



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBs0004/1  
MGD:jld:pg

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 3**

January 24, 2001 - Offered by COMMITTEE ON CRIMINAL JUSTICE.

1     **AN ACT to repeal** 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc),  
2           939.615 (7) (c), 939.622, 939.623, 939.624, 939.625, 939.63 (2), 939.635, 939.64,  
3           939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.195  
4           (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.01 (2g), 943.23  
5           (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5),  
6           948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6.,  
7           961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1m) (cm) 5., 961.41  
8           (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m)  
9           (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm),  
10          961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49  
11          (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.; **to renumber** 351.07 (2) (a);  
12          **to renumber and amend** 49.95 (1), 125.075 (2), 302.11 (7) (a), 302.113 (9) (a),  
13          302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1)

1 (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1),  
2 971.17 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d); **to amend** 6.18,  
3 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33  
4 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p)  
5 (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03  
6 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685  
7 (1) (c), 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2.,  
8 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141  
9 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2)  
10 (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15  
11 (12), 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18)  
12 (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d),  
13 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b),  
14 102.835 (11), 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a),  
15 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b),  
16 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2),  
17 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44  
18 (1m), 139.44 (2), 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3),  
19 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b),  
20 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93,  
21 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.),  
22 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2)  
23 (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.03 (3), 301.035 (2),  
24 301.035 (4), 301.048 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.045  
25 (3), 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 302.11 (1z), 302.11 (3), 302.11 (7)

1 (b), 302.11 (7) (d), 302.113 (2), 302.113 (3) (a) (intro.), 302.113 (4), 302.113 (7),  
2 302.113 (9) (b), 302.113 (9) (c), 302.114 (3) (a) (intro.), 302.114 (4), 302.114 (5)  
3 (f), 302.114 (6) (b), 302.114 (6) (c), 302.114 (9) (b), 302.114 (9) (bm), 302.114 (9)  
4 (c), 302.33 (1), 302.43, 303.065 (1) (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08  
5 (5) (intro.), 303.08 (6), 303.08 (12), 304.06 (1) (b), 304.071 (2), 304.11 (3), 341.605  
6 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a),  
7 342.32 (3), 343.31 (1) (i), 343.31 (3) (d) (intro.), 344.48 (2), 346.17 (3) (a), 346.17  
8 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4)  
9 (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65  
10 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07,  
11 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1),  
12 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a),  
13 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8),  
14 768.07, 783.07, 801.50 (5), 908.08 (1), 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h)  
15 (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21)  
16 (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2),  
17 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),  
18 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b.,  
19 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2)  
20 (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
21 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11  
22 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4),  
23 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1),  
24 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b),  
25 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.),

1 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.),  
2 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1),  
3 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285  
4 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,  
5 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1),  
6 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.),  
7 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45  
8 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.),  
9 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
10 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295  
11 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2)  
12 (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2.,  
13 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38  
14 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.),  
15 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2)  
16 (intro.), 943.017 (2) (d), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03,  
17 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.),  
18 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20  
19 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m)  
20 (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2)  
21 (b), 943.209 (2) (c), 943.21 (3) (a), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23  
22 (3), 943.23 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.),  
23 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2),  
24 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),  
25 943.34 (1) (a), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39

1 (intro.), 943.395 (2) (a), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8)  
2 (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c),  
3 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (a), 943.50  
4 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b),  
5 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b)  
6 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.),  
7 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,  
8 944.33 (2), 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1),  
9 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.),  
10 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15  
11 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2)  
12 (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43  
13 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44  
14 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60  
15 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68  
16 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4),  
17 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015,  
18 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a),  
19 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2),  
20 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06  
21 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2)  
22 (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24  
23 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2),  
24 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b),  
25 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62

1 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18  
2 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),  
3 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.),  
4 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1)  
5 (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4.,  
6 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41  
7 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h)  
8 (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41  
9 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm)  
10 (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41  
11 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41  
12 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41  
13 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41  
14 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41  
15 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41  
16 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c),  
17 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41  
18 (2) (cm), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g)  
19 (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.437 (4) (a),  
20 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3),  
21 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 967.04 (9), 968.255 (1) (a)  
22 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b),  
23 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 972.15 (2c), 973.01  
24 (1), 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3.,  
25 973.01 (2) (b) 4., 973.01 (2) (b) 5., 973.01 (4), 973.01 (5), 973.01 (6), 973.0135 (1)

1 (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.075 (1) (b) 1m. e., 973.075  
2 (2) (d), 973.09 (2) (b) 1., 973.155 (1) (b), 977.06 (2) (b) and 978.13 (1) (c); **to repeal**  
3 **and recreate** 944.15 (title), 961.41 (1) (im) and 961.41 (1m) (im); **to create**  
4 13.525, 15.105 (27), 19.42 (10) (o), 19.42 (13) (n), 20.505 (4) (dr), 20.505 (4) (mr),  
5 20.923 (4) (b) 7., 20.923 (6) (hr), 49.95 (1) (e) and (f), 125.075 (2) (b), 230.08 (2)  
6 (L) 6., 230.08 (2) (of), 301.03 (3a), 302.11 (7) (ag), 302.11 (7) (e), 302.113 (7m),  
7 302.113 (8m), 302.113 (9) (ag), 302.113 (9) (at), 302.113 (9) (d), 302.113 (9) (e),  
8 302.113 (9) (f), 302.113 (9) (g), 302.113 (9g), 302.114 (8m), 302.114 (9) (ag),  
9 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17 (2t),  
10 758.19 (8), 801.50 (5c), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2)  
11 (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1)  
12 (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20  
13 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h),  
14 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1)  
15 (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5.,  
16 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and  
17 (b), 971.17 (1) (b), 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2)  
18 (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2)  
19 (d) 1. to 6., 973.01 (7m), 973.017, 973.031, 973.09 (6), 973.15 (2m), 973.30 and  
20 977.05 (4) (jm) of the statutes; and **to affect** 1997 Wisconsin Act 283, section  
21 454 (1) (f); **relating to:** classification and elements of felony offenses and  
22 certain misdemeanor offenses; criminal sentences and commitments;  
23 modification of a bifurcated sentence in certain cases; revocation of extended  
24 supervision; the creation of a sentencing commission and temporary sentencing  
25 guidelines; making an appropriation; and providing penalties.





1 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
2 in order to be eligible to register or vote therein. I further swear or affirm that my  
3 legal residence was established in the State of ....(the State where you now reside)  
4 on .... Month .... Day .... Year.

5 Signed ....  
6 Address ....(Present address)  
7 ....(City) ....(State)

8 Subscribed and sworn to before me this .... day of .... .... (year)  
9 ....(Notary Public, or other officer authorized to administer oaths.)  
10 ....(County)

11 My Commission expires

12 MAIL BALLOT TO:

13 NAME ....

14 ADDRESS ....

15 CITY .... STATE .... ZIP CODE ....

16 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
17 under this section may be fined not more than \$1,000 or imprisoned for not more than  
18 6 months, or both. Whoever intentionally votes more than once in an election may  
19 be fined not more than \$10,000 or imprisoned for not more than 3 years, and 6 months  
20 or both.

21 ....(Municipal Clerk)

22 ....(Municipality)

23 **SECTION 2.** 11.61 (1) (a) of the statutes is amended to read:

24 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
25 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~

1 or imprisoned for not more than 4 years and 6 months or both is guilty of a Class I  
2 felony.

3 **SECTION 3.** 11.61 (1) (b) of the statutes is amended to read:

4 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
5 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve  
6 a specific figure, or ~~where~~ if the intentional violation concerns a figure which exceeds  
7 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~  
8 ~~more than 4 years and 6 months or both.~~

9 **SECTION 4.** 12.60 (1) (a) of the statutes is amended to read:

10 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
11 (a), (e), (f), (j), (k), (L), (m), (y) or (z) ~~may be fined not more than \$10,000 or imprisoned~~  
12 ~~for not more than 4 years and 6 months or both~~ is guilty of a Class I felony.

13 **SECTION 5.** 13.05 of the statutes is amended to read:

14 **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
15 offers or promises to give his or her vote or influence in favor of or against any  
16 measure or proposition pending or proposed to be introduced, in the legislature in  
17 consideration or upon condition that any other person elected to the same legislature  
18 will give or will promise or agree to give his or her vote or influence in favor of or  
19 against any other measure or proposition pending or proposed to be introduced in  
20 such legislature, or who gives, offers or promises to give his or her vote or influence  
21 for or against any measure on condition that any other member will give his or her  
22 vote or influence in favor of any change in any other bill pending or proposed to be  
23 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
24 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
25 is guilty of a Class I felony.

1           **SECTION 6.** 13.06 of the statutes is amended to read:

2           **13.06 Executive favor.** Any member of the legislature who gives, offers or  
3 promises to give his or her vote or influence in favor of or against any measure or  
4 proposition pending or proposed to be introduced in the legislature, or that has  
5 already been passed by either house of the legislature, in consideration of or on  
6 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
7 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
8 introduced in the legislature or that has already been passed by the legislature, or  
9 either house thereof, or in consideration or upon condition that the governor  
10 nominate for appointment or appoint or remove any person to or from any office or  
11 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~  
12 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty  
13 of a Class I felony.

14           **SECTION 7.** 13.525 of the statutes is created to read:

15           **13.525 Joint review committee on criminal penalties. (1) CREATION.**  
16 There is created a joint review committee on criminal penalties composed of the  
17 following members:

18           (a) One majority party member and one minority party member from each  
19 house of the legislature, appointed as are the members of standing committees in  
20 their respective houses.

21           (b) The attorney general or his or her designee.

22           (c) The secretary of corrections or his or her designee.

23           (d) The state public defender or his or her designee.

1 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th, or 5th judicial  
2 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th, or  
3 10th judicial administrative district, appointed by the supreme court.

4 (f) Two members of the public appointed by the governor, one of whom shall  
5 have law enforcement experience in this state and one of whom shall be an elected  
6 county official.

7 **(2) OFFICERS.** The majority party senator and the majority party representative  
8 to the assembly shall be cochairpersons of the committee. The committee shall elect  
9 a secretary from among its nonlegislator members.

10 **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)  
11 (e) or (f) shall serve at the pleasure of the authority appointing them.

12 **(4) ELIGIBILITY.** A member shall cease to be a member upon losing the status  
13 upon which the appointment is based. Membership on the committee shall not be  
14 incompatible with any other public office.

15 **(5) REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced  
16 in either house of the legislature proposes to create a new crime or revise a penalty  
17 for an existing crime and the bill is referred to a standing committee of the house in  
18 which it is introduced, the chairperson may request the joint review committee to  
19 prepare a report on the bill under par. (b). If the bill is not referred to a standing  
20 committee, the speaker of the assembly, if the bill is introduced in the assembly, or  
21 the presiding officer of the senate, if the bill is introduced in the senate, may request  
22 the joint review committee to prepare a report on the bill under par. (b).

23 (b) If the joint review committee receives a request under par. (a) for a report  
24 on a bill that proposes to create a new crime or revise a penalty for an existing crime,  
25 the committee shall prepare a report concerning all of the following:

1           1. The costs that are likely to be incurred or saved by the department of  
2 corrections, the department of justice, the state public defender, the courts, district  
3 attorneys, and other state and local government agencies if the bill is enacted.

4           2. The consistency of penalties proposed in the bill with existing criminal  
5 penalties.

6           3. Alternative language needed, if any, to conform penalties proposed in the bill  
7 to penalties in existing criminal statutes.

8           4. Whether acts prohibited under the bill are prohibited under existing  
9 criminal statutes.

10           (c) The chief clerk shall print a report prepared by the committee under par.  
11 (b) as an appendix to the bill and attach it thereto as are amendments. The  
12 reproduction shall be in lieu of inclusion in the daily journal of the house in which  
13 the proposal is introduced.

14           (d) If a bill that is introduced in either house of the legislature proposes to create  
15 a new crime or revise a penalty for an existing crime, a standing committee to which  
16 the bill is referred may not vote on whether to recommend the bill for passage and  
17 the bill may not be passed by the house in which it is introduced before the joint  
18 review committee submits a report under par. (b) or before the 30th day after a report  
19 is requested under par. (a), whichever is earlier.

20           **(6) COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as  
21 needed to elicit information for making a report. The committee shall meet at the  
22 call of its cochairpersons. All actions of the committee require the approval of a  
23 majority of all of its members.

24           **SECTION 8.** 13.69 (6m) of the statutes is amended to read:

1           13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a  
2 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
3 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~  
4 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
5 felony.

6           **SECTION 9.** 15.01 (2) of the statutes is amended to read:

7           15.01 **(2)** “Commission” means a 3-member governing body in charge of a  
8 department or independent agency or of a division or other subunit within a  
9 department, except for the Wisconsin waterways commission which shall consist of  
10 5 members, the parole commission which shall consist of 6 members and the Fox  
11 River management commission which shall consist of 7 members. A Wisconsin group  
12 created for participation in a continuing interstate body, or the interstate body itself,  
13 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.  
14 The parole commission created under s. 15.145 (1) shall be known as a “commission”,  
15 but is not a commission for purposes of s. 15.06. The sentencing commission created  
16 under s. 15.105 (27) shall be known as a “commission” but is not a commission for  
17 purposes of s. 15.06 (1) to (4m), (7), and (9).

18           **SECTION 10.** 15.105 (27) of the statutes is created to read:

19           15.105 **(27)** SENTENCING COMMISSION. (a) *Creation; membership.* There is  
20 created a sentencing commission that is attached to the department of  
21 administration under s. 15.03 and that shall consist of the following members:

- 22           1. The attorney general or his or her designee.
- 23           2. The state public defender or his or her designee.
- 24           3. Six members, at least 2 of whom are not employed by any unit of federal,  
25 state, or local government, appointed by the governor.

1           4. One majority party member and one minority party member from each house  
2 of the legislature, appointed as are the members of standing committees in their  
3 respective houses.

4           5. Two circuit judges, appointed by the supreme court.

5           6. One representative of crime victims and one district attorney, each appointed  
6 by the attorney general.

7           7. One attorney in private practice engaged primarily in the practice of criminal  
8 defense, appointed by the criminal law section of the State Bar of Wisconsin.

9           (b) *Nonvoting members.* The secretary of corrections or his or her designee, the  
10 chairperson of the parole commission or his or her designee, and the director of state  
11 courts or his or her designee shall be nonvoting members of the commission.

12           (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)  
13 3. and 5. to 7. shall serve 3-year terms and are eligible for reappointment.

14           2. The term of a circuit judge appointed under par. (a) 5. shall end when such  
15 person ceases to be a circuit judge. The term of a district attorney appointed under  
16 par. (a) 6. shall end when such person ceases to be a district attorney.

17           (d) *Officers.* The governor shall designate annually one of the members of the  
18 commission as chairperson. The commission may elect officers other than a  
19 chairperson from among its members as its work requires.

20           (e) *Reimbursement and compensation.* Members of the commission shall be  
21 reimbursed for their actual and necessary expenses incurred in the performance of  
22 their duties. An officer or employee of the state shall be reimbursed by the agency  
23 that pays the member's salary. Members who are full-time state officers or  
24 employees shall receive no compensation for their services. Other members shall be

1 paid \$25 per day, in addition to their actual and necessary expenses, for each day on  
 2 which they are actually and necessarily engaged in the performance of their duties.

3 (f) *Sunset*. This subsection does not apply after December 31, 2006.

4 **SECTION 11.** 19.42 (10) (o) of the statutes is created to read:

5 19.42 (10) (o) A member, the executive director, or the deputy director of the  
 6 sentencing commission.

7 **SECTION 12.** 19.42 (13) (n) of the statutes is created to read:

8 19.42 (13) (n) The position of member, executive director, or deputy director of  
 9 the sentencing commission.

10 **SECTION 13.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
 11 insert the following amounts for the purposes indicated:

	<b>2001-02</b>	<b>2002-03</b>
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13 **20.505 Administration, department of**

14 (4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND  
 15 COMMISSIONS

16 (dr) Sentencing commission	GPR	A	359,500	395,000
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17 **SECTION 14.** 20.505 (4) (dr) of the statutes is created to read:

18 20.505 (4) (dr) *Sentencing commission*. The amounts in the schedule for the  
 19 general program operations of the sentencing commission. No money may be  
 20 encumbered from the appropriation under this paragraph after December 31, 2006.

21 **SECTION 15.** 20.505 (4) (mr) of the statutes is created to read:

22 20.505 (4) (mr) *Sentencing commission; federal aid*. All moneys received as  
 23 federal aid as authorized by the governor under s. 16.54 to carry out the purposes for



1 which the aid is provided. No money may be encumbered from the appropriation  
2 under this paragraph after December 31, 2006.

3 **SECTION 16.** 20.923 (4) (b) 7. of the statutes is created to read:

4 20.923 (4) (b) 7. Sentencing commission: executive director.

5 **SECTION 17.** 20.923 (6) (hr) of the statutes is created to read:

6 20.923 (6) (hr) Sentencing commission: deputy director.

7 **SECTION 18.** 23.33 (13) (cg) of the statutes is amended to read:

8 23.33 (13) (cg) *Penalties related to causing death or injury; interference with*  
9 *signs and standards.* A person who violates sub. (8) (f) 1. ~~shall be fined not more than~~  
10 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
11 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
12 person.

13 **SECTION 19.** 26.14 (8) of the statutes is amended to read:

14 26.14 (8) Any person who intentionally sets fire to the land of another or to a  
15 marsh ~~shall be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
16 ~~and 6 months or both~~ is guilty of a Class H felony.

17 **SECTION 20.** 29.971 (1) (c) of the statutes is amended to read:

18 29.971 (1) (c) For A person having fish in his or her possession in violation of  
19 this chapter ~~and~~ is guilty of a Class I felony if the value of the fish under par. (d)  
20 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~  
21 ~~3 years or both.~~

22 **SECTION 21.** 29.971 (1m) (c) of the statutes is amended to read:

23 29.971 (1m) (c) For A person possessing clams in violation of s. 29.537, is guilty  
24 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
25 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

1           **SECTION 22.** 29.971 (11m) (a) of the statutes is amended to read:

2           29.971 **(11m)** (a) For shooting, shooting at, killing, taking, catching or  
3 possessing a bear without a valid Class A bear license, or for possessing a bear which  
4 does not have a carcass tag attached or possessing a bear during the closed season,  
5 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
6 more than 6 months or both for the first violation, or by a fine of not more than \$5,000  
7 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
8 subsequent violation, and, in addition, the court shall revoke all hunting approvals  
9 issued to the person under this chapter and shall prohibit the issuance of any new  
10 hunting approval under this chapter to the person for 3 years.

11           **SECTION 23.** 29.971 (11p) (a) of the statutes is amended to read:

12           29.971 **(11p)** (a) For entering the den of a hibernating black bear and harming  
13 the bear, by a fine of not more than \$10,000 or imprisonment for not more than 2  
14 years 9 months or both.

15           **SECTION 24.** 30.80 (2g) (b) of the statutes is amended to read:

16           30.80 **(2g)** (b) Shall be fined not less than ~~\$300~~ nor more than ~~\$5,000~~ \$10,000  
17 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
18 injury to a person but the person did not suffer great bodily harm.

19           **SECTION 25.** 30.80 (2g) (c) of the statutes is amended to read:

20           30.80 **(2g)** (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
21 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a  
22 person and the person suffered great bodily harm.

23           **SECTION 26.** 30.80 (2g) (d) of the statutes is amended to read:

1           30.80 **(2g)** (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
2 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
3 death to a person.

4           **SECTION 27.** 30.80 (3m) of the statutes is amended to read:

5           30.80 **(3m)** Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
6 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
7 a Class H felony.

8           **SECTION 28.** 36.25 (6) (d) of the statutes is amended to read:

9           36.25 **(6)** (d) Any officer, agent, clerk or employee of the survey or department  
10 of revenue who makes known to any person except the officers of the survey or  
11 department of revenue, in any manner, any information given to such person in the  
12 discharge of such person's duties under par. (c), which information was given to such  
13 person with the request that it not be made known, ~~upon conviction thereof, shall be~~  
14 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~  
15 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent  
16 the use for assessment purposes of any information obtained under this subsection.

17           **SECTION 29.** 47.03 (3) (d) of the statutes is amended to read:

18           47.03 **(3)** (d) Any person who violates this subsection shall be fined not more  
19 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

20           **SECTION 30.** 48.355 (2d) (b) 3. of the statutes is amended to read:

21           48.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),  
22 1999 stats., a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225 (1) or (2), 948.02 (1) or  
23 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
24 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225  
25 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,

1 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
2 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
3 of the parent.

4 **SECTION 31.** 48.415 (9m) (b) 2. of the statutes is amended to read:

5 48.415 **(9m)** (b) 2. The commission of a violation of s. 940.19 (3), 1999 stats.,  
6 a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
7 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other  
8 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or  
9 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06  
10 or 948.08 if committed in this state.

11 **SECTION 32.** 48.417 (1) (d) of the statutes is amended to read:

12 48.417 **(1)** (d) A court of competent jurisdiction has found that the parent has  
13 committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)  
14 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a  
15 violation of the law of any other state or federal law, if that violation would be a  
16 violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or  
17 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in  
18 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
19 defined in s. 939.22 (38), to the child or another child of the parent.

20 **SECTION 33.** 48.57 (3p) (g) 2. of the statutes is amended to read:

21 48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified  
22 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,  
23 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other  
24 state or federal law under circumstances under which the person would be subject  
25 to a penalty specified in any of those sections if convicted in this state.

1           **SECTION 34.** 48.685 (1) (c) of the statutes is amended to read:

2           48.685 (1) (c) "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a  
3 violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
4 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
5 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
6 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or  
7 United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or  
8 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
9 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
10 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
11 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

12           **SECTION 35.** 48.685 (5) (bm) 2. of the statutes is amended to read:

13           48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,  
14 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

15           **SECTION 36.** 48.685 (5) (bm) 3. of the statutes is amended to read:

16           48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,  
17 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,  
18 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

19           **SECTION 37.** 48.685 (5) (bm) 4. of the statutes is amended to read:

20           48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,  
21 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that  
22 is a felony, if committed not more than 5 years before the date of the investigation  
23 under sub. (2) (am).

24           **SECTION 38.** 49.127 (8) (a) 2. of the statutes is amended to read:

1           49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than  
2           \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
3           ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony.

4           **SECTION 39.** 49.127 (8) (b) 2. of the statutes is amended to read:

5           49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than  
6           \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
7           ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
8           felony.

9           **SECTION 40.** 49.127 (8) (c) of the statutes is amended to read:

10          49.127 (8) (c) For any offense under this section, if the value of the food coupons  
11          is \$5,000 or more, a person who violates this section ~~may be fined not more than~~  
12          ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

13          **SECTION 41.** 49.141 (7) (a) of the statutes is amended to read:

14          49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with  
15          the furnishing by that person of items or services for which payment is or may be  
16          made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~  
17          ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

18          **SECTION 42.** 49.141 (7) (b) of the statutes is amended to read:

19          49.141 (7) (b) A person, other than a person under par. (a), who is convicted of  
20          violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
21          ~~2 years~~ 9 months or both.

22          **SECTION 43.** 49.141 (9) (a) of the statutes is amended to read:

23          49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,  
24          in return for referring an individual to a person for the furnishing or arranging for  
25          the furnishing of any item or service for which payment may be made in whole or in

1 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
2 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
3 service, or item for which payment may be made in whole or in part under Wisconsin  
4 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
5 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
6 ~~imprisoned for not more than 7 years and 6 months or both.~~

7 **SECTION 44.** 49.141 (9) (b) of the statutes is amended to read:

8 49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to  
9 any person to induce the person to refer an individual to a person for the furnishing  
10 or arranging for the furnishing of any item or service for which payment may be made  
11 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange  
12 for or recommend purchasing, leasing, or ordering any good, facility, service or item  
13 for which payment may be made in whole or in part under any provision of Wisconsin  
14 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
15 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
16 ~~imprisoned for not more than 7 years and 6 months or both.~~

17 **SECTION 45.** 49.141 (10) (b) of the statutes is amended to read:

18 49.141 (10) (b) A person who violates this subsection is guilty of a Class H  
19 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
20 the person may be fined not more than \$25,000 or ~~imprisoned for not more than 7~~  
21 ~~years and 6 months or both.~~

22 **SECTION 46.** 49.195 (3n) (k) of the statutes is amended to read:

23 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
24 removing, depositing or concealing any property upon which a levy is authorized  
25 under this subsection with intent to evade or defeat the assessment or collection of

1 any debt may be fined not more than \$5,000 or imprisoned for not more than 4 years  
2 and 6 months or both, is guilty of a Class H felony and shall be liable to the state for  
3 assessed the costs of prosecution.

4 **SECTION 47.** 49.195 (3n) (r) of the statutes is amended to read:

5 49.195 **(3n)** (r) No employer may discharge or otherwise discriminate with  
6 respect to the terms and conditions of employment against any employee by reason  
7 of the fact that his or her earnings have been subject to levy for any one levy or  
8 because of compliance with any provision of this subsection. Any person who violates  
9 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~  
10 ~~2 years or both~~ is guilty of a Class I felony.

11 **SECTION 48.** 49.49 (1) (b) 1. of the statutes is amended to read:

12 49.49 **(1)** (b) 1. In the case of such a statement, representation, concealment,  
13 failure, or conversion by any person in connection with the furnishing by that person  
14 of items or services for which medical assistance is or may be made, a person  
15 ~~convicted of violating this subsection~~ is guilty of a Class H felony, except that,  
16 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
17 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
18 ~~or both.~~

19 **SECTION 49.** 49.49 (2) (a) of the statutes is amended to read:

20 49.49 **(2)** (a) *Solicitation or receipt of remuneration.* Any person who solicits  
21 or receives any remuneration, including any kickback, bribe, or rebate, directly or  
22 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual  
23 to a person for the furnishing or arranging for the furnishing of any item or service  
24 for which payment may be made in whole or in part under a medical assistance  
25 program, or in return for purchasing, leasing, ordering, or arranging for or



1 recommending purchasing, leasing, or ordering any good, facility, service, or item for  
2 which payment may be made in whole or in part under a medical assistance program,  
3 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
4 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for~~  
5 ~~not more than 7 years and 6 months or both.~~

6 **SECTION 50.** 49.49 (2) (b) of the statutes is amended to read:

7 49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
8 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
9 or covertly, in cash or in kind to any person to induce such person to refer an  
10 individual to a person for the furnishing or arranging for the furnishing of any item  
11 or service for which payment may be made in whole or in part under a medical  
12 assistance program, or to purchase, lease, order, or arrange for or recommend  
13 purchasing, leasing, or ordering any good, facility, service or item for which payment  
14 may be made in whole or in part under a medical assistance program, is guilty of a  
15 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50  
16 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for not more~~  
17 ~~than 7 years and 6 months or both.~~

18 **SECTION 51.** 49.49 (3) of the statutes is amended to read:

19 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly  
20 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
21 false statement or representation of a material fact with respect to the conditions or  
22 operation of any institution or facility in order that such institution or facility may  
23 qualify either upon initial certification or upon recertification as a hospital, skilled  
24 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~  
25 person who violates this subsection is guilty of a Class H felony, except that,

1 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
2 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
3 ~~or both.~~

4 **SECTION 52.** 49.49 (3m) (b) of the statutes is amended to read:

5 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H  
6 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
7 the person may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~  
8 ~~years and 6 months or both.~~

9 **SECTION 53.** 49.49 (4) (b) of the statutes is amended to read:

10 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,  
11 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the  
12 person may be fined not more than \$25,000 ~~or imprisoned for not more than 7 years~~  
13 ~~and 6 months or both.~~

14 **SECTION 54.** 49.95 (1) of the statutes is renumbered 49.95 (1) (intro.) and  
15 amended to read:

16 49.95 (1) (intro.) Any person who, with intent to secure public assistance under  
17 this chapter, whether for himself or herself or for some other person, wilfully makes  
18 any false representations may, if is subject to the following penalties:

19 (a) If the value of the assistance so secured does not exceed \$300, the person  
20 may be required to forfeit not more than \$1,000; ~~if.~~

21 (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the  
22 person may be fined not more than \$250 or imprisoned for not more than 6 months  
23 or both; ~~if.~~

1           (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,  
2 \$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not  
3 more than 7 years and 6 9 months or both; and if,

4           (d) If the value of the assistance exceeds \$2,500, be punished as prescribed  
5 under s. 943.20 (3) (e) \$2,000 but does not exceed \$5,000, the person is guilty of a  
6 Class I felony.

7           **SECTION 55.** 49.95 (1) (e) and (f) of the statutes are created to read:

8           49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed  
9 \$10,000, the person is guilty of a Class H felony.

10          (f) If the value of the assistance exceeds \$10,000, the person is guilty of a Class  
11 G felony.

12          **SECTION 56.** 50.065 (1) (e) 1. of the statutes is amended to read:

13          50.065 (1) (e) 1. "Serious crime" means a violation of s. 940.19 (3), 1999 stats.,  
14 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),  
15 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1),  
16 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States  
17 jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s.  
18 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3),  
19 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)  
20 (a) if committed in this state.

21          **SECTION 57.** 51.15 (12) of the statutes is amended to read:

22          51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)  
23 knowing the information contained therein to be false ~~may be fined not more than~~  
24 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
25 Class H felony.

1           **SECTION 58.** 55.06 (11) (am) of the statutes is amended to read:

2           55.06 **(11)** (am) Whoever signs a statement under par. (a) knowing the  
3 information contained therein to be false ~~may be fined not more than \$5,000 or~~  
4 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
5 felony.

6           **SECTION 59.** 66.1207 (1) (b) of the statutes is amended to read:

7           66.1207 **(1)** (b) Any person who secures or assists in securing dwelling  
8 accommodations under s. 66.1205 by intentionally making false representations in  
9 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
10 which the person would not otherwise be entitled ~~shall be fined not more than~~  
11 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

12           **SECTION 60.** 66.1207 (1) (c) of the statutes is amended to read:

13           66.1207 **(1)** (c) Any person who secures or assists in securing dwelling  
14 accommodations under s. 66.1205 by intentionally making false representations in  
15 order to receive more than \$25,000 in financial assistance for which the person would  
16 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~  
17 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

18           **SECTION 61.** 69.24 (1) (intro.) of the statutes is amended to read:

19           69.24 **(1)** (intro.) Any person who does any of the following ~~shall be fined not~~  
20 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
21 I felony:

22           **SECTION 62.** 70.47 (18) (a) of the statutes is amended to read:

23           70.47 **(18)** (a) Whoever with intent to injure or defraud alters, damages,  
24 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~

1 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a  
2 Class I felony.

3 **SECTION 63.** 71.83 (2) (b) of the statutes is amended to read:

4 71.83 (2) (b) *Felony.* 1. 'False income tax return; fraud.' Any person, other than  
5 a corporation or limited liability company, who renders a false or fraudulent income  
6 tax return with intent to defeat or evade any assessment required by this chapter  
7 shall be is guilty of a Class H felony and may be fined ~~not more than \$10,000 or~~  
8 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
9 the cost of prosecution. In this subdivision, "return" includes a separate return filed  
10 by a spouse with respect to a taxable year for which a joint return is filed under s.  
11 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
12 the spouses with respect to a taxable year for which a separate return is filed under  
13 s. 71.03 (2) (m) after the filing of that joint return.

