

1 **SECTION 2729p.** 302.113 (9g) (a) 2. of the statutes is renumbered 302.1135 (1)
2 (b) and amended to read:

3 302.1135 (1) (b) ~~“Terminal condition”~~ “Extraordinary health condition” means
4 ~~an incurable a condition afflicting a person, caused by injury, disease, or illness, as~~
5 ~~a result of which the person has a medical prognosis that his or her life expectancy~~
6 ~~is 6 months or less, even with available life-sustaining treatment provided in~~
7 ~~accordance with the prevailing standard of medical care~~ such as advanced age,
8 infirmity, or disability of the person or a need for medical treatment or services not
9 available within a correctional institution.

10 **SECTION 2729r.** 302.113 (9g) (b) (intro.) of the statutes is renumbered 302.1135
11 (2) (intro.) and amended to read:

12 302.1135 (2) (intro.) An inmate who is serving a bifurcated sentence ~~for a crime~~
13 ~~other than a Class B felony~~ imposed under s. 973.01 or, notwithstanding s. 973.014
14 (1g) (a) or (2), an inmate who is serving a life sentence imposed under s. 973.014 may
15 seek modification of the bifurcated sentence in the manner specified in par. (f) sub.
16 (6) if he or she meets one of the following criteria:

17 **SECTION 2729t.** 302.113 (9g) (b) 1. of the statutes is renumbered 302.1135 (2)
18 (a) and amended to read:

19 302.1135 (2) (a) The inmate is 65 years of age or older and has served at least
20 5 years of the term of confinement in prison portion of the bifurcated sentence for a
21 sentence imposed under s. 973.01 or has served at least 5 years in prison for a life
22 sentence imposed under s. 973.014.

23 **SECTION 2729v.** 302.113 (9g) (b) 2. of the statutes is renumbered 302.1135 (2)
24 (b) and amended to read:

1 302.1135 (2) (b) The inmate is 60 years of age or older and has served at least
2 10 years of the term of confinement in prison portion of the bifurcated sentence for
3 a sentence imposed under s. 973.01 or has served at least 10 years in prison for a life
4 sentence imposed under s. 973.014.

5 **SECTION 2729x.** 302.113 (9g) (b) 3. of the statutes is renumbered 302.1135 (2)
6 (c) and amended to read:

7 302.1135 (2) (c) The inmate has ~~a terminal~~ an extraordinary health condition.

8 **SECTION 2729y.** 302.113 (9g) (c) of the statutes is renumbered 302.1135 (3) and
9 amended to read:

10 302.1135 (3) An inmate who meets the criteria under ~~par. (b)~~ sub. (2) may
11 submit a petition to the ~~program review committee at the correctional institution in~~
12 ~~which the inmate is confined~~ commission requesting a modification of the inmate's
13 bifurcated sentence in the manner specified in ~~par. (f)~~ sub. (6). If the inmate alleges
14 in the petition that he or she has ~~a terminal~~ an extraordinary health condition, the
15 inmate shall attach to the petition affidavits from 2 physicians setting forth a
16 diagnosis that the inmate has ~~a terminal~~ an extraordinary health condition.

17 **SECTION 2730.** 302.113 (9g) (cm) of the statutes is repealed.

18 **SECTION 2731.** 302.113 (9g) (d) of the statutes is renumbered 302.1135 (4) and
19 amended to read:

20 302.1135 (4) When ~~a court is notified by the department that it is referring to~~
21 ~~the court~~ the commission receives under sub. (3) an inmate's petition for modification
22 of the inmate's bifurcated sentence, the ~~court~~ commission shall set a hearing to
23 determine whether the public interest would be served by a modification of the
24 inmate's bifurcated sentence in the manner specified in ~~par. (f)~~ sub. (6). The inmate
25 and the district attorney have the right to be present at the hearing, and any victim

1 of the inmate's crime has the right to be present at the hearing and to provide a
2 statement concerning the modification of the inmate's ~~bifurcated~~ sentence. The
3 ~~court~~ commission shall order such notice of the hearing date as it considers adequate
4 to be given to ~~the department~~, the inmate, the attorney representing the inmate, if
5 applicable, and the district attorney. Victim notification shall be provided as
6 specified under ~~par. (g)~~ sub. (7).

7 **SECTION 2732.** 302.113 (9g) (e) of the statutes is renumbered 302.1135 (5) and
8 amended to read:

9 302.1135 (5) At a hearing scheduled under ~~par. (d)~~ sub. (4), the inmate has the
10 burden of proving by the greater weight of the credible evidence that a modification
11 of the ~~bifurcated~~ sentence in the manner specified in ~~par. (f)~~ sub. (6) would serve the
12 public interest. If the inmate proves that a modification of the ~~bifurcated~~ sentence
13 in the manner specified in ~~par. (f)~~ sub. (6) would serve the public interest, the ~~court~~
14 commission shall modify the inmate's ~~bifurcated~~ sentence in that manner. If the
15 inmate does not prove that a modification of the ~~bifurcated~~ sentence in the manner
16 specified in ~~par. (f)~~ sub. (6) would serve the public interest, the ~~court~~ commission shall
17 deny the inmate's petition for modification of the ~~bifurcated~~ sentence.

18 **SECTION 2733c.** 302.113 (9g) (f) (intro.) of the statutes is renumbered 302.1135
19 (6) (intro.) and amended to read:

20 302.1135 (6) (intro.) ~~A court~~ The commission may modify an inmate's
21 ~~bifurcated~~ sentence under this section only as follows:

22 **SECTION 2733e.** 302.113 (9g) (f) 1. and 2. of the statutes are renumbered
23 302.1135 (6) (a) 1. and 2. and amended to read:

24 302.1135 (6) (a) 1. ~~The court shall reduce~~ Reduce the term of confinement in
25 prison portion of the inmate's bifurcated sentence in a manner that provides for the

1 release of the inmate to extended supervision within 30 days after the date on which
2 the ~~court issues its order modifying~~ commission modifies the bifurcated sentence.

3 2. ~~The court shall lengthen~~ Lengthen the term of extended supervision imposed
4 so that the total length of the bifurcated sentence originally imposed does not change.

5 **SECTION 2733h.** 302.113 (9g) (g) 1. of the statutes is renumbered 302.1135 (7)
6 (a) and amended to read:

7 302.1135 (7) (a) In this ~~paragraph~~ subsection, "victim" has the meaning given
8 in s. 950.02 (4).

9 **SECTION 2734b.** 302.113 (9g) (g) 2. and 3. of the statutes are renumbered
10 302.1135 (7) (b) and (c) and amended to read:

11 302.1135 (7) (b) When ~~a court~~ the commission sets a hearing date under ~~par.~~
12 ~~(d) sub. (4)~~, the ~~clerk of the circuit court~~ commission shall send a notice of hearing
13 to the victim of the crime committed by the inmate, if the victim has submitted a card
14 under ~~subd. 3. par. (c)~~ requesting notification. The notice shall inform the victim that
15 he or she may appear at the hearing scheduled under ~~par. (d) sub. (4)~~ and shall inform
16 the victim of the manner in which he or she may provide a statement concerning the
17 modification of the inmate's ~~bifurcated~~ sentence in the manner provided in ~~par. (f)~~
18 sub. (6). The ~~clerk of the circuit court~~ commission shall make a reasonable attempt
19 to send the notice of hearing to the last-known address of the inmate's victim,
20 postmarked at least 10 days before the date of the hearing.

