

17 **SECTION 64.** 961.575 (1) of the statutes is amended to read:

18 961.575 (1) Any person 17 18 years of age or over who violates s. 961.574 (1)
19 by delivering drug paraphernalia to a person 17 years of age or under who is at least
20 3 years younger than the violator may be fined not more than \$10,000 or imprisoned
21 for not more than 9 months or both.

22 **SECTION 65.** 961.575 (2) of the statutes is amended to read:

23 961.575 (2) Any person ~~who violates this section who is under 17~~ under 18 years
24 of age ~~who violates s. 961.574 (3)~~ is subject to a disposition under s. 938.344 (2e).

25 **SECTION 66.** 961.575 (3) of the statutes is amended to read:

BILL

1 961.575 (3) Any person 17 18 years of age or over who violates s. 961.574 (3)
2 by delivering drug paraphernalia to a person 17 years of age or under is guilty of a
3 Class G felony.

4 **SECTION 67.** 990.01 (3) of the statutes is amended to read:

5 990.01 (3) ADULT. "Adult" means a person who has attained the age of 18 years,
6 except that for purposes of investigating or prosecuting a person who is alleged to
7 have violated any state or federal criminal law or any civil law or municipal
8 ordinance, "adult" means a person who has attained the age of 17 years.

9 **SECTION 68.** 990.01 (20) of the statutes is amended to read:

10 990.01 (20) MINOR. "Minor" means a person who has not attained the age of
11 18 years, except that for purposes of investigating or prosecuting a person who is
12 alleged to have violated a state or federal criminal law or any civil law or municipal
13 ordinance, "minor" does not include a person who has attained the age of 17 years.

14 **SECTION 69. Initial applicability.**

15 (1) AGE OF ADULT JURISDICTION. This act first applies to a violation of a criminal
16 law, civil law, or municipal ordinance allegedly committed on the effective date of this
17 subsection, except as follows:

18 (a) The treatment of sections 77.52 (1), ^{77.51 (24) and (25)} (1b), and (17m) (f) 2., 77.53 (1) and ^(1d) (1b),
19 and 77.61 (4) (c) of the statutes first applies to sales completed on the first day of the
20 2nd month beginning after publication.

(END)

21

Insert
20-20

Insert 7-4a

As affected by 2007 Wisconsin Act 20 and 2007 Act 20 (this act)

repealed and recreated

LPS - from 2007 Act 20.

SECTION 15.72. 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 (4) (bt) or (7) (b) or ~~20.435 (3)~~, 20.437 (2) (dz), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.435 (4) (bt) or (7) (b), or the department shall direct the department of ~~work~~ ~~force development~~ children and families to reduce

(h) or (ko)

allocations of funds to counties or Wisconsin Works Works agencies in the amount of the disallowance from the appropriation account under s. ~~20.435 (3)~~ 20.437 (2) (dz) or direct the department of corrections to reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.410 (3) (cd) in accordance with s. 16.544 to the extent applicable

-3-

(h) or (ko)

end of insert 7-4a

3260/2
JK:bjkInsert 7-4bsec# ^X or; [✓] 77.51(24)77.51(24) ^(B) ↓ Video game[↔] means any electronically

operated game that involves manipulating images

produced by a computer program on a ^{visual} ^{display} visual display^{unit} unit, including a computer monitor, a television or

a video gaming device.

sec# ^X or; [✓] 77.51(25)77.51(25) ^(B) ↓ Video gaming device[↔] means a video game^{console} console or handheld device that is ^{used} ^{primarily} for

displaying video games.

end of insert 7-4b



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(Insert 17-14)

as affected by 2007
Wisconsin Acts 20 and
2007 (this act)

repealed and recreated

SECTION ~~3832~~. 938.57 (3) (a) 3. of the statutes is
amended to read:

LPS - From

2007 Act 20

938.57 (3) (a) 3. Received funding under s. ~~46.195~~
~~48.569~~ (1) (d) immediately prior to his or her ~~18th~~ birth-
day.

18th (plain)

(see stat. 17)

Cost 17-18

As affected by 2007 Wisconsin Acts 20 and 112 (this act)

repealed & reinserted

SECTION 383. 938.57 (3) (b) of the statutes is amended to read:

938.57 (3) (b) The funding provided for the maintenance of a juvenile under par. (a) shall be in an amount equal to that to which the juvenile would receive under s. ~~46.495~~ 48.569 (1) (d) if the juvenile were ~~16~~ years of age.

Cost insert

17 plan

(Inst 20-20)

Effective dates

AGE OF ADULT JURISDICTIONS This act

takes effect on the day after publication, except as follows:

49.45 (bm) (br) 1. and

follows:

(1) The repeal and recreation of sections

938.57 (3) (a) 3. and (b) takes effect on

July 1, 2008

of the statutes

(end of mt)