14 2. 'Officer of a corporation; false franchise or income tax return.' Any officer  
15 of a corporation or manager of a limited liability company required by law to make,  
16 render, sign or verify any franchise or income tax return, who makes any false or  
17 fraudulent franchise or income tax return, with intent to defeat or evade any  
18 assessment required by this chapter shall be is guilty of a Class H felony and may  
19 be fined ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
20 ~~or both, together with assessed~~ the cost of prosecution.

21 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,  
22 depositing or concealing any property upon which a levy is authorized with intent  
23 to evade or defeat the assessment or collection of any tax administered by the  
24 department is guilty of a Class I felony and may be fined ~~not more than \$5,000 or~~

1     ~~imprisoned for not more than 4 years and 6 months or both, together with assessed~~  
2     ~~the costs~~ cost of prosecution.

3           4. 'Fraudulent claim for credit.' The A claimant who ~~filed~~ files a claim for credit  
4     under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was  
5     filed with fraudulent intent and any person who ~~assisted,~~ with fraudulent intent,  
6     assists in the preparation or filing of the false or excessive claim or supplied  
7     information upon which the false or excessive claim was prepared, ~~with fraudulent~~  
8     ~~intent, is guilty of a Class H felony and~~ may be fined ~~not more than \$10,000 or~~  
9     ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
10    the cost of prosecution.

11           **SECTION 64.** 86.192 (4) of the statutes is amended to read:

12           86.192 (4) Any person who violates this section ~~shall be fined not more than~~  
13    ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
14    if the injury, defacement or removal causes the death of a person.

15           **SECTION 65.** 97.43 (4) of the statutes is amended to read:

16           97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~  
17    ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
18    guilty of a Class H felony.

19           **SECTION 66.** 97.45 (2) of the statutes is amended to read:

20           97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~  
21    ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
22    guilty of a Class H felony.

23           **SECTION 67.** 100.171 (7) (b) of the statutes is amended to read:

24           100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~  
25    ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class

1 I felony. A person intentionally violates this section if the violation occurs after the  
2 department or a district attorney has notified the person by certified mail that the  
3 person is in violation of this section.

4 **SECTION 68.** 100.2095 (6) (d) of the statutes is amended to read:

5 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less  
6 than ~~\$100 nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~  
7 9 months or both. Each day of violation constitutes a separate offense.

8 **SECTION 69.** 100.26 (2) of the statutes is amended to read:

9 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~  
10 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~  
11 ~~6 months or both~~ is guilty of a Class I felony.

12 **SECTION 70.** 100.26 (5) of the statutes is amended to read:

13 100.26 (5) Any person violating s. 100.06 or any order or regulation of the  
14 department thereunder, or s. 100.18 (9), ~~shall~~ may be fined not less than ~~\$100 nor~~  
15 ~~more than \$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.  
16 Each day of violation constitutes a separate offense.

17 **SECTION 71.** 100.26 (7) of the statutes is amended to read:

18 100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than ~~\$500~~  
19 ~~nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
20 both for each offense. Each unlawful advertisement published, printed or mailed on  
21 separate days or in separate publications, hand bills or direct mailings is a separate  
22 violation of this section.

23 **SECTION 72.** 101.143 (10) (b) of the statutes is amended to read:

24 101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
25 or service provider who intentionally destroys a document that is relevant to a claim

1 for reimbursement under this section ~~may be fined not more than \$10,000 or~~  
2 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

3 **SECTION 73.** 101.9204 (2) of the statutes is amended to read:

4 101.9204 (2) Any person who knowingly makes a false statement in an  
5 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
6 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

7 **SECTION 74.** 101.94 (8) (b) of the statutes is amended to read:

8 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
9 knowingly and wilfully violates this subchapter in a manner which threatens the  
10 health or safety of a purchaser ~~shall~~ may be fined not more than \$1,000 \$10,000 or  
11 imprisoned for not more than 2 years 9 months or both.

12 **SECTION 75.** 102.835 (11) of the statutes is amended to read:

13 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in  
14 removing, depositing or concealing any property upon which a levy is authorized  
15 under this section with intent to evade or defeat the assessment or collection of any  
16 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
17 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the  
18 costs of prosecution.

19 **SECTION 76.** 102.835 (18) of the statutes is amended to read:

20 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
21 employer may discharge or otherwise discriminate with respect to the terms and  
22 conditions of employment against any employee by reason of the fact that his or her  
23 earnings have been subject to levy for any one levy or because of compliance with any  
24 provision of this section. Whoever wilfully violates this subsection may be fined not  
25 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.



1           **SECTION 77.** 102.85 (3) of the statutes is amended to read:

2           102.85 **(3)** An employer who violates an order to cease operations under s.  
3 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~  
4 ~~years or both~~ is guilty of a Class I felony.

5           **SECTION 78.** 108.225 (11) of the statutes is amended to read:

6           108.225 **(11)** EVASION. Any person who removes, deposits or conceals or aids in  
7 removing, depositing or concealing any property upon which a levy is authorized  
8 under this section with intent to evade or defeat the assessment or collection of any  
9 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
10 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the  
11 costs of prosecution.

12           **SECTION 79.** 108.225 (18) of the statutes is amended to read:

13           108.225 **(18)** RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
14 employer may discharge or otherwise discriminate with respect to the terms and  
15 conditions of employment against any employee by reason of the fact that his or her  
16 earnings have been subject to levy for any one levy or because of compliance with any  
17 provision of this section. Whoever wilfully violates this subsection may be fined not  
18 more than \$1,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

19           **SECTION 80.** 110.07 (5) (a) of the statutes is amended to read:

20           110.07 **(5)** (a) In this subsection, “bulletproof garment” ~~has the meaning given~~  
21 ~~in s. 939.64 (1)~~ means a vest or other garment designed, redesigned, or adapted to  
22 prevent bullets from penetrating through the garment.

23           **SECTION 81.** 114.20 (18) (c) of the statutes is amended to read:

24           114.20 **(18)** (c) Any person who knowingly makes a false statement in any  
25 application or in any other document required to be filed with the department, or who

1 knowingly foregoes the submission of any application, document, or any registration  
2 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
3 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

4 **SECTION 82.** 115.31 (2g) of the statutes is amended to read:

5 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall  
6 revoke a license granted by the state superintendent, without a hearing, if the  
7 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.  
8 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any  
9 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a  
10 violation that occurs on or after the effective date of this subsection ... [revisor inserts  
11 date].

12 **SECTION 83.** 118.19 (4) (a) of the statutes is amended to read:

13 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent  
14 may not grant a license, for 6 years following the date of the conviction, to any person  
15 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except  
16 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a  
17 violation that occurs on or after September 12, 1991, for 6 years following the date  
18 of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except  
19 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this  
20 paragraph ... [revisor inserts date]. The state superintendent may grant the license  
21 only if the person establishes by clear and convincing evidence that he or she is  
22 entitled to the license.

23 **SECTION 84.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and  
24 amended to read:

1           125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~  
2           ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
3           felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

4           **SECTION 85.** 125.075 (2) (b) of the statutes is created to read:

5           125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the  
6           underage person dies.

7           **SECTION 86.** 125.085 (3) (a) 2. of the statutes is amended to read:

8           125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
9           ~~consideration may be fined not more than \$10,000 or imprisoned for not more than~~  
10          ~~3 years or both~~ is guilty of a Class I felony.

11          **SECTION 87.** 125.105 (2) (b) of the statutes is amended to read:

12          125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,  
13          ~~a crime may be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
14          ~~and 6 months or both~~ is guilty of a Class H felony.

15          **SECTION 88.** 125.66 (3) of the statutes is amended to read:

16          125.66 (3) Any person manufacturing or rectifying intoxicating liquor without  
17          holding appropriate permits under this chapter, or any person who sells such liquor,  
18          ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~  
19          ~~both. Second or subsequent convictions shall be punished by both the fine and~~  
20          ~~imprisonment~~ is guilty of a Class F felony.

21          **SECTION 89.** 125.68 (12) (b) of the statutes is amended to read:

22          125.68 (12) (b) Whoever violates par. (a) ~~shall be fined not less than \$1,000 nor~~  
23          ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~  
24          ~~or both~~ is guilty of a Class F felony.

25          **SECTION 90.** 125.68 (12) (c) of the statutes is amended to read:

1           125.68 (12) (c) Any person causing the death of another human being through  
2 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol  
3 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~  
4 ~~for not more than 15 years~~ is guilty of a Class E felony.

5           **SECTION 91.** 132.20 (2) of the statutes is amended to read:

6           132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic  
7 in this state in a counterfeit mark or in any goods or service bearing or provided  
8 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,  
9 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an  
10 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~  
11 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the  
12 person may be fined not more than \$1,000,000.

13           **SECTION 92.** 133.03 (1) of the statutes is amended to read:

14           133.03 (1) Every contract, combination in the form of trust or otherwise, or  
15 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
16 contract or engages in any combination or conspiracy in restraint of trade or  
17 commerce is guilty of a Class H felony, except that, notwithstanding the maximum  
18 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if  
19 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both.~~

21           **SECTION 93.** 133.03 (2) of the statutes is amended to read:

22           133.03 (2) Every person who monopolizes, or attempts to monopolize, or  
23 combines or conspires with any other person or persons to monopolize any part of  
24 trade or commerce is guilty of a Class H felony, except that, notwithstanding the  
25 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than

1       \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000  
2       or imprisoned for not more than 7 years and 6 months or both.

3           **SECTION 94.** 134.05 (4) of the statutes is amended to read:

4           134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~  
5       ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~  
6       ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than  
7       9 months or both.

8           **SECTION 95.** 134.16 of the statutes is amended to read:

9           **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,  
10       cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,  
11       brokerage or deposit company, corporation or institution, or of any person, company  
12       or corporation engaged in whole or in part in banking, brokerage, exchange or deposit  
13       business in any way, or any person engaged in such business in whole or in part, who  
14       shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any  
15       money, or any bills, notes or other paper circulating as money, or any notes, drafts,  
16       bills of exchange, bank checks or other commercial paper for safekeeping or for  
17       collection, when he or she knows or has good reason to know that such bank, company  
18       or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~  
19       ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~  
20       ~~not more than \$10,000~~ is guilty of a Class F felony.

21           **SECTION 96.** 134.20 (1) (intro.) of the statutes is amended to read:

22           134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following  
23       ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~  
24       ~~months or both~~ is guilty of a Class H felony:

25           **SECTION 97.** 134.205 (4) of the statutes is amended to read:

1           134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt  
2 without entering the same in a register as required by this section ~~shall be fined not~~  
3 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
4 guilty of a Class H felony.

5           **SECTION 98.** 134.58 of the statutes is amended to read:

6           **134.58 Use of unauthorized persons as officers.** Any person who,  
7 individually, in concert with another or as agent or officer of any firm, joint-stock  
8 company or corporation, uses, employs, aids or assists in employing any body of  
9 armed persons to act as militia, police or peace officers for the protection of persons  
10 or property or for the suppression of strikes, not being authorized by the laws of this  
11 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~  
12 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

13           **SECTION 99.** 139.44 (1) of the statutes is amended to read:

14           139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits  
15 any stamp or procures or causes the same to be done, or who knowingly utters,  
16 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who  
17 affixes the same to any package or container of cigarettes, or who possesses with the  
18 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps  
19 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~  
20 ~~years~~ is guilty of a Class G felony.

21           **SECTION 100.** 139.44 (1m) of the statutes is amended to read:

22           139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
23 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~  
24 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

25           **SECTION 101.** 139.44 (2) of the statutes is amended to read:

1           139.44 (2) Any person who makes or signs any false or fraudulent report or who  
2 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
3 evasion or attempted evasion of that tax shall may be fined not less than \$1,000 nor  
4 more than \$5,000 \$10,000 or imprisoned for not less than 90 days nor more than 2  
5 years 9 months or both.

6           **SECTION 102.** 139.44 (8) (c) of the statutes is amended to read:

7           139.44 (8) (c) If the number of cigarettes exceeds 36,000, a fine of not more than  
8 \$10,000 or imprisonment for not more than 3 years or both the person is guilty of a  
9 Class I felony.

10          **SECTION 103.** 139.85 (1) of the statutes is amended to read:

11          139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
12 apply to this subchapter. In addition, a person who violates s. 139.82 (8) shall may  
13 be fined not less than \$1,000 nor more than \$5,000 \$10,000 or imprisoned for not less  
14 than 90 days nor more than one year 9 months or both.

15          **SECTION 104.** 139.95 (2) of the statutes is amended to read:

16          139.95 (2) A dealer who possesses a schedule I controlled substance, a schedule  
17 II controlled substance or ketamine or flunitrazepam that does not bear evidence  
18 that the tax under s. 139.88 has been paid may be fined not more than \$10,000 or  
19 imprisoned for not more than 7 years and 6 months or both is guilty of a Class H  
20 felony.

21          **SECTION 105.** 139.95 (3) of the statutes is amended to read:

22          139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
23 any stamp or procures or causes the same to be done or who knowingly utters,  
24 publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
25 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II

1 controlled substance or ketamine or flunitrazepam or who possesses a schedule I  
2 controlled substance, a schedule II controlled substance or ketamine or  
3 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~  
4 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~  
5 ~~years or both~~ is guilty of a Class F felony.

6 **SECTION 106.** 146.345 (3) of the statutes is amended to read:

7 146.345 (3) Any person who violates this section is guilty of a Class H felony,  
8 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the  
9 person may be fined not more than \$50,000 or imprisoned for not more than 7 years  
10 and 6 months or both.

11 **SECTION 107.** 146.35 (5) of the statutes is amended to read:

12 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~  
13 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
14 felony.

15 **SECTION 108.** 146.60 (9) (am) of the statutes is amended to read:

16 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~  
17 may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more  
18 than 2 years 9 months or both.

19 **SECTION 109.** 146.70 (10) (a) of the statutes is amended to read:

20 146.70 (10) (a) Any person who intentionally dials the telephone number "911"  
21 to report an emergency, knowing that the fact situation which he or she reports does  
22 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
23 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~  
24 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
25 felony for any other offense committed within 4 years after the first offense.



1           **SECTION 110.** 154.15 (2) of the statutes is amended to read:

2           154.15 (2) Any person who, with the intent to cause a withholding or  
3 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
4 the declarant, illegally falsifies or forges the declaration of another or conceals a  
5 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally  
6 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~  
7 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
8 felony.

9           **SECTION 111.** 154.29 (2) of the statutes is amended to read:

10           154.29 (2) Any person who, with the intent to cause the withholding or  
11 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
12 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
13 under s. 154.21 of a do-not-resuscitate order or any responsible person who  
14 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~  
15 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
16 felony.

17           **SECTION 112.** 166.20 (11) (b) of the statutes is amended to read:

18           166.20 (11) (b) Any person who knowingly and wilfully fails to report the  
19 release of a hazardous substance covered under 42 USC 11004 as required under sub.  
20 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following  
21 penalties:

22           1. For the first offense, the person is guilty of a Class I felony, except that,  
23 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
24 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3  
25 years or both.

1           2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,  
2 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the  
3 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not  
4 more than 3 years or both.

5           **SECTION 113.** 167.10 (9) (g) of the statutes is amended to read:

6           167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
7 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~  
8 ~~than 15 years or both~~ is guilty of a Class G felony.

9           **SECTION 114.** 175.20 (3) of the statutes is amended to read:

10           175.20 (3) Any person who violates any of the provisions of this section ~~shall~~  
11 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be  
12 imprisoned for not less than 30 days nor more than 2 years 9 months or both. In  
13 addition, the court may revoke the license or licenses of the person or persons  
14 convicted.

15           **SECTION 115.** 180.0129 (2) of the statutes is amended to read:

16           180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~  
17 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

18           **SECTION 116.** 181.0129 (2) of the statutes is amended to read:

19           181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~  
20 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
21 felony.

22           **SECTION 117.** 185.825 of the statutes is amended to read:

23           **185.825 Penalty for false document.** Whoever causes a document to be  
24 filed, knowing it to be false in any material respect, ~~may be fined not more than~~

1 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a  
2 Class I felony.

3 **SECTION 118.** 201.09 (2) of the statutes is amended to read:

4 201.09 (2) Every director, president, secretary or other official or agent of any  
5 public service corporation, who shall practice fraud or knowingly make any false  
6 statement to secure a certificate of authority to issue any security, or issue under a  
7 certificate so obtained and with knowledge of such fraud, or false statement, or  
8 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall  
9 be fined not less than \$500 or imprisoned for not less than one year nor more than  
10 15 years or both is guilty of a Class I felony.

11 **SECTION 119.** 214.93 of the statutes is amended to read:

12 **214.93 False statements.** A person may not knowingly make, cause, or allow  
13 another person to make or cause to be made, a false statement, under oath if required  
14 by this chapter or on any report or statement required by the division or by this  
15 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
16 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

17 **SECTION 120.** 215.02 (6) (b) of the statutes is amended to read:

18 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
19 debtor of any association or any information about the private account or  
20 transactions of such association, discloses any fact obtained in the course of any  
21 examination of any association, or discloses examination or other confidential  
22 information obtained from any state or federal regulatory authority, including an  
23 authority of this state or another state, for financial institutions, mortgage bankers,  
24 insurance or securities, except as provided in par. (a), he or she is guilty of a Class  
25 I felony and shall forfeit his or her office or position ~~and may be fined not less than~~

1 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~  
2 ~~3 years or both.~~

3 **SECTION 121.** 215.12 of the statutes is amended to read:

4 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
5 director, employee or agent of any association who steals, abstracts, or wilfully  
6 misapplies any property of the association, whether owned by it or held in trust, or  
7 who, without authority, issues or puts forth any certificate of savings accounts,  
8 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
9 in any book, record, report or statement of the association with intent to injure or  
10 defraud the association or any person or corporation, or to deceive any officer or  
11 director of the association, or any other person, or any agent appointed to examine  
12 the affairs of such association, or any person who, with like intent, aids or abets any  
13 officer, director, employee or agent in the violation of this section, ~~shall be imprisoned~~  
14 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

15 **SECTION 122.** 215.21 (21) of the statutes is amended to read:

16 **215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS.** Every officer,  
17 director, employee or agent of any association, or any appraiser making appraisals  
18 for any association, who accepts or receives, or offers or agrees to accept or receive  
19 anything of value in consideration of its loaning any money to any person; or any  
20 person who offers, gives, presents or agrees to give or present anything of value to  
21 any officer, director, employee or agent of any association or to any appraiser making  
22 appraisals for any association in consideration of its loaning money to the person,  
23 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~  
24 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this

1 subsection prohibits an association from employing an officer, employee or agent to  
2 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

3 **SECTION 123.** 218.21 (7) of the statutes is amended to read:

4 218.21 (7) Any person who knowingly makes a false statement in an  
5 application for a motor vehicle salvage dealer license ~~may be fined not more than~~  
6 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
7 Class H felony.

8 **SECTION 124.** 220.06 (2) of the statutes is amended to read:

9 220.06 (2) If any employee in the division or any member of the banking review  
10 board or any employee thereof discloses the name of any debtor of any bank or  
11 licensee, or anything relative to the private account or transactions of such bank or  
12 licensee, or any fact obtained in the course of any examination of any bank or  
13 licensee, except as herein provided, that person is guilty of a Class I felony and shall  
14 be subject, upon conviction, to forfeiture of office or position and may be fined not less  
15 than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more  
16 than 3 years or both.

17 **SECTION 125.** 221.0625 (2) (intro.) of the statutes is amended to read:

18 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation  
19 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~  
20 ~~not more than 15 years~~ is guilty of a Class F felony:

21 **SECTION 126.** 221.0636 (2) of the statutes is amended to read:

22 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~  
23 ~~not more than 30 years~~ is guilty of a Class H felony.

24 **SECTION 127.** 221.0637 (2) of the statutes is amended to read:

1           221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~  
2 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
3 felony.

4           **SECTION 128.** 221.1004 (2) of the statutes is amended to read:

5           221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~  
6 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~  
7 ~~than 15 years or both~~ is guilty of a Class F felony.

8           **SECTION 129.** 230.08 (2) (L) 6. of the statutes is created to read:

9           230.08 (2) (L) 6. Sentencing commission.

10          **SECTION 130.** 230.08 (2) (of) of the statutes is created to read:

11          230.08 (2) (of) The executive director of the sentencing commission.

12          **SECTION 131.** 253.06 (4) (b) of the statutes is amended to read:

13          253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~  
14 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both,~~ is guilty  
15 of a Class I felony for the first offense and ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 7 years and 6 months, or both,~~ is guilty of a Class H  
17 felony for the 2nd or subsequent offense.

18          **SECTION 132.** 285.87 (2) (b) of the statutes is amended to read:

19          285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
20 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except  
21 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may  
22 be fined not more than \$50,000 per day of violation ~~or imprisoned for not more than~~  
23 ~~3 years or both.~~

24          **SECTION 133.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

1           291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~  
2 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
3 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 ~~nor~~ more than  
4 \$100,000 ~~or imprisoned for not more than 7 years and 6 months or both:~~

5           **SECTION 134.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

6           291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person ~~shall~~  
7 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified  
8 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 ~~nor~~ more than \$50,000  
9 ~~or imprisoned for not more than 2 years or both.~~

10          2. For a 2nd or subsequent violation under par. (b), a person ~~shall~~ is guilty of  
11 a Class F felony, except that, notwithstanding the maximum fine specified in s.  
12 939.50 (3) (f), the person may be fined not less than \$5,000 ~~nor~~ more than \$150,000  
13 ~~or imprisoned for not more than 15 years or both.~~

14          **SECTION 135.** 299.53 (4) (c) 2. of the statutes is amended to read:

15          299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
16 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
17 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
18 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,  
19 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
20 fined not more than \$50,000 ~~or imprisoned for not more than 3 years or both.~~

21          **SECTION 136.** 301.03 (3) of the statutes is amended to read:

22          301.03 (3) ~~Administer~~ Subject to sub. (3a), administer parole, extended  
23 supervision and probation matters, except that the decision to grant or deny parole  
24 to inmates shall be made by the parole commission and the decision to revoke  
25 probation, extended supervision or parole in cases in which there is no waiver of the

1 right to a hearing shall be made by the division of hearings and appeals in the  
2 department of administration. The secretary may grant special action parole  
3 releases under s. 304.02. The department shall promulgate rules establishing a drug  
4 testing program for probationers, parolees and persons placed on extended  
5 supervision. The rules shall provide for assessment of fees upon probationers,  
6 parolees and persons placed on extended supervision to partially offset the costs of  
7 the program.

8 **SECTION 137.** 301.03 (3a) of the statutes is created to read:

9 301.03 (3a) The department shall take steps to promote the increased  
10 effectiveness of probation, extended supervision and parole in Brown, Dane,  
11 Kenosha, Milwaukee, Racine, and Rock counties. In each of these counties, the  
12 department shall, beginning on January 1, 2002, develop a partnership with the  
13 community, have strategies for local crime prevention, supervise offenders actively,  
14 commit additional resources to enhance supervision and to purchase services for  
15 offenders, establish day reporting centers, and ensure that probation, extended  
16 supervision, and parole agents, on average, supervise no more than 20 persons on  
17 probation, extended supervision, or parole.

18 **SECTION 138.** 301.035 (2) of the statutes is amended to read:

19 301.035 (2) Assign hearing examiners from the division to preside over  
20 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10  
21 (2) and ch. 304.

22 **SECTION 139.** 301.035 (4) of the statutes is amended to read:

23 301.035 (4) Supervise employees in the conduct of the activities of the division  
24 and be the administrative reviewing authority for decisions of the division under ss.



1 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and  
2 ch. 304.

3 **SECTION 140.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

4 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195  
5 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,  
6 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 ~~(3),~~ (4) or (5), 940.195  
7 ~~(3),~~ (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)  
8 (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45  
9 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,  
10 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.43,  
11 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or  
12 948.30.

13 **SECTION 141.** 301.26 (4) (cm) 1. of the statutes is amended to read:

14 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall  
15 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations  
16 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured  
17 correctional facilities, secured child caring institutions, alternate care providers,  
18 aftercare supervision providers and corrective sanctions supervision providers for  
19 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age  
20 or over who has been placed in a secured correctional facility based on a delinquent  
21 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or  
22 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,  
23 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2),  
24 948.02 (1), 948.025, (1), or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ and for the care of any  
25 juvenile 10 years of age or over who has been placed in a secured correctional facility

1 or secured child caring institution for attempting or committing a violation of s.  
2 940.01 or for committing a violation of s. 940.02 or 940.05.

3 **SECTION 142.** 301.45 (6) (a) 2. of the statutes is amended to read:

4 301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~  
5 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class  
6 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense  
7 if, prior to committing the offense, the person has at any time been convicted of  
8 knowingly failing to comply with any requirement to provide information under  
9 subs. (2) to (4).

10 **SECTION 143.** 302.045 (3) of the statutes is amended to read:

11 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
12 determines that an inmate serving a sentence other than one imposed under s.  
13 973.01 has successfully completed the challenge incarceration program, the parole  
14 commission shall parole the inmate for that sentence under s. 304.06, regardless of  
15 the time the inmate has served, ~~unless the person is serving a sentence imposed~~  
16 ~~under s. 973.01~~. When the parole commission grants parole under this subsection,  
17 it must require the parolee to participate in an intensive supervision program for  
18 drug abusers as a condition of parole.

19 **SECTION 144.** 302.095 (2) of the statutes is amended to read:

20 302.095 (2) Any officer or other person who delivers or procures to be delivered  
21 or has in his or her possession with intent to deliver to any inmate confined in a jail  
22 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts  
23 of a jail or prison, or in any vehicle going into the premises belonging to a jail or  
24 prison, any article or thing whatever, with intent that any inmate confined in the jail  
25 or prison shall obtain or receive the same, or who receives from any inmate any

1 article or thing whatever with intent to convey the same out of a jail or prison,  
2 contrary to the rules or regulations and without the knowledge or permission of the  
3 sheriff or other keeper of the jail, in the case of a jail, or of the warden or  
4 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~  
5 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

6 **SECTION 145.** 302.11 (1g) (a) 2. of the statutes is amended to read:

7 302.11 **(1g)** (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),  
8 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,  
9 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),  
10 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),  
11 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,  
12 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

13 **SECTION 146.** 302.11 (1p) of the statutes is amended to read:

14 302.11 **(1p)** An inmate serving a term subject to s. 961.49 (2), 1999 stats., for  
15 a crime committed before December 31, 1999, is entitled to mandatory release,  
16 except the inmate may not be released before he or she has complied with s. 961.49  
17 (2), 1999 stats.

18 **SECTION 147.** 302.11 (1z) of the statutes is amended to read:

19 302.11 **(1z)** An inmate who is sentenced to a term of confinement in prison  
20 under s. 973.01 for a felony that is committed on or after December 31, 1999, is not  
21 entitled under this section to mandatory release on parole under this section that  
22 sentence.

23 **SECTION 148.** 302.11 (3) of the statutes is amended to read:

24 302.11 **(3)** All consecutive sentences imposed for crimes committed before  
25 December 31, 1999, shall be computed as one continuous sentence.

1           **SECTION 149.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and  
2 amended to read:

3           302.11 (7) (am) ~~The division of hearings and appeals in the department of~~  
4 ~~administration, upon proper notice and hearing, or the department of corrections, if~~  
5 ~~the parolee waives a hearing, reviewing authority may return a parolee released~~  
6 under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the  
7 remainder of the sentence for a violation of the conditions of parole. The remainder  
8 of the sentence is the entire sentence, less time served in custody prior to parole. The  
9 revocation order shall provide the parolee with credit in accordance with ss. 304.072  
10 and 973.155.

11           **SECTION 150.** 302.11 (7) (ag) of the statutes is created to read:

12           302.11 (7) (ag) In this subsection “reviewing authority” means the division of  
13 hearings and appeals in the department of administration, upon proper notice and  
14 hearing, or the department of corrections, if the parolee waives a hearing.

15           **SECTION 151.** 302.11 (7) (b) of the statutes is amended to read:

16           302.11 (7) (b) A parolee returned to prison for violation of the conditions of  
17 parole shall be incarcerated for the entire period of time determined by the  
18 ~~department of corrections in the case of a waiver or the division of hearings and~~  
19 ~~appeals in the department of administration in the case of a hearing under par. (a),~~  
20 reviewing authority unless paroled earlier under par. (c). The parolee is not subject  
21 to mandatory release under sub. (1) or presumptive mandatory release under sub.  
22 (1g). The period of time determined under par. (a) (~~a~~) (am) may be extended in  
23 accordance with subs. (1q) and (2).

24           **SECTION 152.** 302.11 (7) (d) of the statutes is amended to read:

1           302.11 (7) (d) A parolee who is subsequently released either after service of the  
2 period of time determined by the department of corrections in the case of a waiver  
3 ~~or the division of hearings and appeals in the department of administration in the~~  
4 ~~case of a hearing under par. (a) reviewing authority or by a grant of parole under par.~~  
5 (c) is subject to all conditions and rules of parole until expiration of sentence or  
6 discharge by the department.

7           **SECTION 153.** 302.11 (7) (e) of the statutes is created to read:

8           302.11 (7) (e) A reviewing authority may consolidate proceedings before it  
9 under par. (am) with other proceedings before that reviewing authority under par.  
10 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
11 parole or extended supervision of the same person.

12           **SECTION 154.** 302.113 (2) of the statutes is amended to read:

13           302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this  
14 section is entitled to release to extended supervision after he or she has served the  
15 term of confinement in prison portion of the sentence imposed under s. 973.01, as  
16 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if  
17 applicable.

18           **SECTION 155.** 302.113 (3) (a) (intro.) of the statutes is amended to read:

19           302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the  
20 conduct of each inmate subject to this section, specifying each infraction of the rules.  
21 If an inmate subject to this section violates an order under s. 973.031 requiring him  
22 or her to participate in a drug treatment program, violates any regulation of the  
23 prison or refuses or neglects to perform required or assigned duties, the department  
24 may extend the term of confinement in prison portion of the inmate's bifurcated  
25 sentence as follows:

1           **SECTION 156.** 302.113 (4) of the statutes is amended to read:

2           302.113 (4) All consecutive sentences imposed for crimes committed on or after  
3 December 31, 1999, shall be computed as one continuous sentence. The person shall  
4 serve any term of extended supervision after serving all terms of confinement in  
5 prison.

6           **SECTION 157.** 302.113 (7) of the statutes is amended to read:

7           302.113 (7) Any person released to extended supervision under this section is  
8 subject to all conditions and rules of extended supervision until the expiration of the  
9 term of extended supervision portion of the bifurcated sentence. The department  
10 may set conditions of extended supervision in addition to any conditions of extended  
11 supervision set by the court under sub. (7m) or s. 973.01 (5) if the conditions set by  
12 the department do not conflict with the court's conditions.

13           **SECTION 158.** 302.113 (7m) of the statutes is created to read:

14           302.113 (7m) (a) Except as provided in par. (e), a person subject to this section  
15 or the department may petition the sentencing court to modify any conditions of  
16 extended supervision set by the court.

17           (b) If the department files a petition under this subsection, it shall serve a copy  
18 of the petition on the person who is the subject of the petition and, if the person is  
19 represented by an attorney, on the person's attorney. If a person who is subject to this  
20 section or his or her attorney files a petition under this subsection, the person or his  
21 or her attorney shall serve a copy of the petition on the department. The court shall  
22 serve a copy of a petition filed under this section on the district attorney. The court  
23 may direct the clerk of the court to provide notice of the petition to a victim of a crime  
24 committed by the person who is the subject of the petition.