21 (c) The ~~director of state courts~~ commission shall design and prepare cards for
22 a victim to send to the ~~clerk of the circuit court for the county in which the inmate~~
23 ~~was convicted and sentenced~~ commission. The cards shall have space for a victim to
24 provide his or her name and address, the name of the applicable inmate, and any
25 other information that the ~~director of state courts~~ commission determines is

1 necessary. The ~~director of state courts~~ commission shall provide the cards, without
2 charge, to ~~clerks of circuit court.~~ Clerks of circuit court ~~district attorneys.~~ District
3 attorneys shall provide the cards, without charge, to victims. Victims may send
4 completed cards to the clerk of the circuit court for the county in which the inmate
5 ~~was convicted and sentenced~~ commission. All court commission records or portions
6 of records that relate to mailing addresses of victims are not subject to inspection or
7 copying under s. 19.35 (1). Before any written statement of a victim is made a part
8 of the documentary record considered in connection with a hearing under this
9 section, the commission shall obliterate from the statement all references to the
10 mailing addresses of the victim. A victim who attends an interview or hearing under
11 this section may not be required to disclose at the interview or hearing his or her
12 mailing addresses.

13 **SECTION 2736.** 302.113 (9g) (h) of the statutes is renumbered 302.1135 (8) and
14 amended to read:

15 302.1135 (8) An inmate may ~~appeal a court's decision to deny the inmate's~~
16 ~~petition for modification of his or her bifurcated sentence~~ seek review of a decision
17 under sub. (5) to deny the inmate's petition for modification of the inmate's sentence
18 only by the common law writ of certiorari. The state may appeal a court's decision
19 under sub. (5) to grant an inmate's petition for a modification of the inmate's
20 ~~bifurcated~~ sentence. In an appeal under this paragraph subsection, the appellate
21 reviewing court may reverse a decision granting or denying a petition for
22 modification of a ~~bifurcated~~ sentence only if it determines that the ~~sentencing court~~
23 commission erroneously exercised its discretion in granting or denying the petition.

24 **SECTION 2737.** 302.113 (9g) (i) of the statutes is renumbered 302.1135 (9) and
25 amended to read:

1 302.1135 (9) If the ~~program review committee~~ commission denies an inmate's
2 petition under ~~par. (em) sub. (5)~~, the inmate may not file another petition within one
3 year after the date of the ~~program review committee's~~ denial. If the ~~program review~~
4 ~~committee approves an inmate's petition for referral to the sentencing court under~~
5 ~~par. (em) but the sentencing court denies the petition, the inmate may not file~~
6 ~~another petition under par. (em) within one year after the date of the court's decision.~~

7 **SECTION 2738.** 302.113 (9g) (j) of the statutes is renumbered 302.1135 (10) and
8 amended to read:

9 302.1135 (10) An inmate eligible to seek modification of his or her bifurcated
10 sentence under this ~~subsection~~ section has a right to be represented by counsel in
11 proceedings under this ~~subsection~~ section. An inmate, or the department on the
12 inmate's behalf, may apply to the state public defender for determination of
13 indigency and appointment of counsel under s. 977.05 (4) (jm) before or after the
14 filing of a petition with the ~~program review committee~~ commission under ~~par. (e)~~. If
15 ~~an inmate whose petition has been referred to the court under par. (em) is without~~
16 ~~counsel, the court shall refer the matter to the state public defender for~~
17 ~~determination of indigency and appointment of counsel under s. 977.05 (4) (jm) sub.~~
18 (3).

19 **SECTION 2739.** 302.113 (9h) of the statutes is created to read:

20 302.113 (9h) (a) The department may release to extended supervision certain
21 persons serving the confinement portion of a bifurcated sentence using the sentence
22 modification procedure described in this subsection.

23 (b) The department shall promulgate rules for the determination of whether
24 a bifurcated sentence should be modified under this subsection.

1 (c) A person who is serving the confinement portion of a bifurcated sentence is
2 eligible for sentence modification under this subsection if all of the following
3 conditions are met:

4 1. The person is serving the confinement portion of a bifurcated sentence for
5 a misdemeanor or a Class F to Class I felony that is not a violent offense, as defined
6 in s. 301.048 (2) (bm) 1.

7 2. The prison social worker or extended supervision agent of record has reason
8 to believe that the person will be able to maintain himself or herself while not
9 confined without engaging in assaultive activity.

10 3. The release to extended supervision date is not more than 12 months before
11 the person's extended supervision eligibility date.

12 (d) If the conditions under pars. (b) and (c) are met, the department may modify,
13 in the manner specified under par. (e), the sentence of any person by releasing him
14 or her to extended supervision under this subsection, and, if the department releases
15 the person to extended supervision, the department shall:

16 1. Notify the office of the court that participated in the trial or that accepted
17 the person's plea of guilty or no contest, whichever is applicable.

18 2. Notify the office of the district attorney that participated in the trial of the
19 person or that prepared for proceedings under s. 971.08 regarding the person's plea
20 of guilty or no contest, whichever is applicable.

21 (e) The department may modify a person's bifurcated sentence under this
22 subsection only as follows:

23 1. The department shall reduce the term of confinement in prison portion of the
24 person's bifurcated sentence in a manner that provides for the release of the person

1 to extended supervision within 30 days after the date on which the department
2 modifies the bifurcated sentence.

3 2. The department shall lengthen the term of extended supervision imposed so
4 that the total length of the bifurcated sentence originally imposed does not change.

5 (em) 1. When a person is within 90 days of release to extended supervision
6 under par. (e), the department shall notify the sentencing court that it intends to
7 modify the person's sentence and release the person to extended supervision under
8 par. (e), and the court may hold a review hearing. If the court does not schedule a
9 review hearing within 30 days after notification under this subsection, the
10 department may proceed under par. (e).

11 2. a. If the sentencing court opts to conduct a review, it shall hold the hearing
12 and issue an order relating to the person's sentence modification and release to
13 extended supervision within 60 days of its notification under subd. 1.

14 b. At the hearing, the court may consider the person's conduct in prison, his or
15 her level of risk of reoffending, based on a verified, objective instrument, and the
16 nature of the offense committed by the person. The court may accept the
17 department's modification of the person's sentence, reject the department's
18 modification of the person's sentence, or order the person to remain in prison for a
19 period that does not exceed the time remaining on the person's term of confinement.

20 (f) This subsection does not apply to any of the following:

21 1. A person who is the subject of a bulletin issued under s. 301.46 (2m).

22 2. A person who has, in his or her lifetime, been convicted of or found not guilty
23 by reason of mental disease or defect of a sex offense, as defined in s. 301.45 (1d) (b).

24 3. A person who has, in his or her lifetime, been found to have committed a sex
25 offense in another jurisdiction, as defined in s. 301.45 (1d) (am).

1 4. A person who is required to register under s. 301.45.

2 5. A person who has, in his or her lifetime, been committed under ch. 975.

