

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1672/1dn  
PJH:jld

February 23, 2015

Representative Brooks,

Please review this draft to ensure it is consistent with your intent. As we discussed, this draft is based on language introduced as part of 2001 SB-363. Please note that the penalty for making a terrorist threat in 2001 SB-363 was a Class E felony, with an enhanced penalty of a Class C felony if a person was killed as a result of the terrorist threat.

In this draft, the penalty for making a terrorist threat is a Class I felony, with an enhanced penalty to a Class G felony if a person is killed as a result of the threat. I made this change because when 2001 SB-363 was introduced, the penalty for making a bomb scare was a Class E felony; legislation passed later that year changed the penalty from a Class E to a Class I felony. Additionally, the penalty for making a threat to release a toxic agent (that statute was created in the 2003 legislative session) is likewise a Class I felony.

I drafted this bill so that the penalty for making a terrorist threat matched the penalty in the similar statutes; please let me know if you would like that changed.

Peggy J. Hurley  
Senior Legislative Attorney  
(608) 266-8906  
peggy.hurley@legis.wisconsin.gov