1 (c) The court may conduct a hearing to consider the petition. The court may  
2 grant the petition in full or in part if it determines that the modification would meet  
3 the needs of the department and the public and would be consistent with the  
4 objectives of the person's sentence.

5 (d) A person subject to this section or the department may appeal an order  
6 entered by the court under this subsection. The appellate court may reverse the  
7 order only if it determines that the sentencing court erroneously exercised its  
8 discretion in granting or denying the petition.

9 (e) 1. An inmate may not petition the court to modify the conditions of extended  
10 supervision earlier than one year before the date of the inmate's scheduled date of  
11 release to extended supervision or more than once before the inmate's release to  
12 extended supervision.

13 2. A person subject to this section may not petition the court to modify the  
14 conditions of extended supervision within one year after the inmate's release to  
15 extended supervision. If a person subject to this section files a petition authorized  
16 by this subsection after his or her release from confinement, the person may not file  
17 another petition until one year after the date of filing the former petition.

18 **SECTION 159.** 302.113 (8m) of the statutes is created to read:

19 302.113 (8m) (a) Every person released to extended supervision under this  
20 section remains in the legal custody of the department. If the department alleges  
21 that any condition or rule of extended supervision has been violated by the person,  
22 the department may take physical custody of the person for the investigation of the  
23 alleged violation.

24 (b) If a person released to extended supervision under this section signs a  
25 statement admitting a violation of a condition or rule of extended supervision, the

1 department may, as a sanction for the violation, confine the person for up to 90 days  
2 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
3 If the department confines the person in a county jail under this paragraph, the  
4 department shall reimburse the county for its actual costs in confining the person  
5 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
6 the person is not eligible to earn good time credit on any period of confinement  
7 imposed under this subsection.

8 **SECTION 160.** 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and  
9 amended to read:

10 302.113 (9) (am) If a person released to extended supervision under this section  
11 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
12 ~~the department of administration, upon proper notice and hearing, or the~~  
13 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
14 reviewing authority may revoke the extended supervision of the person and return  
15 ~~the person to prison. If the extended supervision of the person is revoked, the person~~  
16 shall be returned to the circuit court for the county in which the person was convicted  
17 of the offense for which he or she was on extended supervision, and the court shall  
18 order the person to be returned to prison, he or she shall be returned to prison for any  
19 specified period of time that does not exceed the time remaining on the bifurcated  
20 sentence. The time remaining on the bifurcated sentence is the total length of the  
21 bifurcated sentence, less time served by the person in custody confinement under the  
22 sentence before release to extended supervision under sub. (2) and less all time  
23 served in confinement for previous revocations of extended supervision under the  
24 sentence. The revocation court order returning a person to prison under this



1 paragraph shall provide the person ~~on~~ whose extended supervision was revoked with  
2 credit in accordance with ss. 304.072 and 973.155.

3 **SECTION 161.** 302.113 (9) (ag) of the statutes is created to read:

4 302.113 (9) (ag) In this subsection “reviewing authority” means the division of  
5 hearings and appeals in the department of administration, upon proper notice and  
6 hearing, or the department of corrections, if the person on extended supervision  
7 waives a hearing.

8 **SECTION 162.** 302.113 (9) (at) of the statutes is created to read:

9 302.113 (9) (at) When a person is returned to court under par. (am) after  
10 revocation of extended supervision, the reviewing authority shall make a  
11 recommendation to the court concerning the period of time for which the person  
12 should be returned to prison. The recommended time period may not exceed the time  
13 remaining on the bifurcated sentence, as calculated under par. (am).

14 **SECTION 163.** 302.113 (9) (b) of the statutes is amended to read:

15 302.113 (9) (b) A person who is returned to prison after revocation of extended  
16 supervision shall be incarcerated for the entire period of time specified by the  
17 ~~department of corrections in the case of a waiver or by the division of hearings and~~  
18 ~~appeals in the department of administration in the case of a hearing~~ court under par.  
19 ~~(a)~~ (am). The period of time specified under par. ~~(a)~~ (am) may be extended in  
20 accordance with sub. (3). If a person is returned to prison under par. (am) for a period  
21 of time that is less than the time remaining on the bifurcated sentence, the person  
22 shall be released to extended supervision after he or she has served the period of time  
23 specified by the court under par. (am) and any periods of extension imposed in  
24 accordance with sub. (3).

25 **SECTION 164.** 302.113 (9) (c) of the statutes is amended to read:

1           302.113 (9) (c) A person who is subsequently released to extended supervision  
2 after service of the period of time specified by the department of corrections in the  
3 case of a waiver or by the division of hearings and appeals in the department of  
4 administration in the case of a hearing court under par. (a) (am) is subject to all  
5 conditions and rules under sub. subs. (7) and, if applicable, (7m) until the expiration  
6 of the term of remaining extended supervision portion of the bifurcated sentence.  
7 The remaining extended supervision portion of the bifurcated sentence is the total  
8 length of the bifurcated sentence, less the time served by the person in confinement  
9 under the bifurcated sentence before release to extended supervision under sub. (2)  
10 and less all time served in confinement for previous revocations of extended  
11 supervision under the bifurcated sentence.

12           **SECTION 165.** 302.113 (9) (d) of the statutes is created to read:

13           302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a  
14 person has served in confinement before release to extended supervision and the  
15 amount of time a person has served in confinement for a revocation of extended  
16 supervision includes any extensions imposed under sub. (3).

17           **SECTION 166.** 302.113 (9) (e) of the statutes is created to read:

18           302.113 (9) (e) If a hearing is to be held under par. (am) before the division of  
19 hearings and appeals in the department of administration, the hearing examiner  
20 may order the taking and allow the use of a videotaped deposition under s. 967.04  
21 (7) to (10).

22           **SECTION 167.** 302.113 (9) (f) of the statutes is created to read:

23           302.113 (9) (f) A reviewing authority may consolidate proceedings before it  
24 under par. (am) with other proceedings before that reviewing authority under par.

1 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
2 parole or extended supervision of the same person.

3 **SECTION 168.** 302.113 (9) (g) of the statutes is created to read:

4 302.113 (9) (g) In any case in which there is a hearing before the division of  
5 hearings and appeals in the department of administration concerning whether to  
6 revoke of a person's extended supervision, the person on extended supervision may  
7 seek review of a decision to revoke extended supervision and the department of  
8 corrections may seek review of a decision to not revoke extended supervision. Review  
9 of a decision under this paragraph may be sought only by an action for certiorari.

10 **SECTION 169.** 302.113 (9g) of the statutes is created to read:

11 302.113 (9g) (a) In this subsection, "program review committee" means the  
12 committee at a correctional institution that reviews the security classifications,  
13 institution assignments, and correctional programming assignments of inmates  
14 confined in the institution.

15 (b) An inmate who is serving a bifurcated sentence for a crime other than a  
16 Class B felony may seek modification of the bifurcated sentence in the manner  
17 specified in par. (f) if he or she meets one of the following criteria:

18 1. The inmate is 65 years of age or older and has served at least 5 years of the  
19 term of confinement in prison portion of the bifurcated sentence.

20 2. The inmate is 60 years of age or older and has served at least 10 years of the  
21 term of confinement in prison portion of the bifurcated sentence.

22 (c) An inmate who meets the criteria under par. (b) may submit a petition to  
23 the program review committee at the correctional institution in which the inmate is  
24 confined requesting a modification of the inmate's bifurcated sentence in the manner  
25 specified in par. (f). If the program review committee determines that the public

1 interest would be served by a modification of the inmate's bifurcated sentence in the  
2 manner provided under par. (f), the committee shall approve the petition for referral  
3 to the sentencing court and notify the department of its approval. The department  
4 shall then refer the inmate's petition to the sentencing court and request the court  
5 to conduct a hearing on the petition. If the program review committee determines  
6 that the public interest would not be served by a modification of the inmate's  
7 bifurcated sentence in the manner specified in par. (f), the committee shall deny the  
8 inmate's petition.

9 (d) When a court is notified by the department that it is referring to the court  
10 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
11 shall set a hearing to determine whether the public interest would be served by a  
12 modification of the inmate's bifurcated sentence in the manner specified in par. (f).  
13 The inmate and the district attorney have the right to be present at the hearing, and  
14 any victim of the inmate's crime has the right to be present at the hearing and to  
15 provide a statement concerning the modification of the inmate's bifurcated sentence.  
16 The court shall order such notice of the hearing date as it considers adequate to be  
17 given to the department, the inmate, the attorney representing the inmate, if  
18 applicable, and the district attorney. Victim notification shall be provided as  
19 specified under par. (g).

20 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving  
21 by the greater weight of the credible evidence that a modification of the bifurcated  
22 sentence in the manner specified in par. (f) would serve the public interest. If the  
23 inmate proves that a modification of the bifurcated sentence in the manner specified  
24 in par. (f) would serve the public interest, the court shall modify the inmate's  
25 bifurcated sentence in that manner. If the inmate does not prove that a modification

1 of the bifurcated sentence in the manner specified in par. (f) would serve the public  
2 interest, the court shall deny the inmate's petition for modification of the bifurcated  
3 sentence.

4 (f) A court may modify an inmate's bifurcated sentence under this section only  
5 as follows:

6 1. The court shall reduce the term of confinement in prison portion of the  
7 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
8 to extended supervision within 30 days after the date on which the court issues its  
9 order modifying the bifurcated sentence.

10 2. The court shall lengthen the term of extended supervision imposed so that  
11 the total length of the bifurcated sentence originally imposed does not change.

12 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

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

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

1 director of state courts determines is necessary. The director of state courts shall  
2 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
3 shall provide the cards, without charge, to victims. Victims may send completed  
4 cards to the clerk of the circuit court for the county in which the inmate was convicted  
5 and sentenced. All court records or portions of records that relate to mailing  
6 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

7 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
8 modification of his or her bifurcated sentence. The state may appeal a court's  
9 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
10 sentence. In an appeal under this paragraph, the appellate court may reverse a  
11 decision granting or denying a petition for modification of a bifurcated sentence only  
12 if it determines that the sentencing court erroneously exercised its discretion in  
13 granting or denying the petition.

14 (i) If the program review committee denies an inmate's petition under par. (c),  
15 the inmate may not file another petition within one year after the date of the program  
16 review committee's denial. If the program review committee approves an inmate's  
17 petition for referral to the sentencing court under par. (c) but the sentencing court  
18 denies the petition, the inmate may not file another petition under par. (c) within one  
19 year after the date of the court's decision.

20 (j) An inmate eligible to seek modification of his or her bifurcated sentence  
21 under this subsection has a right to be represented by counsel in proceedings under  
22 this subsection. An inmate, or the department on the inmate's behalf, may apply to  
23 the state public defender for determination of indigency and appointment of counsel  
24 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review  
25 committee under par. (c). If an inmate whose petition has been referred to the court

1 under par. (c) is without counsel, the court shall refer the matter to the state public  
2 defender for determination of indigency and appointment of counsel under s. 977.05  
3 (4) (jm).

4 **SECTION 170.** 302.114 (3) (a) (intro.) of the statutes is amended to read:

5 302.114 (3) (a) (intro.) The warden or superintendent shall keep a record of the  
6 conduct of each inmate subject to this section, specifying each infraction of the rules.  
7 If any an inmate subject to this section violates an order under s. 973.031 requiring  
8 him or her to participate in a drug treatment program, violates any regulation of the  
9 prison or refuses or neglects to perform required or assigned duties, the department  
10 may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.  
11 or 2., whichever is applicable, as follows:

12 **SECTION 171.** 302.114 (4) of the statutes is amended to read:

13 302.114 (4) All consecutive sentences imposed for crimes committed on or after  
14 December 31, 1999, shall be computed as one continuous sentence. An inmate  
15 subject to this section shall serve any term of extended supervision after serving all  
16 terms of confinement in prison.

17 **SECTION 172.** 302.114 (5) (f) of the statutes is amended to read:

18 302.114 (5) (f) An inmate may appeal an order denying his or her petition for  
19 release to extended supervision. In an appeal under this paragraph, the appellate  
20 court may reverse an order denying a petition for release to extended supervision  
21 only if it determines that the sentencing court improperly erroneously exercised its  
22 discretion in denying the petition for release to extended supervision.

23 **SECTION 173.** 302.114 (6) (b) of the statutes is amended to read:

24 302.114 (6) (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for  
25 release to extended supervision under this section, the clerk of the circuit court in

1 which the petition is filed shall send a copy of the petition and, if a hearing is  
2 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
3 the victim has submitted a card under par. (e) requesting notification.

4 **SECTION 174.** 302.114 (6) (c) of the statutes is amended to read:

5 302.114 (6) (c) The notice under par. (b) shall inform the victim that he or she  
6 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,  
7 and shall inform the victim of the manner in which he or she may provide written  
8 statements concerning the inmate's petition for release to extended supervision.

9 **SECTION 175.** 302.114 (8m) of the statutes is created to read:

10 302.114 (8m) (a) Every person released to extended supervision under this  
11 section remains in the legal custody of the department. If the department alleges  
12 that any condition or rule of extended supervision has been violated by the person,  
13 the department may take physical custody of the person for the investigation of the  
14 alleged violation.

15 (b) If a person released to extended supervision under this section signs a  
16 statement admitting a violation of a condition or rule of extended supervision, the  
17 department may, as a sanction for the violation, confine the person for up to 90 days  
18 in a regional detention facility or, with the approval of the sheriff, in a county jail.  
19 If the department confines the person in a county jail under this paragraph, the  
20 department shall reimburse the county for its actual costs in confining the person  
21 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,  
22 the person is not eligible to earn good time credit on any period of confinement  
23 imposed under this subsection.

24 **SECTION 176.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and  
25 amended to read:



1           302.114 (9) (am) If a person released to extended supervision under this section  
2 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
3 ~~the department of administration, upon proper notice and hearing, or the~~  
4 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
5 reviewing authority may revoke the extended supervision of the person and return  
6 ~~the person to prison. If the extended supervision of the person is revoked, the person~~  
7 shall be returned to the circuit court for the county in which the person was convicted  
8 of the offense for which he or she was on extended supervision, and the court shall  
9 order the person to be returned to prison, he or she shall be returned to prison for a  
10 specified period of time, as provided under par. (b) before he or she is eligible for being  
11 released again to extended supervision. The period of time specified under this  
12 paragraph may not be less than 5 years and may be extended in accordance with sub.  
13 (3).

14           **SECTION 177.** 302.114 (9) (ag) of the statutes is created to read:

15           302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given  
16 in s. 302.113 (9) (ag).

17           **SECTION 178.** 302.114 (9) (b) of the statutes is amended to read:

18           302.114 (9) (b) ~~If~~ When a person is returned to ~~prison~~ court under par. (a) ~~(am)~~  
19 after revocation of extended supervision, ~~the department of corrections in the case~~  
20 ~~of a waiver or the division of hearings and appeals in the department of~~  
21 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall  
22 specify a make a recommendation to the court concerning the period of time for which  
23 the person shall be incarcerated should be returned to prison before being eligible for  
24 release to extended supervision. The period of time specified recommended under

1 this paragraph may not be less than 5 years and may be extended in accordance with  
2 sub. (3).

3 **SECTION 179.** 302.114 (9) (bm) of the statutes is amended to read:

4 302.114 (9) (bm) A person who is returned to prison under par. (a) (am) after  
5 revocation of extended supervision may, upon petition to the sentencing court, be  
6 released to extended supervision after he or she has served the entire period of time  
7 specified ~~in~~ by the court under par. (b) (am), including any periods of extension  
8 imposed under sub. (3). A person may not file a petition under this paragraph earlier  
9 than 90 days before the date on which he or she is eligible to be released to extended  
10 supervision. If a person files a petition for release to extended supervision under this  
11 paragraph at any time earlier than 90 days before the date on which he or she is  
12 eligible to be released to extended supervision, the court shall deny the petition  
13 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition  
14 filed under this paragraph.

15 **SECTION 180.** 302.114 (9) (c) of the statutes is amended to read:

16 302.114 (9) (c) A person who is subsequently released to extended supervision  
17 under par. (b) (bm) is subject to all conditions and rules under sub. (8) until the  
18 expiration of the sentence.

19 **SECTION 181.** 302.114 (9) (d) of the statutes is created to read:

20 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of  
21 hearings and appeals in the department of administration, the hearing examiner  
22 may order the taking and allow the use of a videotaped deposition under s. 967.04  
23 (7) to (10).

24 **SECTION 182.** 302.114 (9) (e) of the statutes is created to read:

1           302.114 (9) (e) A reviewing authority may consolidate proceedings before it  
2 under par. (am) with other proceedings before that reviewing authority under par.  
3 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the  
4 parole or extended supervision of the same person.

5           **SECTION 183.** 302.114 (9) (f) of the statutes is created to read:

6           302.114 (9) (f) In any case in which there is a hearing before the division of  
7 hearings and appeals in the department of administration concerning whether to  
8 revoke a person's extended supervision, the person on extended supervision may  
9 seek review of a decision to revoke extended supervision and the department of  
10 corrections may seek review of a decision to not revoke extended supervision. Review  
11 of a decision under this paragraph may be sought only by an action for certiorari.

12           **SECTION 184.** 302.33 (1) of the statutes is amended to read:

13           302.33 (1) The maintenance of persons who have been sentenced to the state  
14 penal institutions; persons in the custody of the department, except as provided in  
15 sub. (2) and s. ss. 301.048 (7), 302.113 (8m), and 302.114 (8m); persons accused of  
16 crime and committed for trial; persons committed for the nonpayment of fines and  
17 expenses; and persons sentenced to imprisonment therein, while in the county jail,  
18 shall be paid out of the county treasury. No claim may be allowed to any sheriff for  
19 keeping or boarding any person in the county jail unless the person was lawfully  
20 detained therein.

21           **SECTION 185.** 302.43 of the statutes is amended to read:

22           **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
23 in the amount of one-fourth of his or her term for good behavior if sentenced to at  
24 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit  
25 for time served prior to sentencing under s. 973.155, including good time under s.

1 973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her  
2 to participate in a drug treatment program, violates any law or any regulation of the  
3 jail, or neglects or refuses to perform any duty lawfully required of him or her, may  
4 be deprived by the sheriff of good time under this section, except that the sheriff shall  
5 not deprive the inmate of more than 2 days good time for any one offense without the  
6 approval of the court. An inmate who files an action or special proceeding, including  
7 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be  
8 deprived of the number of days of good time specified in the court order prepared  
9 under s. 807.15 (3).

10 **SECTION 186.** 303.065 (1) (b) 1. of the statutes is amended to read:

11 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
12 specified in subd. 2., may be considered for work release only after he or she has  
13 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever  
14 is applicable, or he or she has reached his or her extended supervision eligibility date  
15 under s. 302.114 (9) (b) (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

16 **SECTION 187.** 303.08 (1) (intro.) of the statutes is amended to read:

17 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
18 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
19 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
20 necessary and reasonable hours for any of the following purposes:

21 **SECTION 188.** 303.08 (2) of the statutes is amended to read:

22 303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
23 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
24 the department, the prisoner person is sentenced to ordinary confinement. The A  
25 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)

1 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
2 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
3 court may withdraw the privilege at any time by order entered with or without notice.

4 **SECTION 189.** 303.08 (5) (intro.) of the statutes is amended to read:

5 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
6 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the  
7 wages, salary and unemployment insurance and employment training benefits  
8 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
9 the order stated:

10 **SECTION 190.** 303.08 (6) of the statutes is amended to read:

11 303.08 (6) The department, for a person subject to a confinement sanction  
12 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may  
13 authorize the sheriff to whom the prisoner is committed to arrange with another  
14 sheriff for the employment or employment training of the prisoner in the other's  
15 county, and while so employed or trained to be in the other's custody but in other  
16 respects to be and continue subject to the commitment.

17 **SECTION 191.** 303.08 (12) of the statutes is amended to read:

18 303.08 (12) In counties having a house of correction, any person violating the  
19 privilege granted under sub. (1) may be transferred by the county jailer to the house  
20 of correction for the remainder of the term of the person's sentence or, if applicable,  
21 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
22 (8m).

23 **SECTION 192.** 304.06 (1) (b) of the statutes is amended to read:

24 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
25 302.045 (3), ~~961.49 (2)~~, 973.01 (6) or 973.0135, the parole commission may parole an

1 inmate of the Wisconsin state prisons or any felon or any person serving at least one  
2 year or more in a county house of correction or a county reforestation camp organized  
3 under s. 303.07, when he or she has served 25% of the sentence imposed for the  
4 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)  
5 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate  
6 serving a life term when he or she has served 20 years, as modified by the formula  
7 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.  
8 The person serving the life term shall be given credit for time served prior to  
9 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary  
10 may grant special action parole releases under s. 304.02. The department or the  
11 parole commission shall not provide any convicted offender or other person  
12 sentenced to the department's custody any parole eligibility or evaluation until the  
13 person has been confined at least 60 days following sentencing.

14 **SECTION 193.** 304.071 (2) of the statutes is amended to read:

15 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,  
16 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
17 or she is not eligible for parole under this section.

18 **SECTION 194.** 304.11 (3) of the statutes is amended to read:

19 304.11 (3) If upon inquiry it further appears to the governor that the convicted  
20 person has violated or failed to comply with any of those conditions, the governor may  
21 issue his or her warrant remanding the person to the institution from which  
22 discharged, and the person shall be confined and treated as though no pardon had  
23 been granted, except that the person loses any applicable good time which he or she  
24 had earned. If the person is returned to prison, the person is subject to the same  
25 limitations as a revoked parolee under s. 302.11 (7). The department shall determine

1 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines  
2 the person has not violated or failed to comply with the conditions, the person shall  
3 be discharged subject to the conditional pardon.

4 **SECTION 195.** 341.605 (3) of the statutes is amended to read:

5 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
6 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
7 guilty of a Class H felony.

8 **SECTION 196.** 342.06 (2) of the statutes is amended to read:

9 342.06 (2) Any person who knowingly makes a false statement in an  
10 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
11 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

12 **SECTION 197.** 342.065 (4) (b) of the statutes is amended to read:

13 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
14 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
15 ~~or both is guilty of a Class H felony.~~

16 **SECTION 198.** 342.155 (4) (b) of the statutes is amended to read:

17 342.155 (4) (b) Any person who violates this section with intent to defraud may  
18 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
19 or both is guilty of Class H felony.

20 **SECTION 199.** 342.156 (6) (b) of the statutes is amended to read:

21 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
22 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
23 ~~or both is guilty of a Class H felony.~~

24 **SECTION 200.** 342.30 (3) (a) of the statutes is amended to read:

1           342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~  
2           \$5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of a  
3           Class H felony.

4           **SECTION 201.** 342.32 (3) of the statutes is amended to read:

5           342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
6           ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
7           guilty of a Class H felony.

8           **SECTION 202.** 343.31 (1) (i) of the statutes is amended to read:

9           343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under  
10          s. 346.04 (3).

11          **SECTION 203.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

12          343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting  
13          to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege  
14          revoked as follows:

15          **SECTION 204.** 344.48 (2) of the statutes is amended to read:

16          344.48 (2) Any person violating this section may be fined not more than \$1,000  
17          \$10,000 or imprisoned for not more than 2 years 9 months or both.

18          **SECTION 205.** 346.04 (2t) of the statutes is created to read:

19          346.04 (2t) No operator of a vehicle, after having received a visible or audible  
20          signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall  
21          knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as  
22          safety reasonably permits.

23          **SECTION 206.** 346.04 (4) of the statutes is created to read:



1           346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may  
2 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same  
3 incident or occurrence.

4           **SECTION 207.** 346.17 (2t) of the statutes is created to read:

5           346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than  
6 \$10,000 or imprisoned for not more than 9 months or both.

7           **SECTION 208.** 346.17 (3) (a) of the statutes is amended to read:

8           346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.  
9 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~  
10 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

11           **SECTION 209.** 346.17 (3) (b) of the statutes is amended to read:

12           346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),  
13 to another, or causes damage to the property of another, as defined in s. 939.22 (28),  
14 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~  
15 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

16           **SECTION 210.** 346.17 (3) (c) of the statutes is amended to read:

17           346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22  
18 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~  
19 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

20           **SECTION 211.** 346.17 (3) (d) of the statutes is amended to read:

21           346.17 (3) (d) If the violation results in the death of another, the person ~~shall~~  
22 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~  
23 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

24           **SECTION 212.** 346.175 (1) (a) of the statutes is amended to read:

1           346.175 (1) (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a  
2 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for  
3 the violation as provided in this section.

4           **SECTION 213.** 346.175 (1) (b) of the statutes is amended to read:

5           346.175 (1) (b) Notwithstanding par. (a), no owner of a vehicle involved in a  
6 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this  
7 section if the person operating the vehicle or having the vehicle under his or her  
8 control at the time of the violation has been convicted for the violation under this  
9 section or under s. 346.04 (2t) or (3).

10          **SECTION 214.** 346.175 (4) (b) of the statutes is amended to read:

11          346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by  
12 the authority issuing the citation with the name and address of the person operating  
13 the vehicle or having the vehicle under his or her control at the time of the violation  
14 and sufficient information for the officer to determine that probable cause does not  
15 exist to believe that the owner of the vehicle was operating the vehicle at the time  
16 of the violation, then the owner of the vehicle shall not be liable under this section  
17 or under s. 346.04 (2t) or (3).

18          **SECTION 215.** 346.175 (4) (c) of the statutes is amended to read:

19          346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of  
20 the violation the vehicle was in the possession of a lessee, and the lessor provides a  
21 traffic officer employed by the authority issuing the citation with the information  
22 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under  
23 this section or under s. 346.04 (2t) or (3).

24          **SECTION 216.** 346.175 (4) (d) of the statutes is amended to read:

1           346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)  
2 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time  
3 of the violation the vehicle was being operated by or was under the control of any  
4 person on a trial run, and if the dealer provides a traffic officer employed by the  
5 authority issuing the citation with the name, address and operator's license number  
6 of the person operating the vehicle, then that person, and not the dealer, shall be  
7 liable under this section or under s. 346.04 (2t) or (3).

8           **SECTION 217.** 346.175 (5) (intro.) of the statutes is amended to read:

9           346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.  
10 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

11           **SECTION 218.** 346.175 (5) (a) of the statutes is amended to read:

12           346.175 (5) (a) A vehicle owner or other person found liable under this section  
13 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor  
14 more than \$1,000.

15           **SECTION 219.** 346.65 (2) (e) of the statutes is amended to read:

16           346.65 (2) (e) Except as provided in pars. (f) and (g), is guilty of a Class H felony  
17 and shall be fined not less than \$600 ~~nor more than \$2,000~~ and imprisoned for not  
18 less than 6 months ~~nor more than 5 years~~ if the number of convictions under ss.  
19 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
20 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,  
21 except that suspensions, revocations or convictions arising out of the same incident  
22 or occurrence shall be counted as one.

23           **SECTION 220.** 346.65 (5) of the statutes is amended to read:

1           346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)  
2 shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for  
3 not less than 90 days nor more than 2 years and 3 months is guilty of a Class I felony.

4           **SECTION 221.** 346.74 (5) (b) of the statutes is amended to read:

5           346.74 (5) (b) ~~Shall~~ May be fined not less than \$300 nor more than \$5,000  
6 \$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or  
7 both if the accident involved injury to a person but the person did not suffer great  
8 bodily harm.

9           **SECTION 222.** 346.74 (5) (c) of the statutes is amended to read:

10           346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
11 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person  
12 and the person suffered great bodily harm.

13           **SECTION 223.** 346.74 (5) (d) of the statutes is amended to read:

14           346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~  
15 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
16 death to a person.

17           **SECTION 224.** 350.11 (2m) of the statutes is amended to read:

18           350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~  
19 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
20 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
21 person.

22           **SECTION 225.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

23           **SECTION 226.** 351.07 (2) (b) of the statutes is repealed.

24           **SECTION 227.** 446.07 of the statutes is amended to read:

1           **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100  
2   nor more than ~~\$500~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
3   both.

4           **SECTION 228.** 447.09 of the statutes is amended to read:

5           **447.09 Penalties.** Any person who violates this chapter may be fined not more  
6   than \$1,000 or imprisoned for not more than one year in the county jail or both for  
7   the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~  
8   ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction  
9   within 5 years.

10          **SECTION 229.** 450.11 (9) (b) of the statutes is amended to read:

11          450.11 **(9)** (b) Any person who delivers, or who possesses with intent to  
12   manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~  
13   ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
14   is guilty of a Class H felony.

15          **SECTION 230.** 450.14 (5) of the statutes is amended to read:

16          450.14 **(5)** Any person who violates this section ~~may be fined not less than \$100~~  
17   ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
18   ~~and 6 months or both~~ is guilty of a Class H felony.

19          **SECTION 231.** 450.15 (2) of the statutes is amended to read:

20          450.15 **(2)** Any person who violates this section ~~may be fined not less than \$100~~  
21   ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~  
22   ~~and 6 months or both~~ is guilty of a Class H felony.

23          **SECTION 232.** 551.58 (1) of the statutes is amended to read:

24          551.58 **(1)** Any person who wilfully violates any provision of this chapter except  
25   s. 551.54, or any rule under this chapter, or any order of which the person has notice,

1 or who violates s. 551.54 knowing or having reasonable cause to believe that the  
2 statement made was false or misleading in any material respect, ~~may be fined not~~  
3 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
4 guilty of a Class H felony. Each of the acts specified shall constitute a separate  
5 offense and a prosecution or conviction for any one of such offenses shall not bar  
6 prosecution or conviction for any other offense.

7 **SECTION 233.** 552.19 (1) of the statutes is amended to read:

8 552.19 (1) Any person, including a controlling person of an offeror or target  
9 company, who wilfully violates this chapter or any rule under this chapter, or any  
10 order of which the person has notice, ~~may be fined not more than \$5,000 or~~  
11 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
12 felony. Each of the acts specified constitutes a separate offense and a prosecution or  
13 conviction for any one of the offenses does not bar prosecution or conviction for any  
14 other offense.

15 **SECTION 234.** 553.52 (1) of the statutes is amended to read:

16 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of  
17 which the person has notice, or who violates s. 553.41 (1) knowing or having  
18 reasonable cause to believe either that the statement made was false or misleading  
19 in any material respect or that the failure to report a material event under s. 553.31  
20 (1) was false or misleading in any material respect, ~~may be fined not more than~~  
21 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
22 Class G felony. Each of the acts specified is a separate offense, and a prosecution or  
23 conviction for any one of those offenses does not bar prosecution or conviction for any  
24 other offense.

25 **SECTION 235.** 553.52 (2) of the statutes is amended to read:

1           553.52 (2) Any person who employs, directly or indirectly, any device, scheme  
2 or artifice to defraud in connection with the offer or sale of any franchise or engages,  
3 directly or indirectly, in any act, practice, or course of business which operates or  
4 would operate as a fraud or deceit upon any person in connection with the offer or  
5 sale of any franchise ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
6 ~~than 7 years and 6 months or both~~ is guilty of a Class G felony.

7           **SECTION 236.** 562.13 (3) of the statutes is amended to read:

8           562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
9 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

10          **SECTION 237.** 562.13 (4) of the statutes is amended to read:

11          562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~  
12 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
13 ~~or both~~ is guilty of a Class H felony.