3 **SECTION 2739d.** 302.1135 (title) of the statutes is created to read:

4 **302.1135 (title) Release to extended supervision for extraordinary**
5 **health circumstances.**

6 **SECTION 2739f.** 302.1135 (1) (a) of the statutes is created to read:

7 302.1135 (1) (a) "Commission" means the earned release review commission
8 under s. 15.145.

9 **SECTION 2739h.** 302.1135 (6) (a) (intro.) of the statutes is created to read:

10 302.1135 (6) (a) (intro.) If the inmate was sentenced to a bifurcated sentence
11 under s. 973.01, the commission shall do all of the following:

12 **SECTION 2739j.** 302.1135 (6) (b) of the statutes is created to read:

13 302.1135 (6) (b) If the inmate was sentenced to life imprisonment under s.
14 973.014, notwithstanding s. 973.014 (1g) (a) or (2), the commission shall release the
15 inmate to extended supervision within 30 days after the date on which the
16 commission modifies the sentence and shall impose the term of extended supervision
17 so that the total length of the sentence originally imposed does not change.

18 **SECTION 2739p.** 302.114 (9) (am) of the statutes is amended to read:

19 302.114 (9) (am) If a person released to extended supervision under this section
20 or under s. 302.1135 violates a condition of extended supervision, the reviewing
21 authority may revoke the extended supervision of the person. If the extended
22 supervision of the person is revoked, the person shall be returned to the circuit court
23 for the county in which the person was convicted of the offense for which he or she
24 was on extended supervision, and the court shall order the person to be returned to
25 prison for a specified period of time before he or she is eligible for being released again

1 to extended supervision. The period of time specified under this paragraph may not
2 be less than 5 years and may be extended in accordance with sub. (3).

3 **SECTION 2740.** 302.114 (9) (c) of the statutes is amended to read:

4 302.114 (9) (c) A person who is subsequently released to extended supervision
5 under par. (bm) is subject to all conditions and rules under sub. (8) until the
6 expiration of the sentence or until the department discharges the person under s.
7 973.01 (4m), whichever is appropriate.

8 **SECTION 2740b.** 302.388 (1) (a) of the statutes is amended to read:

9 302.388 (1) (a) "Health care provider" has the meaning given in s. 146.81 (1)
10 (a) to (p).

11 **SECTION 2740c.** 302.425 (2) of the statutes is amended to read:

12 302.425 (2) SHERIFF'S OR SUPERINTENDENT'S GENERAL AUTHORITY. Subject to the
13 limitations under sub. (3), a county sheriff or a superintendent of a house of
14 correction may place in the home detention program any person confined in jail who
15 ~~has been arrested for, charged with, convicted of or sentenced for a crime.~~ The sheriff
16 or superintendent may transfer any prisoner in the home detention program to the
17 jail.

18 **SECTION 2740g.** 302.425 (3) of the statutes is amended to read:

19 302.425 (3) PLACEMENT OF A PRISONER IN THE PROGRAM. ~~If a prisoner described~~
20 ~~under sub. (2) and the department agree, the~~ The sheriff or superintendent may, if
21 he or she determines that the home detention program is appropriate for a prisoner,
22 place the prisoner in the home detention program and provide that the prisoner be
23 detained at the prisoner's place of residence or other place designated by the sheriff
24 or superintendent and be monitored by an active electronic monitoring system. The
25 sheriff or superintendent shall establish reasonable terms of detention and ensure

1 that the prisoner is provided a written statement of those terms, including a
2 description of the detention monitoring procedures and requirements and of any
3 applicable liability issues. The terms may include a requirement that the prisoner
4 pay the county a daily fee to cover the county costs associated with monitoring him
5 or her. The county may obtain payment under this subsection or s. 302.372, but may
6 not collect for the same expenses twice.

7 **SECTION 2740n.** 302.425 (7) of the statutes is renumbered 302.425 (7) (intro.)
8 and amended to read:

9 302.425 (7) ~~COURT-ORDERED DETENTION~~ EXCEPTIONS. (intro.) This section does
10 not apply to ~~persons sentenced under s. 973.04.;~~

11 **SECTION 2740r.** 302.425 (7) (a) of the statutes is created to read:

12 302.425 (7) (a) A person sentenced under s. 973.04.

13 **SECTION 2740w.** 302.425 (7) (b) of the statutes is created to read:

14 302.425 (7) (b) A person in jail pending the disposition of his or her parole,
15 extended supervision, or probation revocation proceedings.

16 **SECTION 2740y.** 302.46 (1) (a) of the statutes is amended to read:

17 302.46 (1) (a) If a court imposes a fine or forfeiture for a violation of state law
18 or for a violation of a municipal or county ordinance except for a violation of s. 101.123
19 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a financial responsibility violation
20 under s. 344.62 (2), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63
21 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood
22 alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation,
23 or for a violation of state laws or municipal or county ordinances involving
24 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use
25 violations under s. 347.48 (2m), the court, in addition, shall impose a jail surcharge

1 under ch. 814 in an amount of 1 percent of the fine or forfeiture imposed or \$10,
2 whichever is greater. If multiple offenses are involved, the court shall determine the
3 jail surcharge on the basis of each fine or forfeiture. If a fine or forfeiture is
4 suspended in whole or in part, the court shall reduce the jail surcharge in proportion
5 to the suspension.

6 **SECTION 2741e.** 303.065 (5) (dm) of the statutes is amended to read:

7 303.065 (5) (dm) Payment for legal representation under s. 977.07 (2) (2m),
8 977.075 or 977.076;

9 **SECTION 2742.** 304.01 (title) of the statutes is amended to read:

10 **304.01 (title) Parole Earned release review commission and**
11 **commission chairperson; general duties.**

12 **SECTION 2743.** 304.01 (1) of the statutes is amended to read:

13 304.01 (1) The chairperson of the parole earned release review commission
14 shall administer and supervise the commission and its activities and shall be the
15 final ~~parole-granting~~ authority for granting parole or release to extended
16 supervision, except as provided in s. 304.02.

17 **SECTION 2744.** 304.01 (2) (intro.) of the statutes is amended to read:

18 304.01 (2) (intro.) The parole earned release review commission shall conduct
19 regularly scheduled interviews to consider the parole or release to extended
20 supervision of eligible inmates of the adult correctional institutions under the
21 control of the department of corrections, eligible inmates transferred under ch. 51
22 and under the control of the department of health services and eligible inmates in
23 any county house of correction. The department of corrections shall provide all of the
24 following to the parole earned release review commission:

25 **SECTION 2745.** 304.01 (2) (b) of the statutes is amended to read:

1 304.01 (2) (b) Scheduling assistance for parole interviews for prisoners who
2 have applied for parole or release to extended supervision at the correctional
3 institutions.

4 **SECTION 2746.** 304.01 (2) (c) of the statutes is amended to read:

5 304.01 (2) (c) Clerical support related to the parole interviews for prisoners who
6 have applied for parole or release to extended supervision.

7 **SECTION 2747.** 304.01 (2) (d) of the statutes is amended to read:

8 304.01 (2) (d) Appropriate physical space at the correctional institutions to
9 conduct the parole interviews for prisoners who have applied for parole or release to
10 extended supervision.