14          **SECTION 238.** 565.50 (2) of the statutes is amended to read:

15          565.50 (2) Any person who alters or forges a lottery ticket or share or  
16 intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~  
17 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
18 ~~or both~~ is guilty of a Class I felony.

19          **SECTION 239.** 565.50 (3) of the statutes is amended to read:

20          565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
21 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
22 more than ~~3 years~~ 9 months or both.

23          **SECTION 240.** 601.64 (4) of the statutes is amended to read:

24          601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
25 permits any person over whom he or she has authority to violate or intentionally aids

1 any person in violating any insurance statute or rule of this state, s. 149.13 or  
2 149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I  
3 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~  
4 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
5 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the  
6 meaning expressed under s. 939.23.

7 **SECTION 241.** 641.19 (4) (a) of the statutes is amended to read:

8 641.19 (4) (a) Any person who wilfully violates or fails to comply with any  
9 provision of this chapter or the rules promulgated thereunder or who, knowingly,  
10 makes a false statement, a false representation of a material fact, or who fails to  
11 disclose a material fact in any registration, examination, statement or report  
12 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~  
13 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
14 guilty of a Class H felony.

15 **SECTION 242.** 641.19 (4) (b) of the statutes is amended to read:

16 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully  
17 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
18 funds, securities, premiums, credits, property, or other assets of any employee  
19 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~  
20 ~~\$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
21 Class H felony.

22 **SECTION 243.** 753.061 (2m) of the statutes is amended to read:

23 753.061 (2m) The chief judge of the 1st judicial administrative district is  
24 authorized to designate 4 circuit court branches to primarily handle violent crime  
25 cases that involve a violation of s. 939.63, if a felony is committed while armed, and



1 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32  
2 (2). If the circuit court branches are designated under this subsection, 2 shall begin  
3 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
4 primarily handle violent crime cases on August 1, 1992.

5 **SECTION 244.** 758.19 (8) of the statutes is created to read:

6 758.19 (8) By the effective date of this subsection .... [revisor inserts date], the  
7 director of state courts shall promulgate rules that establish a procedure by which  
8 a sentencing court may modify a bifurcated sentence under s. 973.01 (7m) and that  
9 specify the factors that a court may consider when deciding whether to modify a  
10 bifurcated sentence. The rules shall provide that a court may modify a bifurcated  
11 sentence under s. 973.01 (7m) on its own motion, on a motion of the department of  
12 corrections, or on a motion of the person serving the sentence. The rules shall also  
13 provide that a court and the department of corrections may make a motion to modify  
14 a bifurcated sentence at any time and that a person serving a bifurcated sentence  
15 may make a motion to modify the bifurcated sentence that he or she is serving if at  
16 least 12 months have elapsed since the bifurcated sentence was imposed or since the  
17 most recent motion to modify the person's bifurcated sentence was made.

18 **SECTION 245.** 765.30 (1) (intro.) of the statutes is amended to read:

19 765.30 (1) (intro.) The following ~~shall~~ may be fined not less than ~~\$200~~ nor more  
20 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

21 **SECTION 246.** 765.30 (2) (intro.) of the statutes is amended to read:

22 765.30 (2) (intro.) The following ~~shall~~ may be fined not less than ~~\$100~~ nor more  
23 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

24 **SECTION 247.** 767.242 (8) of the statutes is amended to read:

1           767.242 (8) PENALTY. Whoever intentionally violates an injunction issued  
2 under sub. (5) (b) 2. c. ~~may be fined not more than \$10,000 or imprisoned for not more~~  
3 ~~than 2 years or both~~ is guilty of a Class I felony.

4           **SECTION 248.** 768.07 of the statutes is amended to read:

5           **768.07 Penalty.** Any person who violates any provision of this chapter may  
6 be fined not ~~less than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more  
7 than ~~2 years~~ 9 months or both.

8           **SECTION 249.** 783.07 of the statutes is amended to read:

9           **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
10 is directed to any public officer, body, board or person, commanding the performance  
11 of any duty specially enjoined by law, ~~if it shall appear to the court that such~~ and the  
12 officer or person or any member of such ~~the~~ the body or board has, without just excuse,  
13 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
14 ~~exceeding \$5,000, upon every such,~~ the officer, person or member of such ~~the~~ the body or  
15 board, ~~or sentence the officer, person or member to imprisonment for not more than~~  
16 ~~7 years and 6 months~~ is guilty of a Class H felony.

17           **SECTION 250.** 801.50 (5) of the statutes is amended to read:

18           801.50 (5) Venue of an action for certiorari to review a probation, extended  
19 supervision or parole revocation, a denial by a program review committee under s.  
20 302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of  
21 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an  
22 offense for which the relator was on probation, extended supervision or parole or for  
23 which the relator is currently incarcerated.

24           **SECTION 251.** 801.50 (5c) of the statutes is created to read:

1           801.50 (5c) Venue of an action for certiorari brought by the department of  
2           corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke  
3           extended supervision shall be in the county in which the person on extended  
4           supervision was convicted of the offense for which he or she is on extended  
5           supervision.

6           **SECTION 252.** 908.08 (1) of the statutes is amended to read:

7           908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under  
8           s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),  
9           304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the  
10          videotaped oral statement of a child who is available to testify, as provided in this  
11          section.

12          **SECTION 253.** 911.01 (4) (c) of the statutes is amended to read:

13          911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
14          rendition; sentencing, ~~or~~ granting or revoking probation, modification of a bifurcated  
15          sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and  
16          search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to  
17          pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
18          release on bail or as otherwise provided in ch. 969.

19          **SECTION 254.** 938.208 (1) (a) of the statutes is amended to read:

20          938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
21          a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
22          940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~  
23          ~~or (1r),~~ 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
24          committed by an adult.

25          **SECTION 255.** 938.34 (4h) (a) of the statutes is amended to read:

1           938.34 **(4h)** (a) The juvenile is 14 years of age or over and has been adjudicated  
2 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
3 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~  
4 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1), or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or  
5 the juvenile is 10 years of age or over and has been adjudicated delinquent for  
6 attempting or committing a violation of s. 940.01 or for committing a violation of  
7 940.02 or 940.05.

8           **SECTION 256.** 938.34 (4m) (b) 1. of the statutes is amended to read:

9           938.34 **(4m)** (b) 1. The juvenile has committed a delinquent act that would be  
10 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),  
11 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)  
12 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

13           **SECTION 257.** 938.355 (2d) (b) 3. of the statutes is amended to read:

14           938.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),  
15 1999 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025  
16 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,  
17 if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),  
18 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that  
19 the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in  
20 substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child  
21 of the parent.

22           **SECTION 258.** 938.355 (4) (b) of the statutes is amended to read:

23           938.355 **(4)** (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
24 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
25 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th

1 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
2 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation  
3 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C  
4 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the  
5 juvenile is adjudicated delinquent for committing an act that would be punishable  
6 as a Class A felony if committed by an adult.

7 **SECTION 259.** 938.78 (3) of the statutes is amended to read:

8 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
9 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
10 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
11 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
12 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,  
13 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r),~~ 943.32 (2), 948.02,  
14 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in  
15 ch. 940 has escaped from a secured correctional facility, child caring institution,  
16 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention  
17 facility or juvenile portion of a county jail, or from the custody of a peace officer or  
18 a guard of such a facility, institution or jail, or has been allowed to leave a secured  
19 correctional facility, child caring institution, secured group home, inpatient facility,  
20 secure detention facility or juvenile portion of a county jail for a specified time period  
21 and is absent from the facility, institution, home or jail for more than 12 hours after  
22 the expiration of the specified period, the department or county department having  
23 supervision over the juvenile may release the juvenile's name and any information  
24 about the juvenile that is necessary for the protection of the public or to secure the  
25 juvenile's return to the facility, institution, home or jail. The department of

1 corrections shall promulgate rules establishing guidelines for the release of the  
2 juvenile's name or information about the juvenile to the public.

3 **SECTION 260.** 939.22 (21) (d) of the statutes is amended to read:

4 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
5 prohibited in s. 940.19 or 940.195.

6 **SECTION 261.** 939.30 (1) of the statutes is amended to read:

7 939.30 (1) Except as provided in sub. (2) and ss. ~~948.35 and s.~~ 961.455, whoever,  
8 with intent that a felony be committed, advises another to commit that crime under  
9 circumstances that indicate unequivocally that he or she has the intent is guilty of  
10 a Class ~~D~~ H felony.

11 **SECTION 262.** 939.30 (2) of the statutes is amended to read:

12 939.30 (2) For a solicitation to commit a crime for which the penalty is life  
13 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
14 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

15 **SECTION 263.** 939.32 (1) (intro.) of the statutes is amended to read:

16 939.32 (1) GENERALLY. (intro.) Whoever attempts to commit a felony or a crime  
17 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~  
18 ~~exceed one-half the maximum penalty for the completed crime; as provided under~~  
19 sub. (1g), except:

20 **SECTION 264.** 939.32 (1) (b) of the statutes is repealed.

21 **SECTION 265.** 939.32 (1) (bm) of the statutes is created to read:

22 939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
23 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
24 applied, is guilty of a Class A misdemeanor.

25 **SECTION 266.** 939.32 (1g) of the statutes is created to read:

1           939.32 **(1g)** MAXIMUM PENALTY. The maximum penalty for an attempt to commit  
2 a crime that is punishable under sub. (1) (intro.) is as follows:

3           (a) The maximum fine is one-half of the maximum fine for the completed crime.

4           (b) 1. If neither s. 939.62 (1) nor 961.48 is being applied, the maximum term  
5 of imprisonment is one-half of the maximum term of imprisonment, as increased by  
6 any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the  
7 completed crime.

8           2. If either s. 939.62 (1) or 961.48 is being applied, the maximum term of  
9 imprisonment is determined by the following method:

10           a. Multiplying by one-half the maximum term of imprisonment, as increased  
11 by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the  
12 completed crime.

13           b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

14           **SECTION 267.** 939.32 (1m) of the statutes is created to read:

15           939.32 **(1m)** BIFURCATED SENTENCES. If the court imposes a bifurcated sentence  
16 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.  
17 (1) (intro.), the following requirements apply:

18           (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
19 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
20 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being  
21 applied, the maximum term of confinement in prison is one-half of the maximum  
22 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any  
23 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified  
24 felony.

1           2. Subject to the minimum term of extended supervision required under s.  
2           973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is  
3           being applied, the court shall determine the maximum term of confinement in prison  
4           by the following method:

5           a. Multiplying by one-half the maximum term of confinement in prison  
6           specified in s. 973.01 (2) (b), as increased by any penalty enhancement statutes listed  
7           in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

8           b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

9           (b) *Maximum term of extended supervision for attempt to commit classified*  
10          *felony.* The maximum term of extended supervision for an attempt to commit a  
11          classified felony is one-half of the maximum term of extended supervision for the  
12          completed crime under s. 973.01 (2) (d).

13          (c) *Maximum term of confinement for attempt to commit unclassified felony or*  
14          *misdemeanor.* The court shall determine the maximum term of confinement in  
15          prison for an attempt to commit a crime other than a classified felony by applying  
16          s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)  
17          (b).

18          **SECTION 268.** 939.32 (2) (title) of the statutes is created to read:

19          939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

20          **SECTION 269.** 939.32 (3) (title) of the statutes is created to read:

21          939.32 (3) (title) REQUIREMENTS.

22          **SECTION 270.** 939.50 (1) (intro.) of the statutes is amended to read:

23          939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~  
24          felonies Felonies in chs. ~~939 to 951~~ the statutes are classified as follows:

25          **SECTION 271.** 939.50 (1) (bc) of the statutes is repealed.



1           **SECTION 272.** 939.50 (1) (f) of the statutes is created to read:

2           939.50 (1) (f) Class F felony.

3           **SECTION 273.** 939.50 (1) (g) of the statutes is created to read:

4           939.50 (1) (g) Class G felony.

5           **SECTION 274.** 939.50 (1) (h) of the statutes is created to read:

6           939.50 (1) (h) Class H felony.

7           **SECTION 275.** 939.50 (1) (i) of the statutes is created to read:

8           939.50 (1) (i) Class I felony.

9           **SECTION 276.** 939.50 (2) of the statutes is amended to read:

10          939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H, or I felony when it  
11 is so specified in ~~chs. 939 to 951~~ the statutes.

12          **SECTION 277.** 939.50 (3) (bc) of the statutes is repealed.

13          **SECTION 278.** 939.50 (3) (c) of the statutes is amended to read:

14          939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 \$100,000 or  
15 imprisonment not to exceed 15 40 years, or both.

16          **SECTION 279.** 939.50 (3) (d) of the statutes is amended to read:

17          939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 \$100,000 or  
18 imprisonment not to exceed 10 25 years, or both.

19          **SECTION 280.** 939.50 (3) (e) of the statutes is amended to read:

20          939.50 (3) (e) For a Class E felony, a fine not to exceed \$10,000 \$50,000 or  
21 imprisonment not to exceed 5 15 years, or both.

22          **SECTION 281.** 939.50 (3) (f) of the statutes is created to read:

23          939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
24 not to exceed 12 years and 6 months, or both.

25          **SECTION 282.** 939.50 (3) (g) of the statutes is created to read:

1           939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
2 not to exceed 10 years, or both.

3           **SECTION 283.** 939.50 (3) (h) of the statutes is created to read:

4           939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
5 not to exceed 6 years, or both.

6           **SECTION 284.** 939.50 (3) (i) of the statutes is created to read:

7           939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
8 not to exceed 3 years and 6 months, or both.

9           **SECTION 285.** 939.615 (7) (b) 2. of the statutes is amended to read:

10          939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the  
11 same conduct that violates par. (a) also constitutes a crime that is a felony.

12          **SECTION 286.** 939.615 (7) (c) of the statutes is repealed.

13          **SECTION 287.** 939.62 (1) (a) of the statutes is amended to read:

14          939.62 (1) (a) A maximum term of imprisonment of one year or less may be  
15 increased to not more than ~~3~~ 2 years.

16          **SECTION 288.** 939.62 (1) (b) of the statutes is amended to read:

17          939.62 (1) (b) A maximum term of imprisonment of more than one year but not  
18 more than 10 years may be increased by not more than 2 years if the prior convictions  
19 were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for  
20 a felony.

21          **SECTION 289.** 939.62 (1) (c) of the statutes is amended to read:

22          939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be  
23 increased by not more than 2 years if the prior convictions were for misdemeanors  
24 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

25          **SECTION 290.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

1           939.62 **(2m)** (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) if the felony  
2 is that is a Class A, B, or C felony or, if the felony was committed before the effective  
3 date of this subd. 2m. a. .... [revisor inserts date], that is or was punishable by a  
4 maximum prison term of 30 years or more.

5           **SECTION 291.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

6           939.62 **(2m)** (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
7 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.  
8 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
9 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
10 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),  
11 948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

12           **SECTION 292.** 939.622 of the statutes is repealed.

13           **SECTION 293.** 939.623 of the statutes is repealed.

14           **SECTION 294.** 939.624 of the statutes is repealed.

15           **SECTION 295.** 939.625 of the statutes is repealed.

16           **SECTION 296.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)  
17 (d), (2) and (3), as renumbered, are amended to read:

18           939.63 **(1)** (d) The maximum term of imprisonment for a felony not specified  
19 in ~~subd. 2. or 3.~~ par (b) or (c) may be increased by not more than 3 years.

20           **(2)** The increased penalty provided in this ~~subsection~~ section does not apply if  
21 possessing, using or threatening to use a dangerous weapon is an essential element  
22 of the crime charged.

23           **(3)** This ~~subsection~~ section applies only to crimes specified under chs. 939 to  
24 951 and 961.

25           **SECTION 297.** 939.63 (2) of the statutes is repealed.

1           **SECTION 298.** 939.632 (1) (e) 1. of the statutes is amended to read:

2           939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1)  
3           (1c), 940.19 (2), (3), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
4           941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1) or  
5           (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~  
6           ~~(1) (b) or (c) or 948.36.~~

7           **SECTION 299.** 939.632 (2) of the statutes is amended to read:

8           939.632 (2) If a person commits a violent crime in a school zone, the maximum  
9           period term of imprisonment is increased as follows:

10           (a) If the violent crime is a felony, the maximum period term of imprisonment  
11           is increased by 5 years.

12           (b) If the violent crime is a misdemeanor, the maximum period term of  
13           imprisonment is increased by 3 months and the place of imprisonment is the county  
14           jail.

15           **SECTION 300.** 939.635 of the statutes is repealed.

16           **SECTION 301.** 939.64 of the statutes is repealed.

17           **SECTION 302.** 939.641 of the statutes is repealed.

18           **SECTION 303.** 939.645 (2) of the statutes is amended to read:

19           939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a  
20           misdemeanor other than a Class A misdemeanor, the revised maximum fine is  
21           \$10,000 and the revised maximum period term of imprisonment is one year in the  
22           county jail.

23           (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,  
24           the penalty increase under this section changes the status of the crime to a felony and

1 the revised maximum fine is \$10,000 and the revised maximum period term of  
2 imprisonment is 2 years.

3 (c) If the crime committed under sub. (1) is a felony, the maximum fine  
4 prescribed by law for the crime may be increased by not more than \$5,000 and the  
5 maximum period term of imprisonment prescribed by law for the crime may be  
6 increased by not more than 5 years.

7 **SECTION 304.** 939.646 of the statutes is repealed.

8 **SECTION 305.** 939.647 of the statutes is repealed.

9 **SECTION 306.** 939.648 of the statutes is repealed.

10 **SECTION 307.** 939.72 (1) of the statutes is amended to read:

11 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a  
12 party to a crime which is the objective of the solicitation; or

13 **SECTION 308.** 939.75 (1) of the statutes is amended to read:

14 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02  
15 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)  
16 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to  
17 (e) ~~and (1b)~~, “unborn child” means any individual of the human species from  
18 fertilization until birth that is gestating inside a woman.

19 **SECTION 309.** 940.02 (2) (intro.) of the statutes is amended to read:

20 940.02 (2) (intro.) Whoever causes the death of another human being under any  
21 of the following circumstances is guilty of a Class B C felony:

22 **SECTION 310.** 940.03 of the statutes is amended to read:

23 **940.03 Felony murder.** Whoever causes the death of another human being  
24 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)  
25 (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than

1     ~~20~~ 15 years in excess of the maximum ~~period~~ term of imprisonment provided by law  
2     for that crime or attempt.

3             **SECTION 311.** 940.04 (1) of the statutes is amended to read:

4             940.04 (1) Any person, other than the mother, who intentionally destroys the  
5     life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~  
6     ~~than 3 years or both~~ is guilty of a Class H felony.

7             **SECTION 312.** 940.04 (2) (intro.) of the statutes is amended to read:

8             940.04 (2) (intro.) Any person, other than the mother, who does either of the  
9     following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

10            **SECTION 313.** 940.04 (4) of the statutes is amended to read:

11            940.04 (4) Any pregnant woman who intentionally destroys the life of her  
12     unborn quick child or who consents to such destruction by another ~~may be~~  
13     ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

14            **SECTION 314.** 940.06 (1) of the statutes is amended to read:

15            940.06 (1) Whoever recklessly causes the death of another human being is  
16     guilty of a Class ~~C~~ D felony.

17            **SECTION 315.** 940.06 (2) of the statutes is amended to read:

18            940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of  
19     a Class ~~C~~ D felony.

20            **SECTION 316.** 940.07 of the statutes is amended to read:

21            **940.07 Homicide resulting from negligent control of vicious animal.**

22     Whoever knowing the vicious propensities of any animal intentionally allows it to go  
23     at large or keeps it without ordinary care, if such animal, while so at large or not  
24     confined, kills any human being who has taken all the precautions which the  
25     circumstances may permit to avoid such animal, is guilty of a Class ~~C~~ G felony.

1           **SECTION 317.** 940.08 (1) of the statutes is amended to read:

2           940.08 (1) Whoever causes the death of another human being by the negligent  
3 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class  
4 D G felony.

5           **SECTION 318.** 940.08 (2) of the statutes is amended to read:

6           940.08 (2) Whoever causes the death of an unborn child by the negligent  
7 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D  
8 G felony.

9           **SECTION 319.** 940.09 (1) (intro.) of the statutes is amended to read:

10          940.09 (1) (intro.) Any person who does any of the following is guilty of a Class  
11 B felony may be penalized as provided in sub. (1c):

12          **SECTION 320.** 940.09 (1b) of the statutes is repealed.

13          **SECTION 321.** 940.09 (1c) of the statutes is created to read:

14          940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is  
15 guilty of a Class D felony.

16          (b) A person who violates sub. (1) is guilty of a Class C felony if the person has  
17 one or more prior convictions, suspensions, or revocations, as counted under s.  
18 343.307 (2).

19          **SECTION 322.** 940.10 (1) of the statutes is amended to read:

20          940.10 (1) Whoever causes the death of another human being by the negligent  
21 operation or handling of a vehicle is guilty of a Class E G felony.

22          **SECTION 323.** 940.10 (2) of the statutes is amended to read:

23          940.10 (2) Whoever causes the death of an unborn child by the negligent  
24 operation or handling of a vehicle is guilty of a Class E G felony.

25          **SECTION 324.** 940.11 (1) of the statutes is amended to read:

1           940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent  
2 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is  
3 guilty of a Class C F felony.

4           **SECTION 325.** 940.11 (2) of the statutes is amended to read:

5           940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or  
6 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class D G  
7 felony.

8           **SECTION 326.** 940.12 of the statutes is amended to read:

9           **940.12 Assisting suicide.** Whoever with intent that another take his or her  
10 own life assists such person to commit suicide is guilty of a Class D H felony.

11           **SECTION 327.** 940.15 (2) of the statutes is amended to read:

12           940.15 (2) Whoever intentionally performs an abortion after the fetus or  
13 unborn child reaches viability, as determined by reasonable medical judgment of the  
14 woman's attending physician, is guilty of a Class E I felony.

15           **SECTION 328.** 940.15 (5) of the statutes is amended to read:

16           940.15 (5) Whoever intentionally performs an abortion and who is not a  
17 physician is guilty of a Class E I felony.

18           **SECTION 329.** 940.15 (6) of the statutes is amended to read:

19           940.15 (6) Any physician who intentionally performs an abortion under sub.  
20 (3) shall use that method of abortion which, of those he or she knows to be available,  
21 is in his or her medical judgment most likely to preserve the life and health of the  
22 fetus or unborn child. Nothing in this subsection requires a physician performing  
23 an abortion to employ a method of abortion which, in his or her medical judgment  
24 based on the particular facts of the case before him or her, would increase the risk  
25 to the woman. Any physician violating this subsection is guilty of a Class E I felony.



1           **SECTION 330.** 940.19 (2) of the statutes is amended to read:

2           940.19 (2) Whoever causes substantial bodily harm to another by an act done  
3 with intent to cause bodily harm to that person or another is guilty of a Class E I  
4 felony.

5           **SECTION 331.** 940.19 (3) of the statutes is repealed.

6           **SECTION 332.** 940.19 (4) of the statutes is amended to read:

7           940.19 (4) Whoever causes great bodily harm to another by an act done with  
8 intent to cause bodily harm to that person or another is guilty of a Class D H felony.

9           **SECTION 333.** 940.19 (5) of the statutes is amended to read:

10          940.19 (5) Whoever causes great bodily harm to another by an act done with  
11 intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person  
12 or another is guilty of a Class C E felony.

13          **SECTION 334.** 940.19 (6) (intro.) of the statutes is amended to read:

14          940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by  
15 conduct that creates a substantial risk of great bodily harm is guilty of a Class D H  
16 felony. A rebuttable presumption of conduct creating a substantial risk of great  
17 bodily harm arises:

18          **SECTION 335.** 940.195 (2) of the statutes is amended to read:

19          940.195 (2) Whoever causes substantial bodily harm to an unborn child by an  
20 act done with intent to cause bodily harm to that unborn child, to the woman who is  
21 pregnant with that unborn child or another is guilty of a Class E I felony.

22          **SECTION 336.** 940.195 (3) of the statutes is repealed.

23          **SECTION 337.** 940.195 (4) of the statutes is amended to read:

1           940.195 (4) Whoever causes great bodily harm to an unborn child by an act  
2 done with intent to cause bodily harm to that unborn child, to the woman who is  
3 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

4           **SECTION 338.** 940.195 (5) of the statutes is amended to read:

5           940.195 (5) Whoever causes great bodily harm to an unborn child by an act  
6 done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that  
7 unborn child, to the woman who is pregnant with that unborn child or another is  
8 guilty of a Class ~~C~~ E felony.

9           **SECTION 339.** 940.195 (6) of the statutes is repealed.

10          **SECTION 340.** 940.20 (1) of the statutes is amended to read:

11          940.20 (1) BATTERY BY PRISONERS. Any prisoner confined to a state prison or  
12 other state, county or municipal detention facility who intentionally causes bodily  
13 harm to an officer, employee, visitor or another inmate of such prison or institution,  
14 without his or her consent, is guilty of a Class ~~D~~ H felony.

15          **SECTION 341.** 940.20 (1m) of the statutes is amended to read:

16          940.20 (1m) BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS. (a) Any  
17 person who is subject to an injunction under s. 813.12 or a tribal injunction filed  
18 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who  
19 sought the injunction by an act done without the consent of the petitioner is guilty  
20 of a Class ~~E~~ I felony.

21          (b) Any person who is subject to an injunction under s. 813.125 and who  
22 intentionally causes bodily harm to the petitioner who sought the injunction by an  
23 act done without the consent of the petitioner is guilty of a Class ~~E~~ I felony.

24          **SECTION 342.** 940.20 (2) of the statutes is amended to read:

1           **940.20 (2) BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS.** Whoever  
2 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those  
3 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the  
4 person knows or has reason to know that the victim is a law enforcement officer or  
5 fire fighter, by an act done without the consent of the person so injured, is guilty of  
6 a Class **D H** felony.

7           **SECTION 343.** 940.20 (2m) (b) of the statutes is amended to read:

8           **940.20 (2m) (b)** Whoever intentionally causes bodily harm to a probation,  
9 extended supervision and parole agent or an aftercare agent, acting in an official  
10 capacity and the person knows or has reason to know that the victim is a probation,  
11 extended supervision and parole agent or an aftercare agent, by an act done without  
12 the consent of the person so injured, is guilty of a Class **D H** felony.

13           **SECTION 344.** 940.20 (3) of the statutes is amended to read:

14           **940.20 (3) BATTERY TO JURORS.** Whoever intentionally causes bodily harm to a  
15 person who he or she knows or has reason to know is or was a grand or petit juror,  
16 and by reason of any verdict or indictment assented to by the person, without the  
17 consent of the person injured, is guilty of a Class **D H** felony.

18           **SECTION 345.** 940.20 (4) of the statutes is amended to read:

19           **940.20 (4) BATTERY TO PUBLIC OFFICERS.** Whoever intentionally causes bodily  
20 harm to a public officer in order to influence the action of such officer or as a result  
21 of any action taken within an official capacity, without the consent of the person  
22 injured, is guilty of a Class **E I** felony.

23           **SECTION 346.** 940.20 (5) (b) of the statutes is amended to read:

24           **940.20 (5) (b)** Whoever intentionally causes bodily harm to a technical college  
25 district or school district officer or employee acting in that capacity, and the person

1 knows or has reason to know that the victim is a technical college district or school  
2 district officer or employee, without the consent of the person so injured, is guilty of  
3 a Class E I felony.

4 **SECTION 347.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

5 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
6 under any of the following circumstances is guilty of a Class E I felony:

7 **SECTION 348.** 940.20 (7) (b) of the statutes is amended to read:

8 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
9 department worker, an emergency medical technician, a first responder or an  
10 ambulance driver who is acting in an official capacity and who the person knows or  
11 has reason to know is an emergency department worker, an emergency medical  
12 technician, a first responder or an ambulance driver, by an act done without the  
13 consent of the person so injured, is guilty of a Class D H felony.

14 **SECTION 349.** 940.201 (2) (intro.) of the statutes is amended to read:

15 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H  
16 felony:

17 **SECTION 350.** 940.203 (2) (intro.) of the statutes is amended to read:

18 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
19 cause bodily harm to the person or family member of any judge under all of the  
20 following circumstances is guilty of a Class D H felony:

21 **SECTION 351.** 940.205 (2) (intro.) of the statutes is amended to read:

22 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
23 cause bodily harm to the person or family member of any department of revenue  
24 official, employee or agent under all of the following circumstances is guilty of a Class  
25 D H felony:

1           **SECTION 352.** 940.207 (2) (intro.) of the statutes is amended to read:

2           940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
3 cause bodily harm to the person or family member of any department of commerce  
4 or department of workforce development official, employee or agent under all of the  
5 following circumstances is guilty of a Class D H felony:

6           **SECTION 353.** 940.21 of the statutes is amended to read:

7           **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
8 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
9 guilty of a Class B C felony.

10          **SECTION 354.** 940.22 (2) of the statutes is amended to read:

11          940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
12 or herself out to be a therapist and who intentionally has sexual contact with a  
13 patient or client during any ongoing therapist-patient or therapist-client  
14 relationship, regardless of whether it occurs during any treatment, consultation,  
15 interview or examination, is guilty of a Class C F felony. Consent is not an issue in  
16 an action under this subsection.

17          **SECTION 355.** 940.225 (2) (intro.) of the statutes is amended to read:

18          940.225 (2) **SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the  
19 following is guilty of a Class BC C felony:

20          **SECTION 356.** 940.225 (3) of the statutes is amended to read:

21          940.225 (3) **THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse  
22 with a person without the consent of that person is guilty of a Class D G felony.  
23 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
24 without the consent of that person is guilty of a Class D G felony.

25          **SECTION 357.** 940.23 (1) (a) of the statutes is amended to read:

1           940.23 (1) (a) Whoever recklessly causes great bodily harm to another human  
2 being under circumstances which show utter disregard for human life is guilty of a  
3 Class C D felony.

4           **SECTION 358.** 940.23 (1) (b) of the statutes is amended to read:

5           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
6 under circumstances that show utter disregard for the life of that unborn child, the  
7 woman who is pregnant with that unborn child or another is guilty of a Class C D  
8 felony.

9           **SECTION 359.** 940.23 (2) (a) of the statutes is amended to read:

10          940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
11 being is guilty of a Class D F felony.

12          **SECTION 360.** 940.23 (2) (b) of the statutes is amended to read:

13          940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
14 is guilty of a Class D F felony.

15          **SECTION 361.** 940.24 (1) of the statutes is amended to read:

16          940.24 (1) Whoever causes bodily harm to another by the negligent operation  
17 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

18          **SECTION 362.** 940.24 (2) of the statutes is amended to read:

19          940.24 (2) Whoever causes bodily harm to an unborn child by the negligent  
20 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E  
21 I felony.

22          **SECTION 363.** 940.25 (1) (intro.) of the statutes is amended to read:

23          940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
24 D F felony:

25          **SECTION 364.** 940.25 (1b) of the statutes is repealed.

1           **SECTION 365.** 940.285 (2) (b) 1g. of the statutes is amended to read:

2           940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
3 that cause death is guilty of a Class ~~B~~ C felony. Any person violating par. (a) 3. under  
4 circumstances that cause death is guilty of a Class D felony.

5           **SECTION 366.** 940.285 (2) (b) 1m. of the statutes is amended to read:

6           940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
7 cause great bodily harm is guilty of a Class ~~C~~ F felony.

8           **SECTION 367.** 940.285 (2) (b) 1r. of the statutes is amended to read:

9           940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are  
10 likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating  
11 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
12 guilty of a Class I felony.

13           **SECTION 368.** 940.285 (2) (b) 2. of the statutes is amended to read:

14           940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
15 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
16 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
17 of a Class I felony.

18           **SECTION 369.** 940.285 (2) (b) 3. of the statutes is repealed.

19           **SECTION 370.** 940.29 of the statutes is amended to read:

20           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
21 employed in a penal or correctional institution or other place of confinement who  
22 abuses, neglects or ill-treats any person confined in or a resident of any such  
23 institution or place or who knowingly permits another person to do so is guilty of a  
24 Class ~~E~~ I felony.

25           **SECTION 371.** 940.295 (3) (b) 1g. of the statutes is amended to read:

1           940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
2 that cause death to a vulnerable person is guilty of a Class B C felony. Any person  
3 violating par. (a) 3. under circumstances that cause death to a vulnerable person is  
4 guilty of a Class D felony.

5           **SECTION 372.** 940.295 (3) (b) 1m. of the statutes is amended to read:

6           940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
7 cause great bodily harm to a vulnerable person is guilty of a Class C E felony.

8           **SECTION 373.** 940.295 (3) (b) 1r. of the statutes is amended to read:

9           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
10 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty  
11 of a Class D F felony. Any person violating par. (a) 1. under circumstances that are  
12 likely to cause great bodily harm is guilty of a Class G felony.

13           **SECTION 374.** 940.295 (3) (b) 2. of the statutes is amended to read:

14           940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
15 cause ~~or are likely to cause~~ bodily harm is guilty of a Class E H felony. Any person  
16 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
17 of a Class I felony.

18           **SECTION 375.** 940.295 (3) (b) 3. of the statutes is amended to read:

19           940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)  
20 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is  
21 guilty of a Class E H felony. Any person violating par. (a) 2. or 3. under circumstances  
22 that are likely to cause great bodily harm is guilty of a Class I felony.

23           **SECTION 376.** 940.30 of the statutes is amended to read:



1           **940.30 False imprisonment.** Whoever intentionally confines or restrains  
2 another without the person's consent and with knowledge that he or she has no  
3 lawful authority to do so is guilty of a Class ~~E~~ H felony.

4           **SECTION 377.** 940.305 (1) of the statutes is amended to read:

5           940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
6 imminent force seizes, confines or restrains a person without the person's consent  
7 and with the intent to use the person as a hostage in order to influence a person to  
8 perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~  
9 B felony.

10          **SECTION 378.** 940.305 (2) of the statutes is amended to read:

11          940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
12 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as  
13 a hostage is released without bodily harm.

14          **SECTION 379.** 940.31 (1) (intro.) of the statutes is amended to read:

15          940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
16 felony:

17          **SECTION 380.** 940.31 (2) (a) of the statutes is amended to read:

18          940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with  
19 intent to cause another to transfer property in order to obtain the release of the victim  
20 is guilty of a Class ~~A~~ B felony.

21          **SECTION 381.** 940.31 (2) (b) of the statutes is amended to read:

22          940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer  
23 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
24 the victim is released without permanent physical injury prior to the time the first  
25 witness is sworn at the trial.

1           **SECTION 382.** 940.32 (2) (intro.) of the statutes is amended to read:

2           940.32 **(2)** (intro.) Whoever meets all of the following criteria is guilty of a Class  
3 ~~A misdemeanor~~ I felony:

4           **SECTION 383.** 940.32 (2m) of the statutes is amended to read:

5           940.32 **(2m)** Whoever violates sub. (2) is guilty of a Class ~~D G~~ G felony if he or she  
6 intentionally gains access to a record in electronic format that contains personally  
7 identifiable information regarding the victim in order to facilitate the violation  
8 under sub. (2).

9           **SECTION 384.** 940.32 (3) (intro.) of the statutes is amended to read:

10          940.32 **(3)** (intro.) Whoever violates sub. (2) under any of the following  
11 circumstances is guilty of a Class ~~E H~~ H felony:

12          **SECTION 385.** 940.32 (3m) (intro.) of the statutes is amended to read:

13          940.32 **(3m)** (intro.) Whoever violates sub. (3) under all of the following  
14 circumstances is guilty of a Class ~~D G~~ G felony:

15          **SECTION 386.** 940.43 (intro.) of the statutes is amended to read:

16          **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
17 940.42 under any of the following circumstances is guilty of a Class ~~D G~~ G felony:

18          **SECTION 387.** 940.45 (intro.) of the statutes is amended to read:

19          **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
20 under any of the following circumstances is guilty of a Class ~~D G~~ G felony:

21          **SECTION 388.** 941.11 (intro.) of the statutes is amended to read:

22          **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
23 following is guilty of a Class ~~D H~~ H felony:

24          **SECTION 389.** 941.12 (1) of the statutes is amended to read:

1           941.12 (1) Whoever intentionally interferes with the proper functioning of a  
2 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of  
3 a Class E I felony.

4           **SECTION 390.** 941.20 (2) (intro.) of the statutes is amended to read:

5           941.20 (2) (intro.) Whoever does any of the following is guilty of a Class E G  
6 felony:

7           **SECTION 391.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

8           941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a  
9 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot  
10 that is open to the public under any of the following circumstances is guilty of a Class  
11 C F felony:

12           **SECTION 392.** 941.21 of the statutes is amended to read:

13           **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
14 officer who is acting in his or her official capacity by taking a dangerous weapon or  
15 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
16 without his or her consent is guilty of a Class E H felony. This section applies to any  
17 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)  
18 (a) that the officer is carrying or that is in an area within the officer's immediate  
19 presence.

20           **SECTION 393.** 941.235 (1) of the statutes is amended to read:

21           941.235 (1) Any person who goes armed with a firearm in any building owned  
22 or leased by the state or any political subdivision of the state is guilty of a Class B  
23 A misdemeanor.

24           **SECTION 394.** 941.26 (2) (a) of the statutes is amended to read:

25           941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

1           **SECTION 395.** 941.26 (2) (b) of the statutes is amended to read:

2           941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class ~~C~~ F felony.

3           **SECTION 396.** 941.26 (2) (e) of the statutes is amended to read:

4           941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
5 commercial transportation of the bomb, grenade, projectile, shell or container under  
6 sub. (1) (b) is guilty of a Class ~~E~~ H felony.

7           **SECTION 397.** 941.26 (2) (f) of the statutes is amended to read:

8           941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
9 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily  
10 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
11 who is acting in an official capacity is guilty of a Class ~~D~~ H felony.

12           **SECTION 398.** 941.26 (2) (g) of the statutes is amended to read:

13           941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
14 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
15 of another crime to cause bodily harm or bodily discomfort to another or who  
16 threatens to use the bomb, grenade, projectile, shell or container during his or her  
17 commission of another crime to incapacitate another person is guilty of a Class ~~E~~ H  
18 felony.

19           **SECTION 399.** 941.26 (4) (d) of the statutes is amended to read:

20           941.26 (4) (d) Whoever intentionally uses a device or container described under  
21 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,  
22 or has reason to know, is a peace officer who is acting in an official capacity is guilty  
23 of a Class ~~D~~ H felony.

24           **SECTION 400.** 941.26 (4) (e) of the statutes is amended to read:

1           941.26 (4) (e) Whoever uses a device or container described under par. (a)  
2 during his or her commission of another crime to cause bodily harm or bodily  
3 discomfort to another or who threatens to use the device or container during his or  
4 her commission of another crime to incapacitate another person is guilty of a Class  
5 E H felony.

6           **SECTION 401.** 941.28 (3) of the statutes is amended to read:

7           941.28 (3) Any person violating this section is guilty of a Class E H felony.

8           **SECTION 402.** 941.29 (2) (intro.) of the statutes is amended to read:

9           941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class E G felony  
10 if he or she possesses a firearm under any of the following circumstances:

11           **SECTION 403.** 941.29 (2m) of the statutes is repealed.

12           **SECTION 404.** 941.295 (1) of the statutes is amended to read:

13           941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
14 with any electric weapon is guilty of a Class E H felony.

15           **SECTION 405.** 941.296 (2) (intro.) of the statutes is amended to read:

16           941.296 (2) (intro.) Whoever uses or possesses a handgun during the  
17 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony  
18 under any of the following circumstances.

19           **SECTION 406.** 941.296 (3) of the statutes is repealed.

20           **SECTION 407.** 941.298 (2) of the statutes is amended to read:

21           941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
22 a Class E H felony.

23           **SECTION 408.** 941.30 (1) of the statutes is amended to read:

1           **941.30 (1) FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly  
2 endangers another's safety under circumstances which show utter disregard for  
3 human life is guilty of a Class **D F** felony.

4           **SECTION 409.** 941.30 (2) of the statutes is amended to read:

5           **941.30 (2) SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
6 recklessly endangers another's safety is guilty of a Class **E G** felony.

7           **SECTION 410.** 941.31 (1) of the statutes is amended to read:

8           **941.31 (1)** Whoever makes, buys, transports, possesses, or transfers any  
9 explosive compound or offers to do the same, either with intent to use such explosive  
10 to commit a crime or knowing that another intends to use it to commit a crime, is  
11 guilty of a Class **C F** felony.

12           **SECTION 411.** 941.31 (2) (b) of the statutes is amended to read:

13           **941.31 (2) (b)** Whoever makes, buys, sells, transports, possesses, uses or  
14 transfers any improvised explosive device, or possesses materials or components  
15 with intent to assemble any improvised explosive device, is guilty of a Class **E H**  
16 felony.

17           **SECTION 412.** 941.315 (3) (intro.) of the statutes is amended to read:

18           **941.315 (3) (intro.)** Whoever does any of the following is guilty of a Class **D H**  
19 felony:

20           **SECTION 413.** 941.32 of the statutes is amended to read:

21           **941.32 Administering dangerous or stupefying drug.** Whoever  
22 administers to another or causes another to take any poisonous, stupefying,  
23 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
24 commission of a crime is guilty of a Class **C F** felony.

25           **SECTION 414.** 941.325 of the statutes is amended to read:

1           **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
2 or other substances in candy or other liquid or solid edibles with the intent to cause  
3 bodily harm to another person is guilty of a Class ~~E~~ I felony.

4           **SECTION 415.** 941.327 (2) (b) 1. of the statutes is amended to read:

5           941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.  
6 (a) is guilty of a Class ~~E~~ I felony.

7           **SECTION 416.** 941.327 (2) (b) 2. of the statutes is amended to read:

8           941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great  
9 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

10          **SECTION 417.** 941.327 (2) (b) 3. of the statutes is amended to read:

11          941.327 (2) (b) 3. If the act under par. (a) causes great bodily harm to another,  
12 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

13          **SECTION 418.** 941.327 (2) (b) 4. of the statutes is amended to read:

14          941.327 (2) (b) 4. If the act under par. (a) causes death to another, a person is  
15 guilty of a Class ~~A~~ C felony.

16          **SECTION 419.** 941.327 (3) of the statutes is amended to read:

17          941.327 (3) Whoever intentionally imparts or conveys false information,  
18 knowing the information to be false, concerning an act or attempted act which, if  
19 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

20          **SECTION 420.** 941.37 (3) of the statutes is amended to read:

21          941.37 (3) Any person who intentionally interferes with any emergency  
22 medical personnel in the performance of duties relating to an emergency or rescue  
23 and who has reasonable grounds to believe that the interference may endanger  
24 another's safety is guilty of a Class ~~E~~ I felony.

25          **SECTION 421.** 941.37 (4) of the statutes is amended to read:

1           941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
2 death of another is guilty of a Class ~~C~~ E felony.

3           **SECTION 422.** 941.38 (1) (b) 4. of the statutes is amended to read:

4           941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as  
5 prohibited in s. 940.19 or 940.195.

6           **SECTION 423.** 941.38 (2) of the statutes is amended to read:

7           941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
8 activity is guilty of a Class ~~E~~ I felony.

9           **SECTION 424.** 943.01 (2) (intro.) of the statutes is amended to read:

10          943.01 (2) (intro.) Any person violating sub. (1) under any of the following  
11 circumstances is guilty of a Class ~~D~~ I felony:

12          **SECTION 425.** 943.01 (2) (d) of the statutes is amended to read:

13          943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
14 in value by more than \$1,000 \$2,000. For the purposes of this paragraph, property  
15 is reduced in value by the amount which it would cost either to repair or replace it,  
16 whichever is less.

17          **SECTION 426.** 943.01 (2g) of the statutes is repealed.

18          **SECTION 427.** 943.011 (2) (intro.) of the statutes is amended to read:

19          943.011 (2) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ I  
20 felony:

21          **SECTION 428.** 943.012 (intro.) of the statutes is amended to read:

22          **943.012 Criminal damage to or graffiti on religious and other property.**  
23 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
24 writes with ink or another substance on or intentionally etches into any physical  
25 property of another, without the person's consent and with knowledge of the



1 character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one  
2 or more of the following:

3 **SECTION 429.** 943.013 (2) (intro.) of the statutes is amended to read:

4 943.013 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
5 to any physical property that belongs to a judge or his or her family member under  
6 all of the following circumstances is guilty of a Class ~~D~~ I felony:

7 **SECTION 430.** 943.014 (2) of the statutes is amended to read:

8 943.014 (2) Whoever intentionally demolishes a historic building without a  
9 permit issued by a city, village, town or county or without an order issued under s.  
10 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~  
11 ~~building and the land upon which the building is located immediately prior to~~  
12 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A  
13 misdemeanor.

14 **SECTION 431.** 943.015 (2) (intro.) of the statutes is amended to read:

15 943.015 (2) (intro.) Whoever intentionally causes or threatens to cause damage  
16 to any physical property which belongs to a department of revenue official, employee  
17 or agent or his or her family member under all of the following circumstances is guilty  
18 of a Class ~~D~~ I felony:

19 **SECTION 432.** 943.017 (2) (intro.) of the statutes is amended to read:

20 943.017 (2) (intro.) Any person violating sub. (1) under any of the following  
21 circumstances is guilty of a Class ~~D~~ I felony:

22 **SECTION 433.** 943.017 (2) (d) of the statutes is amended to read:

23 943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced  
24 in value by more than ~~\$1,000~~ \$2,000. For the purposes of this paragraph, property

1 is reduced in value by the amount which it would cost to repair or replace it or to  
2 remove the marking, drawing, writing or etching, whichever is less.

3 **SECTION 434.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

4 943.017 **(2m)** (b) (intro.) Whoever does any of the following is guilty of a Class D  
5 I felony:

6 **SECTION 435.** 943.02 (1) (intro.) of the statutes is amended to read:

7 943.02 **(1)** (intro.) Whoever does any of the following is guilty of a Class B C  
8 felony:

9 **SECTION 436.** 943.03 of the statutes is amended to read:

10 **943.03 Arson of property other than building.** Whoever, by means of fire,  
11 intentionally damages any property of another without the person's consent, if the  
12 property is not a building and has a value of \$100 or more, is guilty of a Class E I  
13 felony.

14 **SECTION 437.** 943.04 of the statutes is amended to read:

15 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages  
16 any property, other than a building, with intent to defraud an insurer of that property  
17 is guilty of a Class D H felony. Proof that the actor recovered or attempted to recover  
18 on a policy of insurance by reason of the fire is relevant but not essential to establish  
19 the actor's intent to defraud the insurer.

20 **SECTION 438.** 943.06 (2) of the statutes is amended to read:

21 943.06 **(2)** Whoever possesses, manufactures, sells, offers for sale, gives or  
22 transfers a fire bomb is guilty of a Class E H felony.

23 **SECTION 439.** 943.07 (1) of the statutes is amended to read:

24 943.07 **(1)** Whoever intentionally causes damage or who causes another person  
25 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,

1 tunnel or signal or any railroad property used in providing rail services, which could  
2 cause an injury, accident or derailment is guilty of a Class A ~~misdemeanor~~ I felony.

3 **SECTION 440.** 943.07 (2) of the statutes is amended to read:

4 943.07 (2) Whoever intentionally shoots a firearm at any portion of a railroad  
5 train, car, caboose or engine is guilty of a Class A ~~misdemeanor~~ I felony.

6 **SECTION 441.** 943.10 (1) (intro.) of the statutes is amended to read:

7 943.10 (1) (intro.) Whoever intentionally enters any of the following places  
8 without the consent of the person in lawful possession and with intent to steal or  
9 commit a felony in such place is guilty of a Class C ~~F~~ F felony:

10 **SECTION 442.** 943.10 (2) (intro.) of the statutes is amended to read:

11 943.10 (2) (intro.) Whoever violates sub. (1) under any of the following  
12 circumstances is guilty of a Class B ~~E~~ E felony:

13 **SECTION 443.** 943.12 of the statutes is amended to read:

14 **943.12 Possession of burglarious tools.** Whoever has in personal  
15 possession any device or instrumentality intended, designed or adapted for use in  
16 breaking into any depository designed for the safekeeping of any valuables or into  
17 any building or room, with intent to use such device or instrumentality to break into  
18 a depository, building or room, and to steal therefrom, is guilty of a Class E ~~I~~ I felony.

19 **SECTION 444.** 943.20 (3) (a) of the statutes is amended to read:

20 943.20 (3) (a) If the value of the property does not exceed \$1,000 ~~\$1,000~~ \$2,000, is  
21 guilty of a Class A misdemeanor.

22 **SECTION 445.** 943.20 (3) (b) of the statutes is amended to read:

23 943.20 (3) (b) If the value of the property exceeds \$1,000 ~~\$2,000~~ \$2,000 but does not  
24 ~~\$2,500~~ exceed \$5,000, is guilty of a Class E ~~I~~ I felony.

25 **SECTION 446.** 943.20 (3) (bm) of the statutes is created to read:

1           943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed  
2           \$10,000, is guilty of a Class H felony.

3           **SECTION 447.** 943.20 (3) (c) of the statutes is amended to read:

4           943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of  
5           a Class ~~C~~ G felony.

6           **SECTION 448.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

7           943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~  
8           any of the following circumstances ~~exist~~ exists, is guilty of a Class ~~D~~ H felony:

9           **SECTION 449.** 943.20 (3) (d) 1. of the statutes is amended to read:

10          943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

11          **SECTION 450.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
12          amended to read:

13          943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from  
14          a corpse; ~~or,~~ is guilty of a Class G felony.

15          **SECTION 451.** 943.20 (3) (d) 3. of the statutes is amended to read:

16          943.20 (3) (d) 3. The property is taken from a building which has been destroyed  
17          or left unoccupied because of physical disaster, riot, bombing or the proximity of  
18          battle; ~~or,~~

19          **SECTION 452.** 943.20 (3) (d) 4. of the statutes is amended to read:

20          943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
21          the proximity of battle has necessitated its removal from a building; ~~or,~~

22          **SECTION 453.** 943.201 (2) of the statutes is amended to read:

23          943.201 (2) Whoever intentionally uses or attempts to use any personal  
24          identifying information or personal identification document of an individual to  
25          obtain credit, money, goods, services or anything else of value without the

1 authorization or consent of the individual and by representing that he or she is the  
2 individual or is acting with the authorization or consent of the individual is guilty  
3 of a Class D H felony.

4 **SECTION 454.** 943.205 (3) of the statutes is amended to read:

5 943.205 (3) Anyone who violates this section is guilty of a Class E I felony.

6 **SECTION 455.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

7 943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class D I  
8 felony under any of the following circumstances:

9 **SECTION 456.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

10 943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class C H  
11 felony under any of the following circumstances:

12 **SECTION 457.** 943.208 (2) (b) of the statutes is amended to read:

13 943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
14 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
15 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual  
16 recordings in violation of sub. (1) during a 180-day period, and the value of the  
17 recordings exceeds \$2,500.

18 **SECTION 458.** 943.208 (2) (c) of the statutes is amended to read:

19 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
20 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
21 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in  
22 violation of sub. (1) during a 180-day period or if the violation occurs after the person  
23 has been convicted under this section.

24 **SECTION 459.** 943.209 (2) (b) of the statutes is amended to read:

1           943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the  
2 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer  
3 than 100 recordings in violation of sub. (1) during a 180-day period, and the value  
4 of the recordings exceeds \$2,500.

5           **SECTION 460.** 943.209 (2) (c) of the statutes is amended to read:

6           943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class ~~C~~ H felony if the  
7 person advertises, offers for sale or rent, sells, rents, transports or possesses at least  
8 100 recordings in violation of sub. (1) during a 180-day period or if the violation  
9 occurs after the person has been convicted under this section.

10          **SECTION 461.** 943.21 (3) (a) of the statutes is amended to read:

11          943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
12 beverage, food, lodging, accommodation, transportation or other service is ~~\$1,000~~  
13 \$2,000 or less.

14          **SECTION 462.** 943.21 (3) (b) of the statutes is amended to read:

15          943.21 (3) (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,  
16 food, lodging, accommodation, transportation or other service exceeds ~~\$1,000~~ \$2,000.

17          **SECTION 463.** 943.23 (1g) of the statutes is amended to read:

18          943.23 (1g) Whoever, while possessing a dangerous weapon and by the use of,  
19 or the threat of the use of, force or the weapon against another, intentionally takes  
20 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

21          **SECTION 464.** 943.23 (1m) of the statutes is repealed.

22          **SECTION 465.** 943.23 (1r) of the statutes is repealed.

23          **SECTION 466.** 943.23 (2) of the statutes is amended to read:

1           943.23 (2) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
2 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
3 H felony.

4           **SECTION 467.** 943.23 (3) of the statutes is amended to read:

5           943.23 (3) ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
6 drives or operates any vehicle without the consent of the owner is guilty of a Class  
7 E I felony.

8           **SECTION 468.** 943.23 (3m) of the statutes is created to read:

9           943.23 (3m) It is an affirmative defense to a prosecution for a violation of sub.  
10 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
11 after the vehicle was taken from the possession of the owner. An affirmative defense  
12 under this subsection mitigates the offense to a Class A misdemeanor. A defendant  
13 who raises this affirmative defense has the burden of proving the defense by a  
14 preponderance of the evidence.

15           **SECTION 469.** 943.23 (4m) of the statutes is amended to read:

16           943.23 (4m) Whoever knows that the owner does not consent to the driving or  
17 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,  
18 a person while he or she violates sub. (1g), ~~(1m), (1r), (2) or, (3),~~ or (3m) is guilty of  
19 a Class A misdemeanor.

20           **SECTION 470.** 943.23 (5) of the statutes is amended to read:

21           943.23 (5) Whoever intentionally removes a major part of a vehicle without the  
22 consent of the owner is guilty of a Class E I felony. Whoever intentionally removes  
23 any other part or component of a vehicle without the consent of the owner is guilty  
24 of a Class A misdemeanor.

25           **SECTION 471.** 943.24 (1) of the statutes is amended to read:

1           943.24 (1) Whoever issues any check or other order for the payment of not more  
2 than ~~\$1,000~~ \$2,000 ~~that~~, at the time of issuance, he or she intends shall not  
3 be paid is guilty of a Class A misdemeanor.

4           **SECTION 472.** 943.24 (2) of the statutes is amended to read:

5           943.24 (2) Whoever issues any single check or other order for the payment of  
6 more than ~~\$1,000~~ \$2,000 or whoever within a 15-day period issues more than one  
7 check or other order amounting in the aggregate to more than ~~\$1,000~~ \$2,000 which,  
8 at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I  
9 felony.

10          **SECTION 473.** 943.25 (1) of the statutes is amended to read:

11          943.25 (1) Whoever, with intent to defraud, conveys real property which he or  
12 she knows is encumbered, without informing the grantee of the existence of the  
13 encumbrance is guilty of a Class ~~E~~ I felony.

14          **SECTION 474.** 943.25 (2) (intro.) of the statutes is amended to read:

15          943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following  
16 is guilty of a Class ~~E~~ I felony:

17          **SECTION 475.** 943.26 (2) of the statutes is amended to read:

18          943.26 (2) If the security is impaired by more than ~~\$1,000~~ \$2,000, the  
19 mortgagor or vendee is guilty of a Class ~~E~~ I felony.

20          **SECTION 476.** 943.27 of the statutes is amended to read:

21          **943.27 Possession of records of certain usurious loans.** Any person who  
22 knowingly possesses any writing representing or constituting a record of a charge of,  
23 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
24 upon \$100 for one year computed upon the declining principal balance of the loan,  
25 use or forbearance of money, goods or things in action or upon the loan, use or sale



1 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
2 E I felony.

3 **SECTION 477.** 943.28 (2) of the statutes is amended to read:

4 943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
5 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
6 is guilty of a Class C F felony.

7 **SECTION 478.** 943.28 (3) of the statutes is amended to read:

8 943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
9 as an investment, pursuant to a partnership or profit-sharing agreement, or  
10 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
11 Class C F felony.

12 **SECTION 479.** 943.28 (4) of the statutes is amended to read:

13 943.28 (4) Whoever knowingly participates in any way in the use of any  
14 extortionate means to collect or attempt to collect any extension of credit, or to punish  
15 any person for the nonrepayment thereof, is guilty of a Class C F felony.

16 **SECTION 480.** 943.30 (1) of the statutes is amended to read:

17 943.30 (1) Whoever, either verbally or by any written or printed  
18 communication, maliciously threatens to accuse or accuses another of any crime or  
19 offense, or threatens or commits any injury to the person, property, business,  
20 profession, calling or trade, or the profits and income of any business, profession,  
21 calling or trade of another, with intent thereby to extort money or any pecuniary  
22 advantage whatever, or with intent to compel the person so threatened to do any act  
23 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

24 **SECTION 481.** 943.30 (2) of the statutes is amended to read:

1           943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting  
2 commerce or business or the movement of any article or commodity in commerce or  
3 business is guilty of a Class D H felony.

4           **SECTION 482.** 943.30 (3) of the statutes is amended to read:

5           943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
6 grand juror, in the performance of his or her functions as such, is guilty of a Class D  
7 H felony.

8           **SECTION 483.** 943.30 (4) of the statutes is amended to read:

9           943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
10 action of any public officer is guilty of a Class D H felony.

11           **SECTION 484.** 943.30 (5) (b) of the statutes is amended to read:

12           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
13 maliciously uses, or threatens to use, the patient health care records of another  
14 person, with intent thereby to extort money or any pecuniary advantage, or with  
15 intent to compel the person so threatened to do any act against the person's will or  
16 omit to do any lawful act, is guilty of a Class D H felony.

17           **SECTION 485.** 943.31 of the statutes is amended to read:

18           **943.31 Threats to communicate derogatory information.** Whoever  
19 threatens to communicate to anyone information, whether true or false, which would  
20 injure the reputation of the threatened person or another unless the threatened  
21 person transfers property to a person known not to be entitled to it is guilty of a Class  
22 E I felony.

23           **SECTION 486.** 943.32 (1) (intro.) of the statutes is amended to read:

1           943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person  
2 or presence of the owner by either of the following means is guilty of a Class C E  
3 felony:

4           **SECTION 487.** 943.32 (2) of the statutes is amended to read:

5           943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
6 weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
7 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
8 weapon or such a device or container is guilty of a Class B C felony.

9           **SECTION 488.** 943.34 (1) (a) of the statutes is amended to read:

10          943.34 (1) (a) A Class A misdemeanor, if the value of the property does not  
11 exceed ~~\$1,000~~ \$2,000.

12          **SECTION 489.** 943.34 (1) (b) of the statutes is amended to read:

13          943.34 (1) (b) A Class ~~E~~ I felony, if the value of the property exceeds \$1,000  
14 \$2,000 but ~~does not more than \$2,500~~ exceed \$5,000.

15          **SECTION 490.** 943.34 (1) (bm) of the statutes is created to read:

16          943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but  
17 does not exceed \$10,000.

18          **SECTION 491.** 943.34 (1) (c) of the statutes is amended to read:

19          943.34 (1) (c) A Class C G felony, if the value of the property exceeds ~~\$2,500~~  
20 \$10,000.

21          **SECTION 492.** 943.38 (1) (intro.) of the statutes is amended to read:

22          943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
23 writing or object of any of the following kinds so that it purports to have been made  
24 by another, or at another time, or with different provisions, or by authority of one who  
25 did not give such authority, is guilty of a Class C H felony:

1           **SECTION 493.** 943.38 (2) of the statutes is amended to read:

2           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
3 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
4 been thus falsely made or altered, is guilty of a Class ~~C~~ H felony.

5           **SECTION 494.** 943.39 (intro.) of the statutes is amended to read:

6           **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or  
7 defraud, does any of the following is guilty of a Class ~~D~~ H felony:

8           **SECTION 495.** 943.395 (2) (a) of the statutes is amended to read:

9           943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or  
10 benefit does not exceed ~~\$1,000~~ \$2,000.

11           **SECTION 496.** 943.395 (2) (b) of the statutes is amended to read:

12           943.395 (2) (b) Is guilty of a Class ~~E~~ I felony if the value of the claim or benefit  
13 exceeds ~~\$1,000~~ \$2,000.

14           **SECTION 497.** 943.40 (intro.) of the statutes is amended to read:

15           **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with  
16 intent to defraud does either of the following is guilty of a Class ~~D~~ H felony:

17           **SECTION 498.** 943.41 (8) (b) of the statutes is amended to read:

18           943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)  
19 or (6m) is guilty of a Class ~~E~~ I felony.

20           **SECTION 499.** 943.41 (8) (c) of the statutes is amended to read:

21           943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d),  
22 if the value of the money, goods, services or property illegally obtained does not  
23 exceed ~~\$1,000~~ \$2,000 is guilty of a Class A misdemeanor; if the value of the money,  
24 goods, services or property exceeds ~~\$1,000~~ \$2,000 but does not exceed ~~\$2,500~~ \$5,000,  
25 in a single transaction or in separate transactions within a period not exceeding 6

1 months, the person is guilty of a Class ~~E~~ I felony; if the value of the money, goods,  
2 services, or property exceeds \$5,000 but does not exceed \$10,000, in a single  
3 transaction or in separate transactions within a period not exceeding 6 months, the  
4 person is guilty of a Class H felony; or if the value of the money, goods, services or  
5 property exceeds ~~\$2,500~~ \$10,000, in a single transaction or in separate transactions  
6 within a period not exceeding 6 months, the person is guilty of a Class ~~C~~ G felony.

7 **SECTION 500.** 943.45 (3) (c) of the statutes is amended to read:

8 943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)  
9 for direct or indirect commercial advantage or private financial gain is guilty of a  
10 Class ~~E~~ felony A misdemeanor.

11 **SECTION 501.** 943.45 (3) (d) of the statutes is amended to read:

12 943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial  
13 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
14 ~~D~~ I felony.

15 **SECTION 502.** 943.455 (4) (c) of the statutes is amended to read:

16 943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
17 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty  
18 of a Class ~~E~~ felony A misdemeanor.

19 **SECTION 503.** 943.455 (4) (d) of the statutes is amended to read:

20 943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect  
21 commercial advantage or private financial gain as a 2nd or subsequent offense is  
22 guilty of a Class ~~D~~ I felony.

23 **SECTION 504.** 943.46 (4) (c) of the statutes is amended to read:

1           943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
2 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty  
3 of a Class ~~E~~ felony A misdemeanor.