11 **SECTION 2748.** 304.06 (title) of the statutes is amended to read:

12 **304.06 (title) Paroles Release to parole or extended supervision from**
13 **state prisons and house of correction.**

14 **SECTION 2749.** 304.06 (1) (a) 1. of the statutes is amended to read:

15 304.06 (1) (a) 1. "Member of the family" means spouse, domestic partner under
16 ch. 770, child, sibling, parent or legal guardian.

17 **SECTION 2750.** 304.06 (1) (b) of the statutes is amended to read:

18 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
19 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole earned release review
20 commission may parole an inmate of the Wisconsin state prisons or any felon or any
21 person serving at least one year or more in a county house of correction or a county
22 reforestation camp organized under s. 303.07, when he or she has served 25% of the
23 sentence imposed for the offense, or 6 months, whichever is greater. Except as
24 provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole earned
25 release review commission may parole an inmate serving a life term when he or she

1 has served 20 years, as modified by the formula under s. 302.11 (1) and subject to
2 extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term
3 shall be given credit for time served prior to sentencing under s. 973.155, including
4 good time under s. 973.155 (4). The secretary may grant special action parole
5 releases under s. 304.02. The department or the parole earned release review
6 commission shall not provide any convicted offender or other person sentenced to the
7 department's custody any parole eligibility or evaluation for parole or release to
8 extended supervision until the person has been confined at least 60 days following
9 sentencing.

10 **SECTION 2751.** 304.06 (1) (bg) of the statutes is created to read:

11 304.06 (1) (bg) 1. A person sentenced under s. 973.01 for a Class F to Class I
12 felony or a misdemeanor that is not a violent offense, as defined in s. 301.048 (2) (bm)
13 1., and who is ineligible for positive adjustment time under s. 302.113 (2) (b) pursuant
14 to s. 973.01 (3d) (b) or for a Class F to Class I felony that is a violent offense, as defined
15 in s. 301.048 (2) (bm) 1., may earn one day of positive adjustment time for every 3
16 days served that he or she does not violate any regulation of the prison or does not
17 refuse or neglect to perform required or assigned duties. The person may petition
18 the earned release review commission for release to extended supervision when he
19 or she has served the term of confinement in prison portion of his or her bifurcated
20 sentence, as modified by the sentencing court under s. 302.045 (3m) (b) 1. or 302.05
21 (3) (c) 2. a., less positive adjustment time he or she has earned. This subdivision does
22 not apply to any of the following:

23 ad. A person ~~sentenced on or after~~ the effective date of this subd. 1. ad. [LRB
24 inserts date]. am. A person who is the subject of a bulletin issued under s. 301.46
25 (2m).

1 b. A person who has, in his or her lifetime, been convicted of or found not guilty
2 by reason of mental disease or defect of a sex offense, as defined in s. 301.45 (1d) (b).

3 c. A person who has, in his or her lifetime, been found to have committed a sex
4 offense in another jurisdiction, as defined in s. 301.45 (1d) (am).

5 d. A person who is required to register under s. 301.45.

6 e. A person who has, in his or her lifetime, been committed under ch. 975.

7 f. A person who is serving, begins to serve, or who has served during his or her
8 current period of confinement, a sentence for a Class C to Class E felony.

9 g. A person who is serving a sentence for an offense against an elderly or
10 vulnerable person, as defined in s. 939.22 (20d).

11 h. A person who is serving a sentence for an offense related to ethical
12 government, as defined in s. 939.22 (20m).

13 i. A person who is serving a sentence for an offense related to school safety, as
14 defined in s. 939.22 (20s).

15 j. A person who is serving a sentence for a felony murder under s. 940.03.

16 k. A person who is serving a sentence for a violation of s. 940.11 (1).

17 L. A person who is serving a sentence for a violation of s. 940.235.

18 m. A person who is serving a sentence for a violation of s. 940.32 (3).

19 n. A person who is serving a sentence for a violation of s. 941.21.

20 o. A person who is serving a sentence for a violation of s. 946.465.

21 2. A person sentenced under s. 973.01 for a Class C to Class E felony may earn
22 one day of positive adjustment time for every 5.7 days served that he or she does not
23 violate any regulation of the prison or does not refuse or neglect to perform required
24 or assigned duties. An inmate convicted of a Class C to Class E felony may petition
25 the earned release review commission for release to extended supervision when he

1 or she has served the term of confinement in prison portion of his or her bifurcated
2 sentence, as modified by the sentencing court under s. 302.045 (3m) (b) 1. or 302.05
3 (3) (c) 2. a., less positive adjustment time he or she has earned. This subdivision does
4 not apply to any of the following:

5 ad. A person sentenced on or after the effective date of this subd. 2. ad. [LRB
6 inserts date]. am. A person who is the subject of a bulletin issued under s. 301.46
7 (2m).

8 b. A person who has, in his or her lifetime, been convicted of or found not guilty
9 by reason of mental disease or defect of a sex offense, as defined in s. 301.45 (1d) (b).

10 c. A person who has, in his or her lifetime, been found to have committed a sex
11 offense in another jurisdiction, as defined in s. 301.45 (1d) (am).

12 d. A person who is required to register under s. 301.45.

13 e. A person who has, in his or her lifetime, been committed under ch. 975.

14 f. A person who is serving a sentence for an offense against an elderly or
15 vulnerable person, as defined in s. 939.22 (20d).

16 g. A person who is serving a sentence for an offense related to ethical
17 government, as defined in s. 939.22 (20m).

18 h. A person who is serving a sentence related school safety, as defined in s.
19 939.22 (20s).

20 i. A person who is serving a sentence for a felony murder under s. 940.03.

21 j. A person who is serving a sentence for a violation of s. 940.06.

22 k. A person who is serving a sentence for a violation of s. 940.302.

23 L. A person who is serving a sentence for a violation of s. 940.31 (1).

24 m. A person who is serving a sentence for a violation of s. 948.03 (2) (a).

25 n. A person who is serving a sentence for a violation of s. 948.40 (4) (a).

1 3. A person sentenced under s. 973.01 for a misdemeanor or for a Class F to
2 Class I felony committed prior to the effective date of this subdivision [LRB inserts
3 date], and who has not petitioned a sentencing court for a sentence adjustment under
4 s. 973.195 (1r) for any offense for which he or she is incarcerated may apply for
5 release to extended supervision when he or she has served at least 75 percent of the
6 term of confinement portion of his or her bifurcated sentence, as modified by the
7 sentencing court under s. 302.045 (3m) (b) 1. or 302.05 (3) (c) 2. a. This subdivision
8 does not apply to a person who is serving, begins to serve, or who has served during
9 his or her current period of confinement, a sentence for a Class C to Class E felony.

10 4. A person sentenced under s. 973.01 for a Class C to Class E felony committed
11 prior to the effective date of this subdivision [LRB inserts date], and who has not
12 petitioned a sentencing court for a sentence adjustment under s. 973.195 (1r) for any
13 offense for which he or she is incarcerated may apply for release to extended
14 supervision when he or she has served at least 85 percent of the term of confinement
15 portion of his or her bifurcated sentence, as modified by the sentencing court under
16 s. 302.045 (3m) (b) 1. or 302.05 (3) (c) 2. a.