4           **SECTION 505.** 943.46 (4) (d) of the statutes is amended to read:

5           943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect  
6 commercial advantage or private financial gain as a 2nd or subsequent offense is  
7 guilty of a Class ~~D~~ I felony.

8           **SECTION 506.** 943.47 (3) (c) of the statutes is amended to read:

9           943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)  
10 for direct or indirect commercial advantage or private financial gain is guilty of a  
11 Class ~~E~~ felony A misdemeanor.

12           **SECTION 507.** 943.47 (3) (d) of the statutes is amended to read:

13           943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial  
14 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
15 ~~D~~ I felony.

16           **SECTION 508.** 943.49 (2) (b) 2. of the statutes is amended to read:

17           943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class ~~D~~ I felony if  
18 the violation occurs after the person has been convicted under this subsection.

19           **SECTION 509.** 943.50 (4) (a) of the statutes is amended to read:

20           943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not  
21 exceed \$1,000 \$2,000.

22           **SECTION 510.** 943.50 (4) (b) of the statutes is amended to read:

23           943.50 (4) (b) A Class ~~E~~ I felony, if the value of the merchandise exceeds \$1,000  
24 \$2,000 but does not ~~\$2,500~~ exceed \$5,000.

25           **SECTION 511.** 943.50 (4) (bm) of the statutes is created to read:

1           943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000  
2 but does not exceed \$10,000.

3           **SECTION 512.** 943.50 (4) (c) of the statutes is amended to read:

4           943.50 (4) (c) A Class ~~C~~ G felony, if the value of the merchandise exceeds \$2,500  
5 \$10,000.

6           **SECTION 513.** 943.60 (1) of the statutes is amended to read:

7           943.60 (1) Any person who submits for filing, entering or recording any lien,  
8 claim of lien, lis pendens, writ of attachment, financing statement or any other  
9 instrument relating to a security interest in or title to real or personal property, and  
10 who knows or should have known that the contents or any part of the contents of the  
11 instrument are false, a sham or frivolous, is guilty of a Class ~~D~~ H felony.

12           **SECTION 514.** 943.61 (5) (b) of the statutes is amended to read:

13           943.61 (5) (b) A Class ~~E~~ I felony, if the value of the library materials exceeds  
14 \$1,000 but does not exceed \$2,500.

15           **SECTION 515.** 943.61 (5) (c) of the statutes is amended to read:

16           943.61 (5) (c) A Class ~~C~~ H felony, if the value of the library materials exceeds  
17 \$2,500.

18           **SECTION 516.** 943.62 (4) (b) of the statutes is amended to read:

19           943.62 (4) (b) A Class ~~E~~ I felony, if the value of the advance payment or required  
20 refund, as applicable, exceeds \$500 but does not exceed \$2,500.

21           **SECTION 517.** 943.62 (4) (c) of the statutes is amended to read:

22           943.62 (4) (c) A Class ~~C~~ F felony, if the value of the advance payment or required  
23 refund, as applicable, exceeds \$2,500.

24           **SECTION 518.** 943.70 (2) (b) 2. of the statutes is amended to read:

1           943.70 (2) (b) 2. A Class E I felony if the offense is committed to defraud or to  
2 obtain property.

3           **SECTION 519.** 943.70 (2) (b) 3. of the statutes is amended to read:

4           943.70 (2) (b) 3. A Class D H felony if the damage is greater than ~~\$2,500~~ \$5,000  
5 or if it causes an interruption or impairment of governmental operations or public  
6 communication, of transportation or of a supply of water, gas or other public service.

7           **SECTION 520.** 943.70 (2) (b) 4. of the statutes is amended to read:

8           943.70 (2) (b) 4. A Class C F felony if the offense creates a substantial and  
9 unreasonable risk of death or great bodily harm to another.

10          **SECTION 521.** 943.70 (3) (b) 2. of the statutes is amended to read:

11          943.70 (3) (b) 2. A Class E I felony if the offense is committed to defraud or  
12 obtain property.

13          **SECTION 522.** 943.70 (3) (b) 3. of the statutes is amended to read:

14          943.70 (3) (b) 3. A Class D H felony if the damage to the computer, computer  
15 system, computer network, equipment or supplies is greater than ~~\$2,500~~ \$5,000.

16          **SECTION 523.** 943.70 (3) (b) 4. of the statutes is amended to read:

17          943.70 (3) (b) 4. A Class C F felony if the offense creates a substantial and  
18 unreasonable risk of death or great bodily harm to another.

19          **SECTION 524.** 943.75 (2) of the statutes is amended to read:

20          943.75 (2) Whoever intentionally releases an animal that is lawfully confined  
21 for companionship or protection of persons or property, recreation, exhibition, or  
22 educational purposes, acting without the consent of the owner or custodian of the  
23 animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a  
24 person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection  
25 by a person is a Class E I felony.



1           **SECTION 525.** 943.75 (2m) of the statutes is amended to read:

2           943.75 **(2m)** Whoever intentionally releases an animal that is lawfully  
3 confined for scientific, farming, restocking, research or commercial purposes, acting  
4 without the consent of the owner or custodian of the animal, is guilty of a Class C H  
5 felony.

6           **SECTION 526.** 944.05 (1) (intro.) of the statutes is amended to read:

7           944.05 **(1)** (intro.) Whoever does any of the following is guilty of a Class E I  
8 felony:

9           **SECTION 527.** 944.06 of the statutes is amended to read:

10          **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with  
11 a person he or she knows is a blood relative and such relative is in fact related in a  
12 degree within which the marriage of the parties is prohibited by the law of this state  
13 is guilty of a Class C F felony.

14          **SECTION 528.** 944.15 (title) of the statutes is repealed and recreated to read:

15          **944.15 (title) Public fornication.**

16          **SECTION 529.** 944.16 (intro.) of the statutes is amended to read:

17          **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a  
18 Class E I felony:

19          **SECTION 530.** 944.205 (2) (intro.) of the statutes is amended to read:

20          944.205 **(2)** (intro.) Whoever does any of the following is guilty of a Class E I  
21 felony:

22          **SECTION 531.** 944.21 (5) (c) of the statutes is amended to read:

23          944.21 **(5)** (c) If the person violating sub. (3) or (4) has 2 or more prior  
24 convictions under this section, the person is guilty of a Class D H felony.

25          **SECTION 532.** 944.21 (5) (e) of the statutes is amended to read:

1           944.21 (5) (e) Regardless of the number of prior convictions, if the violation  
2 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,  
3 the person is guilty of a Class D H felony.

4           **SECTION 533.** 944.32 of the statutes is amended to read:

5           **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever  
6 intentionally solicits or causes any person to practice prostitution or establishes any  
7 person in a place of prostitution is guilty of a Class D H felony.

8           **SECTION 534.** 944.33 (2) of the statutes is amended to read:

9           944.33 (2) If the person received compensation from the earnings of the  
10 prostitute, such person is guilty of a Class C F felony.

11          **SECTION 535.** 944.34 (intro.) of the statutes is amended to read:

12          **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does  
13 any of the following is guilty of a Class D H felony:

14          **SECTION 536.** 945.03 (1m) (intro.) of the statutes is amended to read:

15          945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
16 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
17 I felony:

18          **SECTION 537.** 945.05 (1) (intro.) of the statutes is amended to read:

19          945.05 (1) (intro.) Except as provided in subs. (1e) and (1m), whoever  
20 manufactures, transfers commercially or possesses with intent to transfer  
21 commercially either of the following is guilty of a Class E I felony:

22          **SECTION 538.** 945.08 (1) of the statutes is amended to read:

23          945.08 (1) Any person who, with intent to influence any participant to refrain  
24 from exerting full skill, speed, strength or endurance, transfers or promises any

1 property or any personal advantage to or on behalf of any participant in a contest of  
2 skill, speed, strength or endurance is guilty of a Class D H felony.

3 **SECTION 539.** 946.02 (1) (intro.) of the statutes is amended to read:

4 946.02 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
5 felony:

6 **SECTION 540.** 946.03 (1) (intro.) of the statutes is amended to read:

7 946.03 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
8 felony:

9 **SECTION 541.** 946.03 (2) of the statutes is amended to read:

10 946.03 (2) Whoever permits any premises under his or her care, control or  
11 supervision to be used by an assembly with knowledge that the purpose of the  
12 assembly is to advocate or teach the duty, necessity, desirability or propriety of  
13 overthrowing the government of the United States or this state by the use or threat  
14 of physical violence with intent that such government be overthrown or, after  
15 learning that the premises are being so used, permits such use to be continued is  
16 guilty of a Class E I felony.

17 **SECTION 542.** 946.05 (1) of the statutes is amended to read:

18 946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts  
19 contempt upon the flag is guilty of a Class E I felony.

20 **SECTION 543.** 946.10 (intro.) of the statutes is amended to read:

21 **946.10 Bribery of public officers and employees.** (intro.) Whoever does  
22 either of the following is guilty of a Class D H felony:

23 **SECTION 544.** 946.11 (1) (intro.) of the statutes is amended to read:

24 946.11 (1) (intro.) Whoever does the following is guilty of a Class E I felony:

25 **SECTION 545.** 946.12 (intro.) of the statutes is amended to read:

1           **946.12 Misconduct in public office.** (intro.) Any public officer or public  
2 employee who does any of the following is guilty of a Class ~~E~~ I felony:

3           **SECTION 546.** 946.13 (1) (intro.) of the statutes is amended to read:

4           946.13 (1) (intro.) Any public officer or public employee who does any of the  
5 following is guilty of a Class ~~E~~ I felony:

6           **SECTION 547.** 946.14 of the statutes is amended to read:

7           **946.14 Purchasing claims at less than full value.** Any public officer or  
8 public employee who in a private capacity directly or indirectly intentionally  
9 purchases for less than full value or discounts any claim held by another against the  
10 state or a political subdivision thereof or against any public fund is guilty of a Class  
11 ~~E~~ I felony.

12           **SECTION 548.** 946.15 (1) of the statutes is amended to read:

13           946.15 (1) Any employer, or any agent or employee of an employer, who induces  
14 any person who seeks to be or is employed pursuant to a public contract as defined  
15 in s. 66.0903 (1) (c) or who seeks to be or is employed on a project on which a prevailing  
16 wage rate determination has been issued by the department of workforce  
17 development under s. 66.293 (3), 103.49 (3), 103.50 (3) or 229.8275 (3) or by a local  
18 governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) to give up,  
19 waive or return any part of the compensation to which that person is entitled under  
20 his or her contract of employment or under the prevailing wage rate determination  
21 issued by the department or local governmental unit, or who reduces the hourly basic  
22 rate of pay normally paid to an employee for work on a project on which a prevailing  
23 wage rate determination has not been issued under s. 66.293 (3) or (6), 103.49 (3) or  
24 103.50 (3) during a week in which the employee works both on a project on which a

1 prevailing wage rate determination has been issued and on a project on which a  
2 prevailing wage rate determination has not been issued, is guilty of a Class E I felony.

3 **SECTION 549.** 946.15 (3) of the statutes is amended to read:

4 946.15 (3) Any employer or labor organization, or any agent or employee of an  
5 employer or labor organization, who induces any person who seeks to be or is  
6 employed on a project on which a prevailing wage rate determination has been issued  
7 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50  
8 (3) or 229.8275 (3) or by a local governmental unit, as defined in s. 66.0903 (1) (d),  
9 under s. 66.0903 (6) to permit any part of the wages to which that person is entitled  
10 under the prevailing wage rate determination issued by the department or local  
11 governmental unit to be deducted from the person's pay is guilty of a Class E I felony,  
12 unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who  
13 is working on a project that is subject to 40 USC 276c.

14 **SECTION 550.** 946.31 (1) (intro.) of the statutes is amended to read:

15 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false  
16 material statement which the person does not believe to be true, in any matter, cause,  
17 action or proceeding, before any of the following, whether legally constituted or  
18 exercising powers as if legally constituted, is guilty of a Class D H felony:

19 **SECTION 551.** 946.32 (1) (intro.) of the statutes is amended to read:

20 946.32 (1) (intro.) Whoever does either of the following is guilty of a Class D  
21 H felony:

22 **SECTION 552.** 946.41 (2m) (intro.) of the statutes is amended to read:

23 946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following  
24 circumstances is guilty of a Class D H felony:

25 **SECTION 553.** 946.415 (2) (intro.) of the statutes is amended to read:

1           946.415 **(2)** (intro.) Whoever intentionally does all of the following is guilty of  
2 a Class **E I** felony:

3           **SECTION 554.** 946.42 (3) (intro.) of the statutes is amended to read:

4           946.42 **(3)** (intro.) A person in custody who intentionally escapes from custody  
5 under any of the following circumstances is guilty of a Class **D H** felony:

6           **SECTION 555.** 946.42 (4) of the statutes is repealed.

7           **SECTION 556.** 946.425 (1) of the statutes is amended to read:

8           946.425 **(1)** Any person who is subject to a series of periods of imprisonment  
9 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as  
10 required under the sentence is guilty of a Class **D H** felony.

11          **SECTION 557.** 946.425 (1m) (b) of the statutes is amended to read:

12          946.425 **(1m)** (b) Any person who receives a stay of execution of a sentence of  
13 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who  
14 intentionally fails to report to the county jail as required under the sentence is guilty  
15 of a Class **D H** felony.

16          **SECTION 558.** 946.425 (1r) (b) of the statutes is amended to read:

17          946.425 **(1r)** (b) Any person who is subject to a confinement order under s.  
18 973.09 (4) as the result of a conviction for a felony and who intentionally fails to  
19 report to the county jail or house of correction as required under the order is guilty  
20 of a Class **D H** felony.

21          **SECTION 559.** 946.425 (2) of the statutes is repealed.

22          **SECTION 560.** 946.43 (1m) (intro.) of the statutes is amended to read:

23          946.43 **(1m)** (intro.) Any prisoner confined to a state prison or other state,  
24 county or municipal detention facility who intentionally does any of the following is  
25 guilty of a Class **C F** felony:

1           **SECTION 561.** 946.43 (2m) (a) (intro.) of the statutes is amended to read:

2           946.43 **(2m)** (a) (intro.) Any prisoner confined to a state prison or other state,  
3 county or municipal detention facility who throws or expels blood, semen, vomit,  
4 saliva, urine, feces or other bodily substance at or toward an officer, employee or  
5 visitor of the prison or facility or another prisoner of the prison or facility under all  
6 of the following circumstances ~~may be fined not more than \$10,000 or imprisoned for~~  
7 ~~not more than 2 years or both~~ is guilty of a Class I felony:

8           **SECTION 562.** 946.44 (1) (intro.) of the statutes is amended to read:

9           946.44 **(1)** (intro.) Whoever does the following is guilty of a Class ~~D~~ H felony:

10          **SECTION 563.** 946.44 (1g) of the statutes is amended to read:

11          946.44 **(1g)** Any public officer or public employee who violates sub. (1) (a) or (b)  
12 is guilty of a Class ~~C~~ F felony.

13          **SECTION 564.** 946.44 (1m) of the statutes is amended to read:

14          946.44 **(1m)** Whoever intentionally introduces into an institution where  
15 prisoners are detained or transfers to a prisoner any firearm, whether loaded or  
16 unloaded, or any article used or fashioned in a manner to lead another person to  
17 believe it is a firearm, is guilty of a Class ~~C~~ F felony.

18          **SECTION 565.** 946.47 (1) (intro.) of the statutes is amended to read:

19          946.47 **(1)** (intro.) Whoever does either of the following is guilty of a Class ~~E~~ I  
20 felony:

21          **SECTION 566.** 946.48 (1) of the statutes is amended to read:

22          946.48 **(1)** Whoever sends, delivers, or causes to be transmitted to another any  
23 written or oral communication with intent to induce a false belief that the sender has  
24 knowledge of the whereabouts, physical condition, or terms imposed upon the return  
25 of a kidnapped or missing person is guilty of a Class ~~D~~ H felony.

1           **SECTION 567.** 946.49 (1) (b) of the statutes is amended to read:

2           946.49 (1) (b) If the offense with which the person is charged is a felony, guilty  
3 of a Class ~~D~~ H felony.

4           **SECTION 568.** 946.49 (2) of the statutes is amended to read:

5           946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is  
6 guilty of a Class ~~E~~ I felony for failure to appear as provided.

7           **SECTION 569.** 946.50 (5d) of the statutes is created to read:

8           946.50 (5d) A Class F felony, if the person was adjudicated delinquent for  
9 committing an act that would be a Class F felony if committed by an adult.

10          **SECTION 570.** 946.50 (5h) of the statutes is created to read:

11          946.50 (5h) A Class G felony, if the person was adjudicated delinquent for  
12 committing an act that would be a Class G felony if committed by an adult.

13          **SECTION 571.** 946.50 (5p) of the statutes is created to read:

14          946.50 (5p) A Class H felony, if the person was adjudicated delinquent for  
15 committing an act that would be a Class H felony if committed by an adult.

16          **SECTION 572.** 946.50 (5t) of the statutes is created to read:

17          946.50 (5t) A Class I felony, if the person was adjudicated delinquent for  
18 committing an act that would be a Class I felony if committed by an adult.

19          **SECTION 573.** 946.60 (1) of the statutes is amended to read:

20          946.60 (1) Whoever intentionally destroys, alters, mutilates, conceals,  
21 removes, withholds or transfers possession of a document, knowing that the  
22 document has been subpoenaed by a court or by or at the request of a district attorney  
23 or the attorney general, is guilty of a Class ~~E~~ I felony.

24          **SECTION 574.** 946.60 (2) of the statutes is amended to read:



1           946.60 (2) Whoever uses force, threat, intimidation or deception, with intent  
2 to cause or induce another person to destroy, alter, mutilate, conceal, remove,  
3 withhold or transfer possession of a subpoenaed document, knowing that the  
4 document has been subpoenaed by a court or by or at the request of a district attorney  
5 or the attorney general, is guilty of a Class E I felony.

6           **SECTION 575.** 946.61 (1) (intro.) of the statutes is amended to read:

7           946.61 (1) (intro.) Whoever does any of the following is guilty of a Class D H  
8 felony:

9           **SECTION 576.** 946.64 of the statutes is amended to read:

10           **946.64 Communicating with jurors.** Whoever, with intent to influence any  
11 person, summoned or serving as a juror, in relation to any matter which is before that  
12 person or which may be brought before that person, communicates with him or her  
13 otherwise than in the regular course of proceedings in the trial or hearing of that  
14 matter is guilty of a Class E I felony.

15           **SECTION 577.** 946.65 (1) of the statutes is amended to read:

16           946.65 (1) Whoever for a consideration knowingly gives false information to  
17 any officer of any court with intent to influence the officer in the performance of  
18 official functions is guilty of a Class E I felony.

19           **SECTION 578.** 946.68 (1r) (a) of the statutes is amended to read:

20           946.68 (1r) (a) Except as provided in pars. (b) and (c), whoever sends or delivers  
21 to another any document which simulates legal process is guilty of a Class E I felony.

22           **SECTION 579.** 946.68 (1r) (b) of the statutes is amended to read:

23           946.68 (1r) (b) If the document under par. (a) is sent or delivered with intent  
24 to induce payment of a claim, the person is guilty of a Class D H felony.

25           **SECTION 580.** 946.68 (1r) (c) of the statutes is amended to read:

1           946.68 (1r) (c) If the document under par. (a) simulates any criminal process,  
2 the person is guilty of a Class D H felony.

3           **SECTION 581.** 946.69 (2) (intro.) of the statutes is amended to read:

4           946.69 (2) (intro.) Whoever does any of the following is guilty of a Class E I  
5 felony:

6           **SECTION 582.** 946.70 (2) of the statutes is amended to read:

7           946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet  
8 the commission of a crime other than the crime under this section is guilty of a Class  
9 D H felony.

10          **SECTION 583.** 946.72 (1) of the statutes is amended to read:

11          946.72 (1) Whoever with intent to injure or defraud destroys, damages,  
12 removes or conceals any public record is guilty of a Class D H felony.

13          **SECTION 584.** 946.74 (2) of the statutes is amended to read:

14          946.74 (2) Whoever violates sub. (1) with intent to commit a crime against  
15 sexual morality with or upon the inmate of the institution is guilty of a Class D H  
16 felony.

17          **SECTION 585.** 946.76 of the statutes is amended to read:

18          **946.76 Search warrant; premature disclosure.** Whoever discloses prior  
19 to its execution that a search warrant has been applied for or issued, except so far  
20 as may be necessary to its execution, is guilty of a Class E I felony.

21          **SECTION 586.** 946.82 (4) of the statutes is amended to read:

22          946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961  
23 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission  
24 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
25 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637,

1 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
2 940.19 ~~(3)~~ (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20  
3 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) ~~or (2g)~~, 943.011,  
4 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to ~~(d)~~  
5 (e), 943.201, 943.23 (1g), ~~(1m), (1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27, 943.28,  
6 943.30, 943.32, 943.34 (1) (b), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and  
7 (c), 943.50 (4) (b), (bm), and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32,  
8 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11,  
9 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72,  
10 946.76, 947.015, 948.05, 948.08, 948.12 and 948.30.

11 **SECTION 587.** 946.84 (1) of the statutes is amended to read:

12 946.84 (1) Any person convicted of engaging in racketeering activity in  
13 violation of s. 946.83 is guilty of a Class ~~C~~ E felony.

14 **SECTION 588.** 946.85 (1) of the statutes is amended to read:

15 946.85 (1) Any person who engages in a continuing criminal enterprise shall  
16 ~~be imprisoned for not less than 10 years nor more than 30 years, and fined not more~~  
17 ~~than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than~~  
18 ~~the presumptive minimum sentence, it shall place its reasons for doing so on the~~  
19 ~~record~~ is guilty of a Class E felony.

20 **SECTION 589.** 947.013 (1t) of the statutes is amended to read:

21 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class ~~E~~ I felony if the  
22 person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s.  
23 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation  
24 occurs within 7 years of the prior conviction.

25 **SECTION 590.** 947.013 (1v) of the statutes is amended to read:

1           947.013 (1v) Whoever violates sub. (1r) is guilty of a Class ~~D~~ H felony if he or  
2 she intentionally gains access to a record in electronic format that contains  
3 personally identifiable information regarding the victim in order to facilitate the  
4 violation under sub. (1r).

5           **SECTION 591.** 947.013 (1x) (intro.) of the statutes is amended to read:

6           947.013 (1x) (intro.) Whoever violates sub. (1r) under all of the following  
7 circumstances is guilty of a Class ~~D~~ H felony:

8           **SECTION 592.** 947.015 of the statutes is amended to read:

9           **947.015 Bomb scares.** Whoever intentionally conveys or causes to be  
10 conveyed any threat or false information, knowing such to be false, concerning an  
11 attempt or alleged attempt being made or to be made to destroy any property by the  
12 means of explosives is guilty of a Class ~~E~~ I felony.

13           **SECTION 593.** 948.02 (2) of the statutes is amended to read:

14           948.02 (2) **SECOND DEGREE SEXUAL ASSAULT.** Whoever has sexual contact or  
15 sexual intercourse with a person who has not attained the age of 16 years is guilty  
16 of a Class ~~B~~ C felony.

17           **SECTION 594.** 948.02 (3) of the statutes is amended to read:

18           948.02 (3) **FAILURE TO ACT.** A person responsible for the welfare of a child who  
19 has not attained the age of 16 years is guilty of a Class ~~C~~ F felony if that person has  
20 knowledge that another person intends to have, is having or has had sexual  
21 intercourse or sexual contact with the child, is physically and emotionally capable  
22 of taking action which will prevent the intercourse or contact from taking place or  
23 being repeated, fails to take that action and the failure to act exposes the child to an  
24 unreasonable risk that intercourse or contact may occur between the child and the

1 other person or facilitates the intercourse or contact that does occur between the  
2 child and the other person.

3 **SECTION 595.** 948.02 (3m) of the statutes is repealed.

4 **SECTION 596.** 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and  
5 amended to read:

6 948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1)  
7 or (2) within a specified period of time involving the same child is guilty of a:

8 (a) A Class B felony if at least 3 of the violations were violations of s. 948.02 (1).

9 **SECTION 597.** 948.025 (1) (b) of the statutes is created to read:

10 948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations  
11 of s. 948.02 (1).

12 **SECTION 598.** 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and  
13 amended to read:

14 948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find  
15 the defendant guilty the members of the jury must unanimously agree that at least  
16 3 violations of s. 948.02 (1) or (2) occurred within the time specified period applicable  
17 under sub. (1) of time but need not agree on which acts constitute the requisite  
18 number and need not agree on whether a particular violation was a violation of s.  
19 948.02 (1) or (2).

20 **SECTION 599.** 948.025 (2) (a) of the statutes is created to read:

21 948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find  
22 the defendant guilty the members of the jury must unanimously agree that at least  
23 3 violations of s. 948.02 (1) occurred within the specified period of time but need not  
24 agree on which acts constitute the requisite number.

25 **SECTION 600.** 948.025 (2m) of the statutes is repealed.

1           **SECTION 601.** 948.03 (2) (a) of the statutes is amended to read:

2           948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is  
3 guilty of a Class C E felony.

4           **SECTION 602.** 948.03 (2) (b) of the statutes is amended to read:

5           948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of  
6 a Class D H felony.

7           **SECTION 603.** 948.03 (2) (c) of the statutes is amended to read:

8           948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct  
9 which creates a high probability of great bodily harm is guilty of a Class C F felony.

10          **SECTION 604.** 948.03 (3) (a) of the statutes is amended to read:

11          948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty  
12 of a Class D G felony.

13          **SECTION 605.** 948.03 (3) (b) of the statutes is amended to read:

14          948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a  
15 Class E I felony.

16          **SECTION 606.** 948.03 (3) (c) of the statutes is amended to read:

17          948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct  
18 which creates a high probability of great bodily harm is guilty of a Class D H felony.

19          **SECTION 607.** 948.03 (4) (a) of the statutes is amended to read:

20          948.03 (4) (a) A person responsible for the child's welfare is guilty of a Class  
21 C F felony if that person has knowledge that another person intends to cause, is  
22 causing or has intentionally or recklessly caused great bodily harm to the child and  
23 is physically and emotionally capable of taking action which will prevent the bodily  
24 harm from occurring or being repeated, fails to take that action and the failure to act

1 exposes the child to an unreasonable risk of great bodily harm by the other person  
2 or facilitates the great bodily harm to the child that is caused by the other person.

3 **SECTION 608.** 948.03 (4) (b) of the statutes is amended to read:

4 948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class  
5 D H felony if that person has knowledge that another person intends to cause, is  
6 causing or has intentionally or recklessly caused bodily harm to the child and is  
7 physically and emotionally capable of taking action which will prevent the bodily  
8 harm from occurring or being repeated, fails to take that action and the failure to act  
9 exposes the child to an unreasonable risk of bodily harm by the other person or  
10 facilitates the bodily harm to the child that is caused by the other person.

11 **SECTION 609.** 948.03 (5) of the statutes is repealed.

12 **SECTION 610.** 948.04 (1) of the statutes is amended to read:

13 948.04 (1) Whoever is exercising temporary or permanent control of a child and  
14 causes mental harm to that child by conduct which demonstrates substantial  
15 disregard for the mental well-being of the child is guilty of a Class C F felony.

16 **SECTION 611.** 948.04 (2) of the statutes is amended to read:

17 948.04 (2) A person responsible for the child's welfare is guilty of a Class C F  
18 felony if that person has knowledge that another person has caused, is causing or will  
19 cause mental harm to that child, is physically and emotionally capable of taking  
20 action which will prevent the harm, fails to take that action and the failure to act  
21 exposes the child to an unreasonable risk of mental harm by the other person or  
22 facilitates the mental harm to the child that is caused by the other person.

23 **SECTION 612.** 948.05 (1) (intro.) of the statutes is amended to read:

1           948.05 (1) (intro.) Whoever does any of the following with knowledge of the  
2 character and content of the sexually explicit conduct involving the child is guilty of  
3 a Class C F felony:

4           **SECTION 613.** 948.05 (1m) of the statutes is amended to read:

5           948.05 (1m) Whoever produces, performs in, profits from, promotes, imports  
6 into the state, reproduces, advertises, sells, distributes or possesses with intent to  
7 sell or distribute, any undeveloped film, photographic negative, photograph, motion  
8 picture, videotape, sound recording or other reproduction of a child engaging in  
9 sexually explicit conduct is guilty of a Class C F felony if the person knows the  
10 character and content of the sexually explicit conduct involving the child and if the  
11 person knows or reasonably should know that the child engaging in the sexually  
12 explicit conduct has not attained the age of 18 years.

13           **SECTION 614.** 948.05 (2) of the statutes is amended to read:

14           948.05 (2) A person responsible for a child's welfare who knowingly permits,  
15 allows or encourages the child to engage in sexually explicit conduct for a purpose  
16 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class C F felony.

17           **SECTION 615.** 948.055 (2) (a) of the statutes is amended to read:

18           948.055 (2) (a) A Class C F felony if the child has not attained the age of 13  
19 years.

20           **SECTION 616.** 948.055 (2) (b) of the statutes is amended to read:

21           948.055 (2) (b) A Class D H felony if the child has attained the age of 13 years  
22 but has not attained the age of 18 years.

23           **SECTION 617.** 948.06 (intro.) of the statutes is amended to read:

24           **948.06 Incest with a child.** (intro.) Whoever does any of the following is  
25 guilty of a Class B C felony:



1           **SECTION 618.** 948.07 (intro.) of the statutes is amended to read:

2           **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the  
3 following acts, causes or attempts to cause any child who has not attained the age  
4 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class  
5 **BC D** felony:

6           **SECTION 619.** 948.08 of the statutes is amended to read:

7           **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits  
8 or causes any child to practice prostitution or establishes any child in a place of  
9 prostitution is guilty of a Class **BC D** felony.

10          **SECTION 620.** 948.095 (2) (intro.) of the statutes is amended to read:

11          948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a  
12 child who has attained the age of 16 years and who is not the defendant's spouse is  
13 guilty of a Class **D H** felony if all of the following apply:

14          **SECTION 621.** 948.11 (2) (a) of the statutes is amended to read:

15          948.11 (2) (a) Whoever, with knowledge of the nature of the material, sells,  
16 rents, exhibits, transfers or loans to a child any harmful material, with or without  
17 monetary consideration, is guilty of a Class **E I** felony.

18          **SECTION 622.** 948.11 (2) (am) of the statutes is amended to read:

19          948.11 (2) (am) Any person who has attained the age of 17 and who, with  
20 knowledge of the nature of the description or narrative account, verbally  
21 communicates, by any means, a harmful description or narrative account to a child,  
22 with or without monetary consideration, is guilty of a Class **E I** felony.

23          **SECTION 623.** 948.12 (intro.) of the statutes is amended to read:

24          **948.12 Possession of child pornography.** (intro.) Whoever possesses any  
25 undeveloped film, photographic negative, photograph, motion picture, videotape or

1 other pictorial reproduction or audio recording of a child engaged in sexually explicit  
2 conduct under all of the following circumstances is guilty of a Class E I felony:

3 **SECTION 624.** 948.13 (2) of the statutes is amended to read:

4 948.13 (2) Whoever has been convicted of a serious child sex offense and  
5 subsequently engages in an occupation or participates in a volunteer position that  
6 requires him or her to work or interact primarily and directly with children under  
7 16 years of age is guilty of a Class C F felony. This subsection does not apply to a  
8 person who is exempt under a court order issued under sub. (2m).