17 **SECTION 2751m.** 304.06 (1) (bk) of the statutes is created to read:

18 304.06 (1) (bk) 1. When an inmate is within 90 days of release to extended
19 supervision under par. (bg), the earned release review committee shall notify the
20 sentencing court that it intends to modify the inmate's sentence and release the
21 inmate to extended supervision under par. (bg), and the court may hold a review
22 hearing. If the court does not schedule a review hearing within 30 days after
23 notification under this subsection, the earned release review committee may proceed
24 under par. (bg).

1 2. a. If the sentencing court opts to conduct a review, it shall hold the hearing
2 and issue an order relating to the inmate's sentence modification and release to
3 extended supervision within 60 days of its notification under subd. 1.

4 b. At the hearing, the court may consider the inmate's conduct in prison, his
5 or her level of risk of reoffending, based on a verified, objective instrument, and the
6 nature of the offense committed by the inmate. The court may accept the earned
7 release review committee's determination that the inmate has earned positive
8 adjustment time under par. (bg), reject the earned release review committee's
9 determination that the inmate has earned positive adjustment time under par. (bg),
10 or order the inmate to remain in prison for a period that does not exceed the time
11 remaining on the inmate's term of confinement.

12 **SECTION 2752.** 304.06 (1) (bn) of the statutes is created to read:

13 304.06 (1) (bn) The earned release review commission may consider any of the
14 following as a ground for a petition under par. (bg) for release to extended
15 supervision:

16 1. The inmate's conduct, efforts at and progress in rehabilitation, or
17 participation and progress in education, treatment, or other correctional programs
18 since he or she was sentenced.

19 2. The inmate is subject to a sentence of confinement in another state or the
20 inmate is in the United States illegally and may be deported.

21 3. Sentence adjustment is otherwise in the interests of justice.

22 **SECTION 2753.** 304.06 (1) (br) of the statutes is created to read:

23 304.06 (1) (br) The earned release review commission may reduce the term of
24 confinement of a person who petitions under par. (bg) only as follows:

1 1. If the inmate is serving the term of confinement in prison portion of the
2 sentence, a reduction in the term of confinement in prison by the amount of time
3 remaining in the term of confinement in prison portion of the sentence, less up to 30
4 days, and a corresponding increase in the term of extended supervision.

5 2. If the inmate is confined in prison upon revocation of extended supervision,
6 a reduction in the amount of time remaining in the period of confinement in prison
7 imposed upon revocation, less up to 30 days, and a corresponding increase in the term
8 of extended supervision.

9 **SECTION 2754.** 304.06 (1) (c) (intro.) of the statutes is amended to read:

10 304.06 (1) (c) (intro.) If an inmate applies for parole or release to extended
11 supervision under this subsection, the ~~parole~~ earned release review commission
12 shall make a reasonable attempt to notify the following, if they can be found, in
13 accordance with par. (d):

14 **SECTION 2755.** 304.06 (1) (d) 1. of the statutes is amended to read:

15 304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons
16 under par. (c) 1. to 3. of the manner in which they may provide written statements
17 under this subsection, shall inform persons under par. (c) 3. of the manner in which
18 they may attend interviews or hearings and make statements under par. (eg) and
19 shall inform persons under par. (c) 3. who are victims, or family members of victims,
20 of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1) ~~or~~, (2), or (3), 948.02 (1)
21 or (2), 948.025, 948.06 or 948.07 of the manner in which they may have direct input
22 in the ~~parole~~ decision-making process under par. (em) for parole or release to
23 extended supervision. The ~~parole~~ earned release review commission shall provide
24 notice under this paragraph for an inmate's first application for parole or release to

1 extended supervision and, upon request, for subsequent applications for parole or
2 release to extended supervision.

3 **SECTION 2756.** 304.06 (1) (d) 2. of the statutes is amended to read:

4 304.06 (1) (d) 2. The notice shall be by 1st class mail to an office's or a person's
5 last-known address sent at least 3 weeks before the interview or hearing upon the
6 parole application for parole or release to extended supervision.

7 **SECTION 2757.** 304.06 (1) (d) 3m. of the statutes is amended to read:

8 304.06 (1) (d) 3m. If applicable, the notice shall state the manner in which the
9 person may have direct input in the parole decision-making process for parole or
10 release to extended supervision.

11 **SECTION 2758.** 304.06 (1) (d) 4. of the statutes is amended to read:

12 304.06 (1) (d) 4. If the notice is for a first application for parole or release to
13 extended supervision, the notice shall inform the offices and persons under par. (c)
14 1. to 3. that notification of subsequent applications for parole or release to extended
15 supervision will be provided only upon request.

16 **SECTION 2759.** 304.06 (1) (e) of the statutes is amended to read:

17 304.06 (1) (e) The ~~parole~~ earned release review commission shall permit any
18 office or person under par. (c) 1. to 3. to provide written statements. The ~~parole~~
19 earned release review commission shall give consideration to any written statements
20 provided by any such office or person and received on or before the date specified in
21 the notice. This paragraph does not limit the authority of the ~~parole~~ earned release
22 review commission to consider other statements or information that it receives in a
23 timely fashion.

24 **SECTION 2760.** 304.06 (1) (eg) of the statutes is amended to read:

1 304.06 (1) (eg) The ~~parole~~ earned release review commission shall permit any
2 person under par. (c) 3. to attend any interview or hearing on the ~~parole~~ application
3 for parole or release to extended supervision of an applicable inmate and to make a
4 statement at that interview or hearing.

5 **SECTION 2761.** 304.06 (1) (em) of the statutes is amended to read:

6 304.06 (1) (em) The ~~parole~~ earned release review commission shall promulgate
7 rules that provide a procedure to allow any person who is a victim, or a family
8 member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1) ~~or,~~
9 (2), ~~or (3),~~ 948.02 (1) or (2), 948.025, 948.06 or 948.07 to have direct input in the ~~parole~~
10 decision-making process for parole or release to extended supervision.

11 **SECTION 2762.** 304.06 (1) (f) of the statutes is amended to read:

12 304.06 (1) (f) The ~~parole~~ earned release review commission shall design and
13 prepare cards for persons specified in par. (c) 3. to send to the commission. The cards
14 shall have space for these persons to provide their names and addresses, the name
15 of the applicable prisoner and any other information the ~~parole~~ earned release
16 review commission determines is necessary. The ~~parole~~ earned release review
17 commission shall provide the cards, without charge, to district attorneys. District
18 attorneys shall provide the cards, without charge, to persons specified in par. (c) 3.
19 These persons may send completed cards to the ~~parole~~ earned release review
20 commission. All commission records or portions of records that relate to mailing
21 addresses of these persons are not subject to inspection or copying under s. 19.35 (1).
22 Before any written statement of a person specified in par. (c) 3. is made a part of the
23 documentary record considered in connection with a ~~parole~~ hearing for parole, or
24 release to extended supervision under this section, the ~~parole~~ earned release review
25 commission shall obliterate from the statement all references to the mailing

1 addresses of the person. A person specified in par. (c) 3. who attends an interview
2 or hearing under par. (eg) may not be required to disclose at the interview or hearing
3 his or her mailing addresses.

4 **SECTION 2763.** 304.06 (1) (g) of the statutes is amended to read:

5 304.06 (1) (g) Before a person is released on parole or released to extended
6 supervision under this subsection, the ~~parole~~ earned release review commission
7 shall so notify the municipal police department and the county sheriff for the area
8 where the person will be residing. The notification requirement under this
9 paragraph does not apply if a municipal department or county sheriff submits to the
10 ~~parole~~ earned release review commission a written statement waiving the right to
11 be notified. If applicable, the department shall also comply with s. 304.063.

12 **SECTION 2764.** 304.06 (1m) (intro.) of the statutes is amended to read:

13 304.06 (1m) (intro.) The ~~parole~~ earned release review commission may waive
14 the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of
15 the following circumstances:

16 **SECTION 2765.** 304.06 (1q) (b) of the statutes is amended to read:

17 304.06 (1q) (b) The ~~parole~~ earned release review commission or the department
18 may require as a condition of parole that a serious child sex offender undergo
19 pharmacological treatment using an antiandrogen or the chemical equivalent of an
20 antiandrogen. This paragraph does not prohibit the department from requiring
21 pharmacological treatment using an antiandrogen or the chemical equivalent of an
22 antiandrogen as a condition of probation.

23 **SECTION 2766.** 304.06 (1q) (c) of the statutes is amended to read:

24 304.06 (1q) (c) In deciding whether to grant a serious child sex offender release
25 on parole under this subsection, the ~~parole~~ earned release review commission may

1 not consider, as a factor in making its decision, that the offender is a proper subject
2 for pharmacological treatment using an antiandrogen or the chemical equivalent of
3 an antiandrogen or that the offender is willing to participate in pharmacological
4 treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

5 **SECTION 2767.** 304.06 (1x) of the statutes is amended to read:

6 304.06 (1x) The ~~parole~~ earned release review commission may require as a
7 condition of parole that the person is placed in the intensive sanctions program under
8 s. 301.048. In that case, the person is in the legal custody of the department under
9 that section and is subject to revocation of parole under sub. (3).

10 **SECTION 2768.** 304.06 (2m) (d) of the statutes is amended to read:

11 304.06 (2m) (d) The ~~parole~~ earned release review commission or the
12 department shall determine a prisoner's county of residence for the purposes of this
13 subsection by doing all of the following:

14 1. The ~~parole~~ earned release review commission or the department shall
15 consider residence as the voluntary concurrence of physical presence with intent to
16 remain in a place of fixed habitation and shall consider physical presence as prima
17 facie evidence of intent to remain.

18 2. The ~~parole~~ earned release review commission or the department shall apply
19 the criteria for consideration of residence and physical presence under subd. 1. to the
20 facts that existed on the date that the prisoner committed the serious sex offense that
21 resulted in the sentence the prisoner is serving.

22 **SECTION 2769.** 304.06 (3) of the statutes is amended to read:

23 304.06 (3) Every ~~paroled~~ prisoner paroled or released to extended supervision
24 remains in the legal custody of the department unless otherwise provided by the
25 department. If the department alleges that any condition or rule of parole or

1 extended supervision has been violated by the prisoner, the department may take
2 physical custody of the prisoner for the investigation of the alleged violation. If the
3 department is satisfied that any condition or rule of parole or extended supervision
4 has been violated it shall afford the prisoner such administrative hearings as are
5 required by law. Unless waived by the parolee or person on extended supervision,
6 the final administrative hearing shall be held before a hearing examiner from the
7 division of hearings and appeals in the department of administration who is licensed
8 to practice law in this state. The hearing examiner shall enter an order revoking or
9 not revoking parole or extended supervision. Upon request by either party, the
10 administrator of the division of hearings and appeals shall review the order. The
11 hearing examiner may order that a deposition be taken by audiovisual means and
12 allow the use of a recorded deposition under s. 967.04 (7) to (10). If the parolee or
13 person on extended supervision waives the final administrative hearing, the
14 secretary of corrections shall enter an order revoking or not revoking parole or
15 extended supervision. If the examiner, the administrator upon review, or the
16 secretary in the case of a waiver finds that the prisoner has violated the rules or
17 conditions of parole or extended supervision, the examiner, the administrator upon
18 review, or the secretary in the case of a waiver, may order the prisoner returned to
19 prison to continue serving his or her sentence, or to continue on parole or extended
20 supervision. If the prisoner claims or appears to be indigent, the department shall
21 refer the prisoner to the authority for indigency determinations specified under s.
22 977.07 (1).

23 **SECTION 2770.** 304.06 (3e) of the statutes is amended to read:

24 . 304.06 (3e) The division of hearings and appeals in the department of
25 administration shall make either an electronic or stenographic record of all

1 testimony at each parole or extended supervision revocation hearing. The division
2 shall prepare a written transcript of the testimony only at the request of a judge who
3 has granted a petition for judicial review of the revocation decision. Each hearing
4 notice shall include notice of the provisions of this subsection and a statement that
5 any person who wants a written transcript may record the hearing at his or her own
6 expense.

7 **SECTION 2771.** 304.06 (3m) of the statutes is amended to read:

8 304.06 (3m) If the convicting court is informed by the department that a
9 prisoner on parole or extended supervision has absconded and that the prisoner's
10 whereabouts are unknown, the court may issue a *capias* for execution by the sheriff.

11 **SECTION 2772.** 304.071 (1) of the statutes is amended to read:

12 304.071 (1) The parole earned release review commission may at any time
13 grant a parole or release to extended supervision to any prisoner in any penal
14 institution of this state, or the department may at any time suspend the supervision
15 of any person who is on probation ~~or~~, parole, or extended supervision to the
16 department, if the prisoner or person on probation ~~or~~, parole, or extended supervision
17 is eligible for induction into the U.S. armed forces. The suspension of parole,
18 extended supervision, or probation shall be for the duration of his or her service in
19 the armed forces; and the parole, extended supervision, or probation shall again
20 become effective upon his or her discharge from the armed forces in accordance with
21 regulations prescribed by the department. If he or she receives an honorable
22 discharge from the armed forces, the governor may discharge him or her and the
23 discharge has the effect of a pardon. Upon the suspension of parole, extended
24 supervision, or probation by the department, the department shall issue an order
25 setting forth the conditions under which the parole, extended supervision, or

1 probation is suspended, including instructions as to where and when and to whom
2 the ~~paroled~~ person on parole or extended supervision shall report upon discharge
3 from the armed forces.

4 **SECTION 2773.** 304.09 (1) (a) of the statutes is amended to read:

5 304.09 (1) (a) "Member of the family" means spouse, domestic partner under
6 ch. 770, child, sibling, parent or legal guardian.

7 **SECTION 2773s.** 321.45 of the statutes is created to read:

8 **321.45 Military family financial aid. (1)** In this section:

9 (a) "Immediate family" means the spouse and dependent children of a service
10 member who are residents of this state.

11 (b) "Service member" means a member of a reserve unit of the U.S. armed forces
12 or of the national guard who is a resident of this state and who is serving on active
13 duty in the U.S. armed forces.

14 (2) The department shall provide financial aid to eligible members of the
15 immediate family of service members. The department shall promulgate rules
16 establishing eligibility criteria and the amount of financial aid.