9 **SECTION 625.** 948.20 of the statutes is amended to read:

10 **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,  
11 leaves any child in a place where the child may suffer because of neglect is guilty of  
12 a Class D G felony.

13 **SECTION 626.** 948.21 (1) of the statutes is amended to read:

14 948.21 (1) Any person who is responsible for a child's welfare who, through his  
15 or her actions or failure to take action, intentionally contributes to the neglect of the  
16 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class C D  
17 felony.

18 **SECTION 627.** 948.22 (2) of the statutes is amended to read:

19 948.22 (2) Any person who intentionally fails for 120 or more consecutive days  
20 to provide spousal, grandchild or child support which the person knows or reasonably  
21 should know the person is legally obligated to provide is guilty of a Class E I felony.  
22 A prosecutor may charge a person with multiple counts for a violation under this  
23 subsection if each count covers a period of at least 120 consecutive days and there is  
24 no overlap between periods.

25 **SECTION 628.** 948.23 of the statutes is amended to read:

1           **948.23 Concealing death of child.** Any person who conceals the corpse of  
2 any issue of a woman's body with intent to prevent a determination of whether it was  
3 born dead or alive is guilty of a Class ~~E~~ I felony.

4           **SECTION 629.** 948.24 (1) (intro.) of the statutes is amended to read:

5           948.24 (1) (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
6 felony:

7           **SECTION 630.** 948.30 (1) (intro.) of the statutes is amended to read:

8           948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the  
9 following is guilty of a Class ~~C~~ E felony:

10          **SECTION 631.** 948.30 (2) (intro.) of the statutes is amended to read:

11          948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the  
12 following is guilty of a Class ~~B~~ C felony:

13          **SECTION 632.** 948.31 (1) (b) of the statutes is amended to read:

14          948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally  
15 causes a child to leave, takes a child away or withholds a child for more than 12 hours  
16 beyond the court-approved period of physical placement or visitation period from a  
17 legal custodian with intent to deprive the custodian of his or her custody rights  
18 without the consent of the custodian is guilty of a Class ~~C~~ F felony. This paragraph  
19 is not applicable if the court has entered an order authorizing the person to so take  
20 or withhold the child. The fact that joint legal custody has been awarded to both  
21 parents by a court does not preclude a court from finding that one parent has  
22 committed a violation of this paragraph.

23          **SECTION 633.** 948.31 (2) of the statutes is amended to read:

24          948.31 (2) Whoever causes a child to leave, takes a child away or withholds a  
25 child for more than 12 hours from the child's parents or, in the case of a nonmarital

1 child whose parents do not subsequently intermarry under s. 767.60, from the child's  
2 mother or, if he has been granted legal custody, the child's father, without the consent  
3 of the parents, the mother or the father with legal custody, is guilty of a Class E I  
4 felony. This subsection is not applicable if legal custody has been granted by court  
5 order to the person taking or withholding the child.

6 **SECTION 634.** 948.31 (3) (intro.) of the statutes is amended to read:

7 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from  
8 the parent, who does any of the following is guilty of a Class C F felony:

9 **SECTION 635.** 948.35 of the statutes is repealed.

10 **SECTION 636.** 948.36 of the statutes is repealed.

11 **SECTION 637.** 948.40 (4) (a) of the statutes is amended to read:

12 948.40 (4) (a) If death is a consequence, the person is guilty of a Class C D  
13 felony; or

14 **SECTION 638.** 948.40 (4) (b) of the statutes is amended to read:

15 948.40 (4) (b) If the child's act which is encouraged or contributed to is a  
16 violation of a state or federal criminal law which is punishable as a felony, the person  
17 is guilty of a Class D H felony.

18 **SECTION 639.** 948.51 (3) (b) of the statutes is amended to read:

19 948.51 (3) (b) A Class E H felony if the act results in great bodily harm ~~or death~~  
20 to another.

21 **SECTION 640.** 948.51 (3) (c) of the statutes is created to read:

22 948.51 (3) (c) A Class G felony if the act results in the death of another.

23 **SECTION 641.** 948.60 (2) (b) of the statutes is amended to read:

1           948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,  
2           loans or gives a dangerous weapon to a person under 18 years of age is guilty of a  
3           Class ~~E~~ I felony.

4           **SECTION 642.** 948.60 (2) (c) of the statutes is amended to read:

5           948.60 (2) (c) Whoever violates par. (b) is guilty of a Class ~~D~~ H felony if the  
6           person under 18 years of age under par. (b) discharges the firearm and the discharge  
7           causes death to himself, herself or another.

8           **SECTION 643.** 948.605 (2) (a) of the statutes is amended to read:

9           948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
10          that the individual knows, or has reasonable cause to believe, is a school zone is  
11          guilty of a Class ~~A misdemeanor~~ I felony.

12          **SECTION 644.** 948.605 (3) (a) of the statutes is amended to read:

13          948.605 (3) (a) Any individual who knowingly, or with reckless disregard for  
14          the safety of another, discharges or attempts to discharge a firearm at a place the  
15          individual knows is a school zone is guilty of a Class ~~D~~ G felony.

16          **SECTION 645.** 948.605 (4) of the statutes is repealed.

17          **SECTION 646.** 948.61 (2) (b) of the statutes is amended to read:

18          948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or  
19          subsequent violation of this section within a 5-year period, as measured from the  
20          dates the violations occurred.

21          **SECTION 647.** 948.62 (1) (a) of the statutes is amended to read:

22          948.62 (1) (a) A Class ~~E~~ felony A misdemeanor, if the value of the property does  
23          not exceed \$500.

24          **SECTION 648.** 948.62 (1) (b) of the statutes is amended to read:

1           948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but  
2 does not exceed ~~\$2,500~~ \$2,000.

3           **SECTION 649.** 948.62 (1) (bm) of the statutes is created to read:

4           948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,000 but  
5 does not exceed \$5,000.

6           **SECTION 650.** 948.62 (1) (c) of the statutes is amended to read:

7           948.62 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds ~~\$2,500~~  
8 \$5,000.

9           **SECTION 651.** 949.03 (1) (b) of the statutes is amended to read:

10           949.03 (1) (b) The commission or the attempt to commit any crime specified in  
11 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
12 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
13 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,  
14 943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,  
15 948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

16           **SECTION 652.** 950.04 (1v) (g) of the statutes is amended to read:

17           950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
18 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
19 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

20           **SECTION 653.** 950.04 (1v) (nt) of the statutes is created to read:

21           950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
22 bifurcated sentence and provide a statement concerning modification of the  
23 bifurcated sentence, as provided under s. 302.113 (9g) (d).

24           **SECTION 654.** 951.18 (1) of the statutes is amended to read:

1           951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,  
2           951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a  
3           Class C forfeiture. Any person who violates any of these provisions within 3 years  
4           after a humane officer issues an abatement order under s. 173.11 prohibiting the  
5           violation of that provision is subject to a Class A forfeiture. Any person who  
6           intentionally or negligently violates any of those sections is guilty of a Class A  
7           misdemeanor. Any person who intentionally violates s. 951.02, resulting in the  
8           mutilation, disfigurement or death of an animal, is guilty of a Class ~~E~~ I felony. Any  
9           person who intentionally violates s. 951.02 or 951.06, knowing that the animal that  
10          is the victim is used by a law enforcement agency to perform agency functions or  
11          duties and causing injury to the animal, is guilty of a Class ~~E~~ I felony.

12           **SECTION 655.** 951.18 (2) of the statutes is amended to read:

13           951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A  
14          misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class ~~E~~ I  
15          felony for the first violation and is guilty of a Class ~~D~~ H felony for the 2nd or  
16          subsequent violation.

17           **SECTION 656.** 951.18 (2m) of the statutes is amended to read:

18           951.18 (2m) Any person who violates s. 951.095 is subject to a Class B  
19          forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing  
20          that the animal that is the victim is used by a law enforcement agency or fire  
21          department to perform agency or department functions or duties, is guilty of a Class  
22          A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the  
23          animal that is the victim is used by a law enforcement agency or fire department to  
24          perform agency or department functions or duties and causing injury to the animal,  
25          is guilty of a Class ~~E~~ I felony. Any person who intentionally violates s. 951.095,

1 knowing that the animal that is the victim is used by a law enforcement agency or  
2 fire department to perform agency or department functions or duties and causing  
3 death to the animal, is guilty of a Class ~~D~~ H felony.

4 **SECTION 657.** 961.41 (1) (intro.) of the statutes is amended to read:

5 961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY. (intro.) Except as  
6 authorized by this chapter, it is unlawful for any person to manufacture, distribute  
7 or deliver a controlled substance or controlled substance analog. Any person who  
8 violates this subsection ~~with respect to~~ is subject to the following penalties:

9 **SECTION 658.** 961.41 (1) (a) of the statutes is amended to read:

10 961.41 (1) (a) Schedule I and II narcotic drugs generally. Except as provided  
11 in par. (d), if a person violates this subsection with respect to a controlled substance  
12 included in schedule I or II which is a narcotic drug, or a controlled substance analog  
13 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~  
14 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~  
15 ~~months or both~~ the person is guilty of a Class E felony.

16 **SECTION 659.** 961.41 (1) (b) of the statutes is amended to read:

17 961.41 (1) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as  
18 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect  
19 to any other controlled substance included in schedule I, II, or III, or a controlled  
20 substance analog of any other controlled substance included in schedule I or II, ~~may~~  
21 ~~be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months~~  
22 ~~or both~~ the person is guilty of a Class H felony.

23 **SECTION 660.** 961.41 (1) (cm) (intro.) of the statutes is amended to read:

24 961.41 (1) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If the person violates  
25 this subsection with respect to cocaine or cocaine base, or a controlled substance



1 analog of cocaine or cocaine base, ~~is subject to the following penalties if and the~~  
2 amount manufactured, distributed, or delivered is:

3 **SECTION 661.** 961.41 (1) (cm) 1. of the statutes is renumbered 961.41 (1) (cm)  
4 1r. and amended to read:

5 961.41 (1) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
6 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
7 for not more than 15 years is guilty of a Class F felony.

8 **SECTION 662.** 961.41 (1) (cm) 1g. of the statutes is created to read:

9 961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

10 **SECTION 663.** 961.41 (1) (cm) 2. of the statutes is amended to read:

11 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person  
12 shall be fined not more than \$500,000 and shall be imprisoned for not less than one  
13 year ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

14 **SECTION 664.** 961.41 (1) (cm) 3. of the statutes is amended to read:

15 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person  
16 shall be fined not more than \$500,000 and shall be imprisoned for not less than 3  
17 years ~~nor more than 30 years~~ is guilty of a Class D felony.

18 **SECTION 665.** 961.41 (1) (cm) 4. of the statutes is amended to read:

19 961.41 (1) (cm) 4. More than 40 grams ~~but not more than 100 grams~~, the person  
20 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5  
21 years ~~nor more than 45 years~~ is guilty of a Class C felony.

22 **SECTION 666.** 961.41 (1) (cm) 5. of the statutes is repealed.

23 **SECTION 667.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

1           961.41 (1) (d) Heroin. (intro.) ~~Heroin~~ If the person violates this subsection with  
2 respect to heroin or a controlled substance analog of heroin is subject to the following  
3 ~~penalties if~~ and the amount manufactured, distributed or delivered is:

4           **SECTION 668.** 961.41 (1) (d) 1. of the statutes is amended to read:

5           961.41 (1) (d) 1. Three grams or less, the person ~~shall be fined not less than~~  
6 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~  
7 ~~and 6 months~~ is guilty of a Class F felony.

8           **SECTION 669.** 961.41 (1) (d) 2. of the statutes is amended to read:

9           961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person  
10 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
11 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class  
12 E felony.

13           **SECTION 670.** 961.41 (1) (d) 3. of the statutes is amended to read:

14           961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person  
15 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
16 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
17 D felony.

18           **SECTION 671.** 961.41 (1) (d) 4. of the statutes is amended to read:

19           961.41 (1) (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person  
20 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
21 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
22 felony.

23           **SECTION 672.** 961.41 (1) (d) 5. of the statutes is repealed.

24           **SECTION 673.** 961.41 (1) (d) 6. of the statutes is repealed.

25           **SECTION 674.** 961.41 (1) (e) (intro.) of the statutes is amended to read:

1           961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and  
2 methcathinone. (intro.) Phencyclidine If the person violates this subsection with  
3 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a  
4 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or  
5 methcathinone, is subject to the following penalties if and the amount  
6 manufactured, distributed, or delivered is:

7           **SECTION 675.** 961.41 (1) (e) 1. of the statutes is amended to read:

8           961.41 (1) (e) 1. Three grams or less, the person shall be fined not less than  
9 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and  
10 6 months is guilty of a Class F felony.

11          **SECTION 676.** 961.41 (1) (e) 2. of the statutes is amended to read:

12          961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person  
13 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
14 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class  
15 E felony.

16          **SECTION 677.** 961.41 (1) (e) 3. of the statutes is amended to read:

17          961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person  
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
19 for not less than one year nor more than 22 years and 6 months is guilty of a Class  
20 D felony.

21          **SECTION 678.** 961.41 (1) (e) 4. of the statutes is amended to read:

22          961.41 (1) (e) 4. More than 50 grams but not more than 200 grams, the person  
23 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
24 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C  
25 felony.

1           **SECTION 679.** 961.41 (1) (e) 5. of the statutes is repealed.

2           **SECTION 680.** 961.41 (1) (e) 6. of the statutes is repealed.

3           **SECTION 681.** 961.41 (1) (em) of the statutes is repealed.

4           **SECTION 682.** 961.41 (1) (f) (intro.) of the statutes is amended to read:

5           961.41 (1) (f) Lysergic acid diethylamide. (intro.) Lysergie If the person violates  
6 this subsection with respect to lysergic acid diethylamide or a controlled substance  
7 analog of lysergic acid diethylamide is subject to the following penalties if and the  
8 amount manufactured, distributed, or delivered is:

9           **SECTION 683.** 961.41 (1) (f) 1. of the statutes is amended to read:

10           961.41 (1) (f) 1. One gram or less, the person ~~shall be fined not less than \$1,000~~  
11 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and 6~~  
12 ~~months~~ is guilty of a Class G felony.

13           **SECTION 684.** 961.41 (1) (f) 2. of the statutes is amended to read:

14           961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person ~~shall~~  
15 ~~be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not~~  
16 ~~less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class F felony.

17           **SECTION 685.** 961.41 (1) (f) 3. of the statutes is amended to read:

18           961.41 (1) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~  
19 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
20 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

21           **SECTION 686.** 961.41 (1) (g) (intro.) of the statutes is amended to read:

22           961.41 (1) (g) Psilocin and psilocybin. (intro.) Psiloecin If the person violates  
23 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
24 of psilocin or psilocybin, is subject to the following penalties if and the amount  
25 manufactured, distributed or delivered is:

1           **SECTION 687.** 961.41 (1) (g) 1. of the statutes is amended to read:

2           961.41 (1) (g) 1. One hundred grams or less, the person shall be fined not less  
3 than ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~  
4 ~~years and 6 months~~ is guilty of a Class G felony.

5           **SECTION 688.** 961.41 (1) (g) 2. of the statutes is amended to read:

6           961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person  
7 shall be fined not less than ~~\$1,000 nor more than \$250,000 and shall be imprisoned~~  
8 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
9 F felony.

10          **SECTION 689.** 961.41 (1) (g) 3. of the statutes is amended to read:

11          961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than  
12 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
13 nor more than ~~22 years and 6 months~~ is guilty of a Class E felony.

14          **SECTION 690.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

15          961.41 (1) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If the  
16 person violates this subsection with respect to tetrahydrocannabinols, included  
17 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
18 subject to the following penalties if and the amount manufactured, distributed or  
19 delivered is:

20          **SECTION 691.** 961.41 (1) (h) 1. of the statutes is amended to read:

21          961.41 (1) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants  
22 containing tetrahydrocannabinols, the person shall be fined not less than ~~\$500 nor~~  
23 ~~more than \$25,000 and may be imprisoned for not more than 4 years and 6 months~~  
24 is guilty of a Class I felony.

25          **SECTION 692.** 961.41 (1) (h) 2. of the statutes is amended to read:

1           961.41 (1) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000 grams,  
2 or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than ~~50~~ 20  
3 plants containing tetrahydrocannabinols, the person shall be ~~fined not less than~~  
4 ~~\$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor~~  
5 ~~more than 7 years and 6 months~~ is guilty of a Class H felony.

6           **SECTION 693.** 961.41 (1) (h) 3. of the statutes is amended to read:

7           961.41 (1) (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,  
8 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50  
9 plants containing tetrahydrocannabinols, the person shall be ~~fined not less than~~  
10 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~  
11 ~~nor more than 15 years~~ is guilty of a Class G felony.

12           **SECTION 694.** 961.41 (1) (h) 4. of the statutes is created to read:

13           961.41 (1) (h) 4. More than 2,500 grams but not more than 10,000 grams, or  
14 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants  
15 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

16           **SECTION 695.** 961.41 (1) (h) 5. of the statutes is created to read:

17           961.41 (1) (h) 5. More than 10,000 grams, or more than 200 plants containing  
18 tetrahydrocannabinols, the person is guilty of a Class E felony.

19           **SECTION 696.** 961.41 (1) (i) of the statutes is amended to read:

20           961.41 (1) (i) Schedule IV drugs. Except as provided in par. (im), if a person  
21 violates this subsection with respect to a substance included in schedule IV, may be  
22 ~~fined not more than \$10,000 or imprisoned for not more than 4 years and 6 months~~  
23 ~~or both~~ the person is guilty of a Class H felony.

24           **SECTION 697.** 961.41 (1) (im) of the statutes is repealed and recreated to read:

1           961.41 (1) (im) *Flunitrazepam*. If a person violates this subsection with respect  
2 to flunitrazepam, the person is guilty of a Class G felony.

3           **SECTION 698.** 961.41 (1) (j) of the statutes is amended to read:

4           961.41 (1) (j) *Schedule V drugs*. ~~A~~ If a person violates this subsection with  
5 respect to a substance included in schedule V, may be fined not more than \$5,000 or  
6 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

7           **SECTION 699.** 961.41 (1m) (intro.) of the statutes is amended to read:

8           961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.  
9 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,  
10 with intent to manufacture, distribute or deliver, a controlled substance or a  
11 controlled substance analog. Intent under this subsection may be demonstrated by,  
12 without limitation because of enumeration, evidence of the quantity and monetary  
13 value of the substances possessed, the possession of manufacturing implements or  
14 paraphernalia, and the activities or statements of the person in possession of the  
15 controlled substance or a controlled substance analog prior to and after the alleged  
16 violation. Any person who violates this subsection ~~with respect to~~ is subject to the  
17 following penalties:

18           **SECTION 700.** 961.41 (1m) (a) of the statutes is amended to read:

19           961.41 (1m) (a) *Schedule I and II narcotic drugs generally*. Except as provided  
20 in par. (d), if a person violates this subsection with respect to a controlled substance  
21 included in schedule I or II which is a narcotic drug or a controlled substance analog  
22 of a controlled substance included in schedule I or II which is a narcotic drug, may  
23 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6  
24 months or both the person is guilty of a Class E felony.

25           **SECTION 701.** 961.41 (1m) (b) of the statutes is amended to read:

1           961.41 (1m) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as  
2 provided in pars. (cm) and (e) to (h), if a person violates this subsection with respect  
3 to any other controlled substance included in schedule I, II, or III, or a controlled  
4 substance analog of any other controlled substance included in schedule I or II, may  
5 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
6 or both the person is guilty of a Class H felony.

7           **SECTION 702.** 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

8           961.41 (1m) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If a person violates  
9 this subsection with respect to cocaine or cocaine base, or a controlled substance  
10 analog of cocaine or cocaine base, is subject to the following penalties if and the  
11 amount possessed, with intent to manufacture, distribute or deliver, is:

12           **SECTION 703.** 961.41 (1m) (cm) 1. of the statutes is renumbered 961.41 (1m)  
13 (cm) 1r. and amended to read:

14           961.41 (1m) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
15 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
16 for not more than 15 years is guilty of a Class F felony.

17           **SECTION 704.** 961.41 (1m) (cm) 1g. of the statutes is created to read:

18           961.41 (1m) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

19           **SECTION 705.** 961.41 (1m) (cm) 2. of the statutes is amended to read:

20           961.41 (1m) (cm) 2. More than 5 grams but not more than 15 grams, the person  
21 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~  
22 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

23           **SECTION 706.** 961.41 (1m) (cm) 3. of the statutes is amended to read:



1           961.41 **(1m)** (cm) 3. More than 15 grams but not more than 40 grams, the  
2 person shall be fined not more than \$500,000 and shall be imprisoned for not less  
3 than 3 years nor more than 30 years is guilty of a Class D felony.

4           **SECTION 707.** 961.41 (1m) (cm) 4. of the statutes is amended to read:

5           961.41 **(1m)** (cm) 4. More than 40 grams but not more than 100 grams, the  
6 person shall be fined not more than \$500,000 and shall be imprisoned for not less  
7 than 5 years nor more than 45 years is guilty of a Class C felony.

8           **SECTION 708.** 961.41 (1m) (cm) 5. of the statutes is repealed.

9           **SECTION 709.** 961.41 (1m) (d) (intro.) of the statutes is amended to read:

10          961.41 **(1m)** (d) Heroin. (intro.) Heroin If a person violates this subsection with  
11 respect to heroin or a controlled substance analog of heroin is subject to the following  
12 penalties if and the amount possessed, with intent to manufacture, distribute or  
13 deliver, is:

14          **SECTION 710.** 961.41 (1m) (d) 1. of the statutes is amended to read:

15          961.41 **(1m)** (d) 1. Three grams or less, the person shall be fined not less than  
16 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years  
17 and 6 months is guilty of a Class F felony.

18          **SECTION 711.** 961.41 (1m) (d) 2. of the statutes is amended to read:

19          961.41 **(1m)** (d) 2. More than 3 grams but not more than 10 grams, the person  
20 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned  
21 for not less than 6 months nor more than 22 years and 6 months is guilty of a Class  
22 E felony.

23          **SECTION 712.** 961.41 (1m) (d) 3. of the statutes is amended to read:

24          961.41 **(1m)** (d) 3. More than 10 grams but not more than 50 grams, the person  
25 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned

1 ~~for not less than one year nor more than 22 years and 6 months is guilty of a Class~~  
2 ~~D felony.~~

3 **SECTION 713.** 961.41 (1m) (d) 4. of the statutes is amended to read:

4 961.41 **(1m)** (d) 4. More than 50 grams but not more than 200 grams, the person  
5 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
6 ~~for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C~~  
7 ~~felony.~~

8 **SECTION 714.** 961.41 (1m) (d) 5. of the statutes is repealed.

9 **SECTION 715.** 961.41 (1m) (d) 6. of the statutes is repealed.

10 **SECTION 716.** 961.41 (1m) (e) (intro.) of the statutes is amended to read:

11 961.41 **(1m)** (e) Phencyclidine, amphetamine, methamphetamine, and  
12 methcathinone. (intro.) Phencyclidine If a person violates this subsection with  
13 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a  
14 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or  
15 methcathinone, is subject to the following penalties if and the amount possessed,  
16 with intent to manufacture, distribute, or deliver, is:

17 **SECTION 717.** 961.41 (1m) (e) 1. of the statutes is amended to read:

18 961.41 **(1m)** (e) 1. Three grams or less, the person shall be fined not less than  
19 \$1,000 ~~nor more than \$100,000 and may be imprisoned for not more than 7 years and~~  
20 ~~6 months is guilty of a Class F felony.~~

21 **SECTION 718.** 961.41 (1m) (e) 2. of the statutes is amended to read:

22 961.41 **(1m)** (e) 2. More than 3 grams but not more than 10 grams, the person  
23 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned  
24 ~~for not less than 6 months nor more than 7 years and 6 months is guilty of a Class~~  
25 ~~E felony.~~

1           **SECTION 719.** 961.41 (1m) (e) 3. of the statutes is amended to read:

2           961.41 **(1m)** (e) 3. More than 10 grams but not more than 50 grams, the person  
3 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
4 for not less than one year nor more than 22 years and 6 months is guilty of a Class  
5 D felony.

6           **SECTION 720.** 961.41 (1m) (e) 4. of the statutes is amended to read:

7           961.41 **(1m)** (e) 4. More than 50 grams but not more than 200 grams, the person  
8 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
9 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C  
10 felony.

11           **SECTION 721.** 961.41 (1m) (e) 5. of the statutes is repealed.

12           **SECTION 722.** 961.41 (1m) (e) 6. of the statutes is repealed.

13           **SECTION 723.** 961.41 (1m) (em) of the statutes is repealed.

14           **SECTION 724.** 961.41 (1m) (f) (intro.) of the statutes is amended to read:

15           961.41 **(1m)** (f) Lysergic acid diethylamide. (intro.) Lysergie If a person violates  
16 this subsection with respect to lysergic acid diethylamide or a controlled substance  
17 analog of lysergic acid diethylamide is subject to the following penalties if and the  
18 amount possessed, with intent to manufacture, distribute or deliver, is:

19           **SECTION 725.** 961.41 (1m) (f) 1. of the statutes is amended to read:

20           961.41 **(1m)** (f) 1. One gram or less, the person shall be fined not less than  
21 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and  
22 6 months is guilty of a Class G felony.

23           **SECTION 726.** 961.41 (1m) (f) 2. of the statutes is amended to read:

24           961.41 **(1m)** (f) 2. More than one gram but not more than 5 grams, the person  
25 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned

1 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
2 F felony.

3 **SECTION 727.** 961.41 (1m) (f) 3. of the statutes is amended to read:

4 961.41 (1m) (f) 3. More than 5 grams, the person shall be ~~fined not less than~~  
5 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
6 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

7 **SECTION 728.** 961.41 (1m) (g) (intro.) of the statutes is amended to read:

8 961.41 (1m) (g) Psilocin and psilocybin. (intro.) ~~Psilocin~~ If a person violates  
9 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
10 of psilocin or psilocybin, is subject to the following penalties if and the amount  
11 possessed, with intent to manufacture, distribute or deliver, is:

12 **SECTION 729.** 961.41 (1m) (g) 1. of the statutes is amended to read:

13 961.41 (1m) (g) 1. One hundred grams or less, the person shall be ~~fined not less~~  
14 ~~than \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7~~  
15 ~~years and 6 months~~ is guilty of a Class G felony.

16 **SECTION 730.** 961.41 (1m) (g) 2. of the statutes is amended to read:

17 961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the  
18 person shall be ~~fined not less than \$1,000 nor more than \$200,000 and shall be~~  
19 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months~~ is guilty  
20 of a Class F felony.

21 **SECTION 731.** 961.41 (1m) (g) 3. of the statutes is amended to read:

22 961.41 (1m) (g) 3. More than 500 grams, the person shall be ~~fined not less than~~  
23 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
24 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

25 **SECTION 732.** 961.41 (1m) (h) (intro.) of the statutes is amended to read:

1           961.41 (1m) (h) Tetrahydrocannabinols. (intro.) ~~Tetrahydrocannabinols~~ If a  
2 person violates this subsection with respect to tetrahydrocannabinols, included  
3 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
4 subject to the following penalties if and the amount possessed, with intent to  
5 manufacture, distribute, or deliver, is:

6           **SECTION 733.** 961.41 (1m) (h) 1. of the statutes is amended to read:

7           961.41 (1m) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants  
8 containing tetrahydrocannabinols, the person ~~shall be fined not less than \$500 nor~~  
9 ~~more than \$25,000 and may be imprisoned for not more than 4 years and 6 months~~  
10 is guilty of a Class I felony.

11           **SECTION 734.** 961.41 (1m) (h) 2. of the statutes is amended to read:

12           961.41 (1m) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000  
13 grams, or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than  
14 ~~50~~ 20 plants containing tetrahydrocannabinols, the person ~~shall be fined not less~~  
15 ~~than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3~~  
16 ~~months nor more than 7 years and 6 months~~ is guilty of a Class H felony.

17           **SECTION 735.** 961.41 (1m) (h) 3. of the statutes is amended to read:

18           961.41 (1m) (h) 3. More than ~~2,500~~ 1,000 grams ~~but not more than 2,500 grams,~~  
19 ~~or more than 50~~ 20 plants containing tetrahydrocannabinols ~~but not more than 50~~  
20 plants containing tetrahydrocannabinols, the person ~~shall be fined not less than~~  
21 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~  
22 ~~nor more than 15 years~~ is guilty of a Class G felony.

23           **SECTION 736.** 961.41 (1m) (h) 4. of the statutes is created to read:

1           961.41 (1m) (h) 4. More than 2,500 grams but not more than 10,000 grams, or  
2 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants  
3 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

4           **SECTION 737.** 961.41 (1m) (h) 5. of the statutes is created to read:

5           961.41 (1m) (h) 5. More than 10,000 grams, or more than 200 plants containing  
6 tetrahydrocannabinols, the person is guilty of a Class E felony.

7           **SECTION 738.** 961.41 (1m) (i) of the statutes is amended to read:

8           961.41 (1m) (i) Schedule IV drugs. Except as provided in par. (im), if a person  
9 violates this subsection with respect to a substance included in schedule IV, may be  
10 fined not more than \$10,000 or imprisoned for not more than 4 years and 6 months  
11 or both the person is guilty of a Class H felony.

12           **SECTION 739.** 961.41 (1m) (im) of the statutes is repealed and recreated to read:

13           961.41 (1m) (im) *Flunitrazepam.* If a person violates this subsection with  
14 respect to flunitrazepam, the person is guilty of a Class G felony.

15           **SECTION 740.** 961.41 (1m) (j) of the statutes is amended to read:

16           961.41 (1m) (j) Schedule V drugs. ~~A~~ If a person violates this subsection with  
17 respect to a substance included in schedule V, may be fined not more than \$5,000 or  
18 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

19           **SECTION 741.** 961.41 (1n) (c) of the statutes is amended to read:

20           961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~  
21 ~~\$250,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

22           **SECTION 742.** 961.41 (1q) of the statutes is amended to read:

23           961.41 (1q) PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.  
24 Under s. 961.49 (2), 1999 stats., and subs. (1) (h) and (1m) (h) ~~and s. 961.49 (2), if~~  
25 different penalty provisions apply to a person depending on whether the weight of

1 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is  
2 considered, the greater penalty provision applies.

3 **SECTION 743.** 961.41 (1r) of the statutes is amended to read:

4 961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under  
5 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m) and s. 961.49 (2) (b), an amount  
6 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid  
7 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,  
8 methcathinone or tetrahydrocannabinols or any controlled substance analog of any  
9 of these substances together with any compound, mixture, diluent, plant material  
10 or other substance mixed or combined with the controlled substance or controlled  
11 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)  
12 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14  
13 (4) (t) and includes the weight of any marijuana.

14 **SECTION 744.** 961.41 (2) (intro.) of the statutes is amended to read:

15 961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this  
16 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or  
17 possess with intent to distribute or deliver, a counterfeit substance. Any person who  
18 violates this subsection ~~with respect to~~ is subject to the following penalties:

19 **SECTION 745.** 961.41 (2) (a) of the statutes is amended to read:

20 961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. ~~A~~ If a person  
21 violates this subsection with respect to a counterfeit substance included in schedule  
22 I or II which is a narcotic drug, may be fined not more than \$25,000 or imprisoned  
23 for not more than 22 years and 6 months or both the person is guilty of a Class E  
24 felony.