17 **SECTION 2774.** 321.62 (11) (a) of the statutes is amended to read:

18 321.62 (11) (a) No eviction may be made during the period of state active duty
19 in respect to any premises for which the agreed rent does not exceed the amount
20 specified in 50 USC App. 531, occupied chiefly for dwelling purposes by the spouse,
21 children, domestic partner under ch. 770, or other dependents of a service member
22 who is in state active duty, except upon order of a court in an action affecting the right
23 of possession.

24 **SECTION 2796.** 341.135 (1) (title) of the statutes is repealed.

1 **SECTION 2797.** 341.135 (1) and (2m) of the statutes are consolidated,
2 renumbered 341.135 and amended to read:

3 **341.135 Rebasing registration plates.** ~~Every 10th year, the At intervals~~
4 ~~determined by the department, the~~ department shall establish new designs of
5 registration plates to be issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m),
6 and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3)
7 (a) 1. and (am). Any design for registration plates issued for automobiles and for
8 vehicles registered on the basis of gross weight shall comply with the applicable
9 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for
10 registration plates specified in this ~~subsection~~ section shall be as similar in
11 appearance as practicable during each ~~10-year~~ design interval. Except as provided
12 in ss. 341.13 (2r) and 341.14 (1), each registration plate issued under s. 341.14 (1),
13 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c),
14 or 341.26 (2) or (3) (a) 1. or (am) during each ~~10-year~~ design interval shall be of the
15 design established under this ~~subsection~~ section. The department may not redesign
16 registration plates for the special groups under s. 341.14 (6r) (f) 53., 54., or 55. until
17 July 1, 2010. ~~Except for registration plates issued under s. 341.14 (6r) (f) 53., 54., or~~
18 ~~55., the first design cycle for registration plates issued under ss. 341.14 (1), (1a), (1m),~~
19 ~~(1q), (2), (2m), (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and~~
20 ~~341.26 (2) and (3) (a) 1. and (am) began July 1, 2000. (2m) APPLICABILITY.~~
21 Notwithstanding s. 341.13 (3), as the department establishes new designs for
22 registration plates under this section, the department shall, at the time determined
23 appropriate by the department, issue registration plates of the new design to replace
24 registration plates previously issued. This section does not apply to special group
25 plates under s. 341.14 (6r) (f) 19m.

1 **SECTION 2798.** 341.135 (2) of the statutes is repealed.

2 **SECTION 2810.** 341.14 (6r) (b) 1. of the statutes is amended to read:

3 341.14 **(6r)** (b) 1. Upon application to register an automobile or motor home,
4 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
5 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight
6 of not more than 12,000 pounds, by any person who is a resident of this state and a
7 member of an authorized special group, the department shall issue to the person
8 special plates whose colors and design shall indicate that the vehicle is owned by a
9 person who is a member of the applicable special group. The department may not
10 issue any special group plates under par. (f) 55. or 60. until 6 months after the
11 department has received information sufficient for the department to determine that
12 any approvals required for use of any logo, trademark, trade name or other
13 commercial symbol designating, respectively, the professional football team or the
14 professional baseball team have been obtained.

15 **SECTION 2811.** 341.14 (6r) (b) 1. of the statutes, as affected by 2009 Wisconsin
16 Act (this act), is amended to read:

17 341.14 **(6r)** (b) 1. Upon application to register an automobile or motor home,
18 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
19 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight
20 of not more than 12,000 pounds, by any person who is a resident of this state and a
21 member of an authorized special group, the department shall issue to the person
22 special plates whose colors and design shall indicate that the vehicle is owned by a
23 person who is a member of the applicable special group. The department may not
24 issue any special group plates under par. (f) 55. or 60. until 6 months after the
25 department has received information sufficient for the department to determine that

1 any approvals required for use of any logo, trademark, trade name or other
2 commercial symbol designating, respectively, the professional football team or the
3 professional baseball team have been obtained. Notwithstanding s. 341.12 (2), if the
4 department of corrections does not have flat-plate technology available for use in
5 manufacturing license plates at quality and cost comparable to that available from
6 the state of Minnesota, the department of transportation may not issue any special
7 group plates under par. (f) 59, unless the department of transportation purchases the
8 plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to
9 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued under par.
10 (f) 59. from the state of Minnesota.

11 **SECTION 2813.** 341.14 (6r) (b) 10. of the statutes is amended to read:

12 341.14 **(6r)** (b) 10. An additional fee of \$25 that is in addition to the fee under
13 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
14 basis for the special group specified under par. (f) 57. An additional fee of \$50 that
15 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
16 of a plate issued on the biennial basis for the special group specified under par. (f) 57.
17 if the plate is issued or renewed during the first year of the biennial registration
18 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
19 2nd year of the biennial registration period. All moneys received under this
20 subdivision, in excess of \$27,600 for the initial costs of production of the special group
21 plate under par. (f) 57., shall be credited to the appropriation account under s. 20.435
22 ~~(5) (fi)~~ (1) (gi). To the extent permitted under ch. 71, the fee under this subdivision
23 is deductible as a charitable contribution for purposes of the taxes under ch. 71.

24 **SECTION 2814.** 341.14 (6r) (b) 11. of the statutes is amended to read:

1 341.14 **(6r)** (b) 11. An additional fee of \$25 that is in addition to the fee under
2 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
3 basis for the special group specified under par. (f) 58. An additional fee of \$50 that
4 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
5 of a plate issued on the biennial basis for the special group specified under par. (f) 58.
6 if the plate is issued or renewed during the first year of the biennial registration
7 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
8 2nd year of the biennial registration period. To the extent permitted under ch. 71,
9 the fee under this subdivision is deductible as a charitable contribution for purposes
10 of the taxes under ch. 71. All moneys received under this subdivision, in excess of
11 \$43,200 for the initial costs of production of the special group plate under par. (f) 58.,
12 shall be credited to the appropriation account under s. 20.435 ~~(5)~~ (1) (g).

13 **SECTION 2815.** 341.14 (6r) (b) 12. of the statutes is created to read:

14 341.14 **(6r)** (b) 12. A fee of \$25 that is in addition to the fee under subd. 2. shall
15 be charged for the issuance or renewal of a plate issued on an annual basis for the
16 special group specified under par. (f) 59. A fee of \$50 that is in addition to the fee
17 under subd. 2. shall be charged for the issuance or renewal of a plate issued on the
18 biennial basis for the special group specified under par. (f) 59. if the plate is issued
19 or renewed during the first year of the biennial registration period or \$25 for the
20 issuance or renewal if the plate is issued or renewed during the 2nd year of the
21 biennial registration period. All moneys received under this subdivision in excess
22 of \$23,500 shall be deposited in the conservation fund and credited to the
23 appropriation under s. 20.370 (1) (fs). To the extent permitted under ch. 71, the fee
24 under this subdivision is deductible as a charitable contribution for purposes of the
25 taxes under ch. 71.

1 **SECTION 2816.** 341.14 (6r) (b) 13. of the statutes is created to read:

2 341.14 **(6r)** (b) 13. An additional fee of \$25 that is in addition to the fee under
3 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
4 basis for the special group specified under par. (f) 60. An additional fee of \$50 that
5 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
6 of a plate issued on the biennial basis for the special group specified under par. (f) 60.
7 if the plate is issued or renewed during the first year of the biennial registration
8 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
9 2nd year of the biennial registration period. For each professional baseball team for
10 which plates are produced under par. (f) 60., all moneys received under this
11 subdivision, in excess of \$24,300 for the initial costs of production for each team's
12 special group plates, shall be deposited into the general fund and credited as follows:

13 a. An amount equal to the costs of licensing fees under par. (i) that are related
14 to that team shall be credited to the appropriation account under s. 20.395 (5) (ej).

15 b. The remainder after crediting the appropriation account as provided in subd.
16 13. a. shall be credited to the appropriation account under s. 20.835 (4) (gb). The
17 department of transportation shall identify and record the percentage of moneys
18 that are attributable to each professional baseball team represented by a plate under
19 par. (f) 60.

20 **SECTION 2817.** 341.14 (6r) (c) of the statutes is amended to read:

21 341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the
22 name of the applicable authorized special group, a symbol representing the special
23 group, not exceeding one position, and identifying letters or numbers or both, not
24 exceeding 6 positions and not less than one position. The department shall specify
25 the design for special group plates, but the department shall consult the president

1 of the University of Wisconsin System before specifying the word or symbol used to
2 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
3 before specifying the word or symbol used to identify the special group under par. (f)
4 50., the chief executive officer of the professional football team and an authorized
5 representative of the league of professional football teams described in s. 229.823 to
6 which that team belongs before specifying the design for the applicable special group
7 plate under par. (f) 55., the department of veterans affairs before specifying the
8 design for the special group plates under par. (f) 49d., 49h., and 49s., and the
9 department of tourism and chief executive officer of the organization specified in par.
10 (f) 55m. before specifying the design and word or symbol used to identify the special
11 group name for special group plates under par. (f) 55m. Special group plates under
12 par. (f) 50. shall be as similar as possible to regular registration plates in color and
13 design. The department shall make available 2 designs for the special group plates
14 under par. (f) 60. The department may not specify any design for the special group
15 plates under par. (f) 60. unless the design is approved by the executive vice president
16 of the Milwaukee Brewers Baseball Club LP.

17 **SECTION 2818.** 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act
18 (this act), is amended to read:

19 341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the
20 name of the applicable authorized special group, a symbol representing the special
21 group, not exceeding one position, and identifying letters or numbers or both, not
22 exceeding 6 positions and not less than one position. The department shall specify
23 the design for special group plates, but the department shall consult the president
24 of the University of Wisconsin System before specifying the word or symbol used to
25 identify the special groups under par. (f) 35. to 47., the secretary of natural resources

1 before specifying the word or symbol used to identify the special ~~group~~ groups under
2 par. (f) 50. and 59., the chief executive officer of the professional football team and
3 an authorized representative of the league of professional football teams described
4 in s. 229.823 to which that team belongs before specifying the design for the
5 applicable special group plate under par. (f) 55., the department of veterans affairs
6 before specifying the design for the special group plates under par. (f) 49d., 49h., and
7 49s., and the department of tourism and chief executive officer of the organization
8 specified in par. (f) 55m. before specifying the design and word or symbol used to
9 identify the special group name for special group plates under par. (f) 55m. Special
10 group plates under par. (f) 50. shall be as similar as possible to regular registration
11 plates in color and design. The department shall make available 2 designs for the
12 special group plates under par. (f) 60. The department may not specify any design
13 for the special group plates under par. (f) 60. unless the design is approved by the
14 executive vice president of the Milwaukee Brewers Baseball Club LP. The word or
15 symbol used to identify the special group under par. (f) 59. shall be different from the
16 word or symbol used to identify the special group under par. (f) 50. and the design
17 shall cover the entire plate.

18 **SECTION 2819.** 341.14 (6r) (e) of the statutes is amended to read:

19 341.14 **(6r)** (e) The department shall specify one combination of colors for
20 special group plates for groups or organizations which are not military in nature and
21 not special group plates under par. (f) 35. to 47. and 50. ~~and~~, for each professional
22 football team under par. (f) 55., and for each professional baseball team under par.
23 (f) 60. The department shall specify one combination of colors for special group plates
24 under par. (f) 35. to 47. Subject to par. (c), the department shall specify the word or
25 words comprising the special group name and the symbol to be displayed upon

1 special group plates for a group or organization which is not military in nature after
2 consultation with the chief executive officer in this state of the group or organization.
3 The department shall require that the word or words and symbol for a university
4 specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the
5 special group plate and be of the colors for a university specified under par. (f) 35. to
6 47. that the president of the University of Wisconsin System specifies.

7 **SECTION 2820.** 341.14 (6r) (e) of the statutes, as affected by 2009 Wisconsin Act
8 (this act), is amended to read:

9 341.14 (6r) (e) The department shall specify one combination of colors for
10 special group plates for groups or organizations which are not military in nature and
11 not special group plates under par. (f) 35. to 47. ~~and, 50., and 59.,~~ for each professional
12 football team under par. (f) 55., and for each professional baseball team under par.
13 (f) 60. The department shall specify one combination of colors for special group plates
14 under par. (f) 35. to 47. Subject to par. (c), the department shall specify the word or
15 words comprising the special group name and the symbol to be displayed upon
16 special group plates for a group or organization which is not military in nature after
17 consultation with the chief executive officer in this state of the group or organization.
18 The department shall require that the word or words and symbol for a university
19 specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the
20 special group plate and be of the colors for a university specified under par. (f) 35. to
21 47. that the president of the University of Wisconsin System specifies.

22 **SECTION 2821.** 341.14 (6r) (f) 59. of the statutes is created to read:

23 341.14 (6r) (f) 59. Persons interested in supporting endangered resources.

24 **SECTION 2822.** 341.14 (6r) (f) 60. of the statutes is created to read:

1 341.14 (6r) (f) 60. Persons interested in expressing their support of a major
2 league professional baseball team that uses as its home field baseball park facilities
3 that are constructed under subch. III of ch. 229.

4 **SECTION 2823.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

5 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
6 may only be special groups designated by the department under this paragraph. The
7 authorized special groups enumerated in par. (f) shall be limited solely to those
8 special groups specified under par. (f) on October 1, 1998. This subdivision does not
9 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
10 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., and 58., and 60.

11 **SECTION 2824.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin
12 Act (this act), is amended to read:

13 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
14 may only be special groups designated by the department under this paragraph. The
15 authorized special groups enumerated in par. (f) shall be limited solely to those
16 special groups specified under par. (f) on October 1, 1998. This subdivision does not
17 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
18 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., and 60.

19 **SECTION 2826.** 341.14 (6r) (i) of the statutes is created to read:

20 341.14 (6r) (i) From the appropriation under s. 20.395 (5) (ej), the department
21 shall pay 2 percent of all moneys received under par. (b) 13. that are deposited into
22 the general fund for licensing fees relating to the word or words or the symbol on, or
23 otherwise required for, special group plates under par. (f) 60.

24 **SECTION 2851.** 341.255 (3) of the statutes is repealed.

25 **SECTION 2852.** 341.255 (4) of the statutes is repealed.