25 **SECTION 746.** 961.41 (2) (b) of the statutes is amended to read:

1           961.41 (2) (b) Counterfeit schedule I, II, III, and IV drugs. Any Except as  
2 provided in par. (cm), if a person violates this subsection with respect to any other  
3 counterfeit substance included in schedule I, II or, III, or IV, may be fined not more  
4 than \$15,000 or imprisoned for not more than 7 years and 6 months or both the  
5 person is guilty of a Class H felony.

6           **SECTION 747.** 961.41 (2) (c) of the statutes is repealed.

7           **SECTION 748.** 961.41 (2) (cm) of the statutes is amended to read:

8           961.41 (2) (cm) Counterfeit flunitrazepam. ~~A~~ If a person violates this  
9 subsection with respect to a counterfeit substance which is flunitrazepam, may be  
10 fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
11 or both the person is guilty of a Class G felony.

12           **SECTION 749.** 961.41 (2) (d) of the statutes is amended to read:

13           961.41 (2) (d) Counterfeit schedule V drugs. ~~A~~ If a person violates this  
14 subsection with respect to a counterfeit substance included in schedule V, may be  
15 fined not more than \$5,000 or imprisoned for not more than 2 years or both the person  
16 is guilty of a Class I felony.

17           **SECTION 750.** 961.41 (3g) (a) 1. of the statutes is renumbered 961.41 (3g) (am)  
18 and amended to read:

19           961.41 (3g) (am) Schedule I and II narcotic drugs. ~~Except as provided in subd.~~  
20 ~~2., if the~~ If a person possesses a controlled substance included in schedule I or II  
21 which is a narcotic drug, or possesses a controlled substance analog of a controlled  
22 substance included in schedule I or II which is a narcotic drug, the person may, upon  
23 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2  
24 years or both, and, for a 2nd or subsequent offense, the person may be fined not more



1 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
2 felony.

3 **SECTION 751.** 961.41 (3g) (a) 2. of the statutes is repealed.

4 **SECTION 752.** 961.41 (3g) (a) 3. of the statutes is repealed.

5 **SECTION 753.** 961.41 (3g) (b) of the statutes is amended to read:

6 961.41 (3g) (b) Other drugs generally. Except as provided in pars. (c), (d), ~~(dm)~~,  
7 (e) and (f), if the person possesses or attempts to possess a controlled substance or  
8 controlled substance analog, other than a controlled substance included in schedule  
9 I or II that is a narcotic drug or a controlled substance analog of a controlled  
10 substance included in schedule I or II that is a narcotic drug, the person is guilty of  
11 a misdemeanor, punishable under s. 939.61.

12 **SECTION 754.** 961.41 (3g) (c) of the statutes is amended to read:

13 961.41 (3g) (c) Cocaine and cocaine base. If a person possess or attempts to  
14 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine  
15 base, the person shall be fined not more than \$5,000 and may be imprisoned for not  
16 more than one year in the county jail upon a first conviction and is guilty of a Class  
17 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense  
18 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the  
19 offense, the offender has at any time been convicted of any felony or misdemeanor  
20 under this chapter or under any statute of the United States or of any state relating  
21 to controlled substances, controlled substance analogs, narcotic drugs, marijuana,  
22 or depressant, stimulant, or hallucinogenic drugs.

23 **SECTION 755.** 961.41 (3g) (d) of the statutes is amended to read:

24 961.41 (3g) (d) Certain hallucinogenic and stimulant drugs. If a person  
25 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,

1 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a  
2 controlled substance analog of lysergic acid diethylamide, phencyclidine,  
3 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person  
4 may be fined not more than \$5,000 or imprisoned for not more than one year in the  
5 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd  
6 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd  
7 or subsequent offense if, prior to the offender's conviction of the offense, the offender  
8 has at any time been convicted of any felony or misdemeanor under this chapter or  
9 under any statute of the United States or of any state relating to controlled  
10 substances, controlled substance analogs, narcotic drugs, marijuana, or depressant,  
11 stimulant, or hallucinogenic drugs.

12 **SECTION 756.** 961.41 (3g) (dm) of the statutes is repealed.

13 **SECTION 757.** 961.41 (3g) (e) of the statutes is amended to read:

14 961.41 (3g) (e) *Tetrahydrocannabinols*. If a person possesses or attempts to  
15 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled  
16 substance analog of tetrahydrocannabinols, the person may be fined not more than  
17 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and  
18 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this  
19 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the  
20 offender's conviction of the offense, the offender has at any time been convicted of any  
21 felony or misdemeanor under this chapter or under any statute of the United States  
22 or of any state relating to controlled substances, controlled substance analogs,  
23 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

24 **SECTION 758.** 961.41 (3g) (f) of the statutes is amended to read:

1           961.41 (3g) (f) Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,  
2 or flunitrazepam. If a person possesses or attempts to possess  
3 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,  
4 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years  
5 or both is guilty of a Class H felony.

6           **SECTION 759.** 961.41 (4) (am) 3. of the statutes is amended to read:

7           961.41 (4) (am) 3. A person ~~convicted of violating~~ who violates this paragraph  
8 may be fined not more than \$5,000 or imprisoned for not more than 2 years or both  
9 is guilty of a Class I felony.

10          **SECTION 760.** 961.42 (2) of the statutes is amended to read:

11          961.42 (2) Any person who violates this section may be fined not more than  
12 \$25,000 or imprisoned not more than 2 years or both is guilty of a Class I felony.

13          **SECTION 761.** 961.43 (2) of the statutes is amended to read:

14          961.43 (2) Any person who violates this section may be fined not more than  
15 \$30,000 or imprisoned not more than 6 years or both is guilty of a Class H felony.

16          **SECTION 762.** 961.437 (4) (a) of the statutes is amended to read:

17          961.437 (4) (a) For a first offense, the person ~~shall be fined not less than \$1,000~~  
18 ~~nor more than \$100,000 or imprisoned for not more than 7 years and 6 months or both~~  
19 is guilty of a Class H felony.

20          **SECTION 763.** 961.437 (4) (b) of the statutes is amended to read:

21          961.437 (4) (b) For a 2nd or subsequent offense, the person ~~shall be fined not~~  
22 ~~less than \$5,000 nor more than \$150,000 or imprisoned for not more than 15 years~~  
23 ~~or both~~ is guilty of a Class F felony.

24          **SECTION 764.** 961.438 of the statutes is repealed.

25          **SECTION 765.** 961.455 (1) of the statutes is amended to read:

1           961.455 (1) Any person who has attained the age of 17 years who knowingly  
2 solicits, hires, directs, employs or uses a person who is under the age of 17 years of  
3 age or under for the purpose of violating s. 961.41 (1) ~~may be fined not more than~~  
4 ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

5           **SECTION 766.** 961.455 (3) of the statutes is amended to read:

6           961.455 (3) Solicitation under sub. (1) occurs in the manner described under  
7 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.  
8 939.30 ~~or 948.35.~~

9           **SECTION 767.** 961.46 (1) of the statutes is renumbered 961.46 and amended to  
10 read:

11           **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~  
12 ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing  
13 or delivering a controlled substance included in schedule I or II which is a narcotic  
14 drug or a controlled substance analog of a controlled substance included in schedule  
15 I or II which is a narcotic drug to a person 17 years of age or under who is at least  
16 3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or  
17 a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the  
18 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the  
19 offense may be increased by not more than 5 years.

20           **SECTION 768.** 961.46 (2) of the statutes is repealed.

21           **SECTION 769.** 961.46 (3) of the statutes is repealed.

22           **SECTION 770.** 961.465 of the statutes is repealed.

23           **SECTION 771.** 961.472 (2) of the statutes is amended to read:

24           961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found  
25 guilty of possession or attempted possession of a controlled substance or controlled

1 substance analog under s. 961.41 (3g) ~~(a) 2.~~ (am), (c), or (d) ~~or (dm)~~, the court shall  
2 order the person to comply with an assessment of the person's use of controlled  
3 substances. The court's order shall designate a facility that is operated by or  
4 pursuant to a contract with the county department established under s. 51.42 and  
5 that is certified by the department of health and family services to provide  
6 assessment services to perform the assessment and, if appropriate, to develop a  
7 proposed treatment plan. The court shall notify the person that noncompliance with  
8 the order limits the court's ability to determine whether the treatment option under  
9 s. 961.475 is appropriate. The court shall also notify the person of the fee provisions  
10 under s. 46.03 (18) (fm).

11 **SECTION 772.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and  
12 amended to read:

13 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who  
14 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or  
15 subsequent offense as provided under this chapter sub. (3) and the person is  
16 convicted of that 2nd or subsequent offense may be fined an amount up to twice that  
17 otherwise authorized or imprisoned for a term up to twice the term otherwise  
18 authorized or both, the maximum term of imprisonment for the offense may be  
19 increased as follows:

20 **SECTION 773.** 961.48 (1) (a) and (b) of the statutes are created to read:

21 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

22 (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.

23 **SECTION 774.** 961.48 (2) of the statutes is repealed.

24 **SECTION 775.** 961.48 (2m) (a) of the statutes is amended to read:

1           961.48 **(2m)** (a) Whenever a person charged with ~~an~~ a felony offense under this  
2 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is  
3 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior  
4 convictions are alleged in the complaint, indictment or information or in an amended  
5 complaint, indictment or information that is filed under par. (b) 1. A person is not  
6 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of  
7 applicable prior convictions is withdrawn by an amended complaint filed under par.  
8 (b) 2.

9           **SECTION 776.** 961.48 (3) of the statutes is amended to read:

10           961.48 **(3)** For purposes of this section, ~~an~~ a felony offense under this chapter  
11 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the  
12 offense, the offender has at any time been convicted of any felony or misdemeanor  
13 offense under this chapter or under any statute of the United States or of any state  
14 relating to controlled substances or controlled substance analogs, narcotic drugs,  
15 marijuana or depressant, stimulant or hallucinogenic drugs.

16           **SECTION 777.** 961.48 (4) of the statutes is repealed.

17           **SECTION 778.** 961.49 (1) of the statutes is renumbered 961.49, and 961.49  
18 (intro.) of the statutes, as renumbered, is amended to read:

19           **961.49 Distribution of or possession with intent to deliver a controlled**  
20 **substance on or near certain places.** (intro.) If any person violates s. 961.41 (1)  
21 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by delivering or distributing, or violates s. 961.41 (1m)  
22 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by possessing with intent to deliver or distribute,  
23 cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin,  
24 psilocybin, amphetamine, methamphetamine, methcathinone or any form of  
25 tetrahydrocannabinols or a controlled substance analog of any of these substances

1 and the delivery, distribution or possession takes place under any of the following  
2 circumstances, the maximum term of imprisonment prescribed by law for that crime  
3 may be increased by 5 years:

4 **SECTION 779.** 961.49 (2) of the statutes is repealed.

5 **SECTION 780.** 961.49 (3) of the statutes is repealed.

6 **SECTION 781.** 961.492 of the statutes is repealed.

7 **SECTION 782.** 961.55 (1) (d) 3. of the statutes is amended to read:

8 961.55 (1) (d) 3. A vehicle is not subject to forfeiture for a violation of s. 961.41  
9 (3g) (b), (c), (d), ~~(dm)~~, (e) or (f); and

10 **SECTION 783.** 961.573 (3) of the statutes is amended to read:

11 961.573 (3) No person may use, or possess with the primary intent to use, drug  
12 paraphernalia to manufacture, compound, convert, produce, process, prepare, test,  
13 analyze, pack, repack or store methamphetamine or a controlled substance analog  
14 of methamphetamine in violation of this chapter. Any person who violates this  
15 subsection may be fined not more than \$10,000 or imprisoned for not more than 5  
16 years or both is guilty of a Class H felony.

17 **SECTION 784.** 961.574 (3) of the statutes is amended to read:

18 961.574 (3) No person may deliver, possess with intent to deliver, or  
19 manufacture with intent to deliver, drug paraphernalia, knowing that it will be  
20 primarily used to manufacture, compound, convert, produce, process, prepare, test,  
21 analyze, pack, repack or store methamphetamine or a controlled substance analog  
22 of methamphetamine in violation of this chapter. Any person who violates this  
23 subsection may be fined not more than \$10,000 or imprisoned for not more than 5  
24 years or both is guilty of a Class H felony.

25 **SECTION 785.** 961.575 (3) of the statutes is amended to read:

1           961.575 (3) Any person 17 years of age or over who violates s. 961.574 (3) by  
2 delivering drug paraphernalia to a person 17 years of age or under ~~may be fined not~~  
3 ~~more than \$50,000 or imprisoned for not more than 10 years or both~~ is guilty of a  
4 Class G felony.

5           **SECTION 786.** 967.04 (9) of the statutes is amended to read:

6           967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under  
7 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken  
8 under subs. (7) and (8) without an additional hearing under s. 908.08. In any  
9 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the  
10 hearing examiner may order and preside at the taking of a videotaped deposition  
11 using the procedure provided in subs. (7) and (8) and may admit the videotaped  
12 deposition into evidence without an additional hearing under s. 908.08.

13           **SECTION 787.** 968.255 (1) (a) 2. of the statutes is amended to read:

14           968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20  
15 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

16           **SECTION 788.** 968.31 (1) (intro.) of the statutes is amended to read:

17           968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or  
18 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~  
19 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
20 ~~or both~~ is guilty of a Class H felony:

21           **SECTION 789.** 968.34 (3) of the statutes is amended to read:

22           968.34 (3) Whoever knowingly violates sub. (1) ~~shall~~ may be fined not more  
23 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

24           **SECTION 790.** 968.43 (3) of the statutes is amended to read:



1           968.43 (3) Any person who violates an oath or affirmation required by sub. (2)  
2           may be imprisoned for not more than 7 years and 6 months is guilty of a Class H  
3           felony.

4           **SECTION 791.** 969.08 (10) (a) of the statutes is amended to read:

5           969.08 (10) (a) “Commission of a serious crime” includes a solicitation,  
6           conspiracy or attempt, under s. 948.35, 1999 stats., or s. 939.30, 939.31, or 939.32 or  
7           948.35, to commit a serious crime.

8           **SECTION 792.** 969.08 (10) (b) of the statutes is amended to read:

9           969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),  
10          1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,  
11          940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,  
12          940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,  
13          1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c),  
14          943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), ~~(1m) or (1r),~~  
15          943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,  
16          948.04, 948.05, 948.06, 948.07 or 948.30.

17          **SECTION 793.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and  
18          amended to read:

19          971.17 (1) (a) *Felonies committed before the effective date of this paragraph ....*  
20          *[revisor inserts date].* ~~When~~ Except as provided in par. (c), when a defendant is found  
21          not guilty by reason of mental disease or mental defect of a felony committed before  
22          the effective date of this paragraph .... [revisor inserts date], the court shall commit  
23          the person to the department of health and family services for a specified period not  
24          exceeding two-thirds of the maximum term of imprisonment that could be imposed  
25          under ~~s. 973.15 (2) (a)~~ against an offender convicted of the same ~~crime or crimes~~

1 felony, including imprisonment authorized by ss. ~~346.65 (2) (f), (2j) (d) or (3m),~~  
2 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~  
3 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, ~~as applicable,~~  
4 subject to the credit provisions of s. 973.155.

5 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~  
6 ~~imprisonment is a defendant is found not guilty by reason of mental disease or~~  
7 ~~mental defect of a felony that is punishable by life imprisonment,~~ the commitment  
8 period specified by the court may be life, subject to termination under sub. (5).

9 **SECTION 794.** 971.17 (1) (b) of the statutes is created to read:

10 971.17 (1) (b) *Felonies committed on or after the effective date of this paragraph*  
11 *.... [revisor inserts date].* Except as provided in par. (c), when a defendant is found  
12 not guilty by reason of mental disease or mental defect of a felony committed on or  
13 after the effective date of this paragraph .... [revisor inserts date], the court shall  
14 commit the person to the department of health and family services for a specified  
15 period not exceeding the maximum term of confinement in prison that could be  
16 imposed on an offender convicted of the same felony, plus imprisonment authorized  
17 by any applicable penalty enhancement statutes, subject to the credit provisions of  
18 s. 973.155.

19 **SECTION 795.** 971.17 (1) (d) of the statutes is created to read:

20 971.17 (1) (d) *Misdemeanors.* When a defendant is found not guilty by reason  
21 of mental disease or mental defect of a misdemeanor, the court shall commit the  
22 person to the department of health and family services for a specified period not  
23 exceeding two-thirds of the maximum term of imprisonment that could be imposed  
24 against an offender convicted of the same misdemeanor, including imprisonment

1 authorized by any applicable penalty enhancement statutes, subject to the credit  
2 provisions of s. 973.155.

3 **SECTION 796.** 971.365 (1) (a) of the statutes is amended to read:

4 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)  
5 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations may  
6 be prosecuted as a single crime if the violations were pursuant to a single intent and  
7 design.

8 **SECTION 797.** 971.365 (1) (b) of the statutes is amended to read:

9 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41  
10 (1m) (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations  
11 may be prosecuted as a single crime if the violations were pursuant to a single intent  
12 and design.

13 **SECTION 798.** 971.365 (1) (c) of the statutes is amended to read:

14 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41  
15 (3g) (dm), 1999 stats., or s. 961.41 (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) involving more  
16 than one violation, all violations may be prosecuted as a single crime if the violations  
17 were pursuant to a single intent and design.

18 **SECTION 799.** 971.365 (2) of the statutes is amended to read:

19 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent  
20 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)  
21 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,  
22 or s. 961.41 (1) (cm), (d), (e), ~~(em)~~, (f), (g), or (h), (1m) (cm), (d), (e), ~~(em)~~, (f), (g), or (h)  
23 or (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) on which no evidence was received at the trial  
24 on the original charge.

25 **SECTION 800.** 972.15 (2c) of the statutes is amended to read:

1           972.15 (2c) If the defendant is subject to being sentenced under s. 973.01 and  
2 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing  
3 the presentence investigation report shall include in the report a recommendation  
4 as to whether the defendant should be eligible for the challenge incarceration  
5 program under s. 302.045.

6           **SECTION 801.** 973.01 (1) of the statutes is amended to read:

7           973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),  
8 whenever a court sentences a person to imprisonment in the Wisconsin state prisons  
9 for a felony committed on or after December 31, 1999, or a misdemeanor committed  
10 on or after the effective date of this subsection ... [revisor inserts date], the court  
11 shall impose a bifurcated sentence ~~that consists of a term of confinement in prison~~  
12 ~~followed by a term of extended supervision~~ under s. 302.113 this section.

13           **SECTION 802.** 973.01 (2) (intro.) of the statutes is amended to read:

14           973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~  
15 ~~that a~~ A bifurcated sentence is a sentence that consists of a term of confinement in  
16 prison followed by a term of extended supervision under s. 302.113. The total length  
17 of a bifurcated sentence equals the length of the term of confinement in prison plus  
18 the length of the term of extended supervision. An order imposing a bifurcated  
19 sentence imposed under sub. (1) complies this section shall comply with all of the  
20 following:

21           **SECTION 803.** 973.01 (2) (a) of the statutes is amended to read:

22           973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),  
23 the total length of the bifurcated sentence may not exceed the maximum period of  
24 imprisonment ~~for the~~ specified in s. 939.50 (3), if the crime is a classified felony, or  
25 the maximum term of imprisonment provided by statute for the crime, if the crime

1 is not a classified felony, plus additional imprisonment authorized by any applicable  
2 penalty enhancement statutes.

3 **SECTION 804.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

4 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*  
5 (intro.) The portion of the bifurcated sentence that imposes a term of confinement  
6 in prison may not be less than one year, ~~subject to any minimum sentence prescribed~~  
7 ~~for the felony,~~ and, except as provided in par. (c), ~~may not exceed~~ is subject to  
8 whichever of the following limits is applicable:

9 **SECTION 805.** 973.01 (2) (b) 2. of the statutes is repealed.

10 **SECTION 806.** 973.01 (2) (b) 3. of the statutes is amended to read:

11 973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may  
12 not exceed ~~10~~ 25 years.

13 **SECTION 807.** 973.01 (2) (b) 4. of the statutes is amended to read:

14 973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may  
15 not exceed ~~5~~ 15 years.

16 **SECTION 808.** 973.01 (2) (b) 5. of the statutes is amended to read:

17 973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may  
18 not exceed ~~2~~ 10 years.

19 **SECTION 809.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.  
20 (intro.) and amended to read:

21 973.01 (2) (b) 10. (intro.) For any felony crime other than a ~~felony specified in~~  
22 ~~subds. 1. to 5.~~ one of the following, the term of confinement in prison may not exceed  
23 75% of the total length of the bifurcated sentence-;

24 **SECTION 810.** 973.01 (2) (b) 6m. of the statutes is created to read:

1           973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may  
2 not exceed 7 years and 6 months.

3           **SECTION 811.** 973.01 (2) (b) 7. of the statutes is created to read:

4           973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may  
5 not exceed 5 years.

6           **SECTION 812.** 973.01 (2) (b) 8. of the statutes is created to read:

7           973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may  
8 not exceed 3 years.

9           **SECTION 813.** 973.01 (2) (b) 9. of the statutes is created to read:

10          973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not  
11 exceed one year and 6 months.

12          **SECTION 814.** 973.01 (2) (b) 10. a. and b. of the statutes are created to read:

13          973.01 (2) (b) 10. a. A felony specified in subds. 1. to 9.

14          b. An attempt to commit a classified felony if the attempt is punishable under  
15 s. 939.32 (1) (intro.).

16          **SECTION 815.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and  
17 amended to read:

18          973.01 (2) (c) 1. The Subject to the minimum period of extended supervision  
19 required under par. (d), the maximum term of confinement in prison specified in par.  
20 (b) may be increased by any applicable penalty enhancement statute. If the  
21 maximum term of confinement in prison specified in par. (b) is increased under this  
22 paragraph, the total length of the bifurcated sentence that may be imposed is  
23 increased by the same amount.

24          **SECTION 816.** 973.01 (2) (c) 2. of the statutes is created to read:

1           973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes  
2           apply to a crime, the court shall apply them in the order listed in calculating the  
3           maximum term of imprisonment for that crime:

4           a. Sections 939.621, 939.632, 939.645, 961.46, and 961.49.

5           b. Section 939.63.

6           c. Section 939.62 (1) or 961.48.

7           **SECTION 817.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)  
8           and amended to read:

9           973.01 (2) (d) *Minimum and maximum term of extended supervision.* (intro.)

10          The term of extended supervision ~~that follows the term of confinement in prison~~ may  
11          not be less than 25% of the length of the term of confinement in prison imposed under  
12          par. (b); and, for a classified felony, is subject to whichever of the following limits is  
13          applicable:

14          **SECTION 818.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

15          973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not  
16          exceed 20 years.

17          2. For a Class C felony, the term of extended supervision may not exceed 15  
18          years.

19          3. For a Class D felony, the term of extended supervision may not exceed 10  
20          years.

21          4. For a Class E, F, or G felony, the term of extended supervision may not exceed  
22          5 years.

23          5. For a Class H felony, the term of extended supervision may not exceed 3  
24          years.

25          6. For a Class I felony, the term of extended supervision may not exceed 2 years.

1           **SECTION 819.** 973.01 (4) of the statutes is amended to read:

2           973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A  
3 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of  
4 confinement in prison portion of the sentence without reduction for good behavior.  
5 The term of confinement in prison portion is subject to extension under s. 302.113 (3)  
6 and, if applicable, to reduction under s. 302.045 (3m), or 302.113 (9g).

7           **SECTION 820.** 973.01 (5) of the statutes is amended to read:

8           973.01 (5) OTHER EXTENDED SUPERVISION CONDITIONS. Whenever the court  
9 imposes a bifurcated sentence under sub. (1), the court may impose conditions upon  
10 the term of extended supervision, including drug treatment under s. 973.031.

11           **SECTION 821.** 973.01 (6) of the statutes is amended to read:

12           973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under  
13 sub. (1) is not eligible for release on parole under that sentence.

14           **SECTION 822.** 973.01 (7m) of the statutes is created to read:

15           973.01 (7m) MODIFICATION OF BIFURCATED SENTENCE. A court may at any time  
16 modify a bifurcated sentence that the court previously imposed by reducing the term  
17 of confinement in prison portion of the sentence and lengthening the term of  
18 extended supervision imposed so that the total length of the bifurcated sentence  
19 originally imposed does not change. A proceeding to modify a bifurcated sentence  
20 under this subsection shall be conducted using the procedure established and the  
21 factors specified by the director of state courts under s. 758.19 (8).

22           **SECTION 823.** 973.0135 (1) (b) 2. of the statutes is amended to read:

23           973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
24 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.  
25 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,



1 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
2 ~~(1m) or (1r)~~, 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),  
3 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (e) or 948.36.~~

4 **SECTION 824.** 973.017 of the statutes is created to read:

5 **973.017 Bifurcated sentences; use of guidelines; consideration of**  
6 **aggravating and mitigating factors. (1) DEFINITION.** In this section, “sentencing  
7 decision” means a decision as to whether to impose a bifurcated sentence under s.  
8 973.01 or to place a person on probation and a decision as to the length of a bifurcated  
9 sentence, including the length of each component of the bifurcated sentence, the  
10 amount of a fine, and the length of a term of probation.

11 **(2) GENERAL REQUIREMENT.** When a court makes a sentencing decision  
12 concerning a person convicted of a criminal offense committed on or after the  
13 effective date of this subsection ... [revisor inserts date], the court shall consider all  
14 of the following:

15 (a) If the offense is a felony, the sentencing guidelines adopted by the  
16 sentencing commission under s. 973.30 or, if the sentencing commission has not  
17 adopted a guideline for the offense, any applicable temporary sentencing guideline  
18 adopted by the criminal penalties study committee created under 1997 Wisconsin  
19 Act 283.

20 (b) Any applicable mitigating factors and any applicable aggravating factors,  
21 including the aggravating factors specified in subs. (3) to (8).

22 **(3) AGGRAVATING FACTORS; GENERALLY.** When making a sentencing decision for  
23 any crime, the court shall consider all of the following as aggravating factors:

1           (a) The fact that the person committed the crime while his or her usual  
2 appearance was concealed, disguised, or altered, with the intent to make it less likely  
3 that he or she would be identified with the crime.

4           (b) The fact that the person committed the crime using information that was  
5 disclosed to him or her under s. 301.46.

6           (c) The fact that the person committed the crime for the benefit of, at the  
7 direction of, or in association with any criminal gang, as defined in s. 939.22 (9), with  
8 the specific intent to promote, further, or assist in any criminal conduct by criminal  
9 gang members, as defined in s. 939.22 (9g).

10           (d) The fact that the person committed the felony while wearing a vest or other  
11 garment designed, redesigned, or adapted to prevent bullets from penetrating the  
12 garment.

13           (e) 1. Subject to subd. 2., the fact that the person committed the felony with the  
14 intent to influence the policy of a governmental unit or to punish a governmental unit  
15 for a prior policy decision, if any of the following circumstances also applies to the  
16 felony committed by the person:

17           a. The person caused bodily harm, great bodily harm, or death to another.

18           b. The person caused damage to the property of another and the total property  
19 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.  
20 b., property is reduced in value by the amount that it would cost either to repair or  
21 to replace it, whichever is less.

22           c. The person used force or violence or the threat of force or violence.

23           2. a. In this subdivision, "labor dispute" includes any controversy concerning  
24 terms, tenure, or conditions of employment or concerning the association or  
25 representation of persons in negotiating, fixing, maintaining, changing, or seeking

1 to arrange terms or conditions of employment, regardless of whether the disputants  
2 stand in the proximate relation of employer and employee.

3 b. Subdivision 1. does not apply to conduct arising out of or in connection with  
4 a labor dispute.

5 **(4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH**  
6 **CERTAIN DISEASES. (a) In this subsection:**

7 1. "HIV" means any strain of human immunodeficiency virus, which causes  
8 acquired immunodeficiency syndrome.

9 2. "Serious sex crime" means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2),  
10 or 948.025.

11 3. "Sexually transmitted disease" means syphilis, gonorrhea, hepatitis B,  
12 hepatitis C, or chlamydia.

13 4. "Significantly exposed" means sustaining a contact which carries a potential  
14 for transmission of a sexually transmitted disease or HIV by one or more of the  
15 following:

16 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;  
17 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or  
18 amniotic fluid; or other body fluid that is visibly contaminated with blood.

19 b. Exchange, during the accidental or intentional infliction of a penetrating  
20 wound, including a needle puncture, of blood; semen; vaginal secretions;  
21 cerebrospinal, synovial, pleural, peritoneal, pericardial, or amniotic fluid; or other  
22 body fluid that is visibly contaminated with blood.

23 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where  
24 a significant breakdown in the epidermal barrier has occurred, of blood; semen;

1 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or  
2 amniotic fluid; or other body fluid that is visibly contaminated with blood.

3 (b) When making a sentencing decision concerning a person convicted of a  
4 serious sex crime, the court shall consider as an aggravating factor the fact that the  
5 serious sex crime was committed under all of the following circumstances:

6 1. At the time that he or she committed the serious sex crime, the person  
7 convicted of committing the serious sex crime had a sexually transmitted disease or  
8 acquired immunodeficiency syndrome or had had a positive test for the presence of  
9 HIV, antigen, or nonantigenic products of HIV or an antibody to HIV.

10 2. At the time that he or she committed the serious sex crime, the person  
11 convicted of committing the serious sex crime knew that he or she had a sexually  
12 transmitted disease or acquired immunodeficiency syndrome or that he or she had  
13 had a positive test for the presence of HIV, antigen, or nonantigenic products of HIV  
14 or an antibody to HIV.

15 3. The victim of the serious sex crime was significantly exposed to HIV or to the  
16 sexually transmitted disease, whichever is applicable, by the acts constituting the  
17 serious sex crime.

18 **(5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON.** (a)

19 In this subsection:

20 1. "Elder person" means any individual who is 62 years of age or older.

21 2. "Violent felony" means any felony under s. 940.19 (2), (4), (5), or (6), 940.225  
22 (1), (2), or (3), 940.23, or 943.32.

23 (b) When making a sentencing decision concerning a person convicted of a  
24 violent felony, the court shall consider as an aggravating factor the fact that the

1 victim of the violent felony was an elder person. This paragraph applies even if the  
2 person mistakenly believed that the victim had not attained the age of 62 years.

3 **(6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN**  
4 **PERSONS.** (a) In this subsection, “person responsible for the welfare the child”  
5 includes the child’s parent, stepparent, guardian, foster parent, or treatment foster  
6 parent; an employee of a public or private residential home, institution, or agency;  
7 any other person legally responsible for the child’s welfare in a residential setting;  
8 or a person employed by one who is legally responsible for the child’s welfare to  
9 exercise temporary control or care for the child.

10 (b) When making a sentencing decision concerning a person convicted of a  
11 violation of s. 948.02 (1) or (2), 948.025 (1), or 948.03 (2) or (3), the court shall consider  
12 as an aggravating factor the fact that the person was a person responsible for the  
13 welfare of the child who was the victim of the violation.

14 **(7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.**  
15 When making a sentencing decision concerning a person convicted of a violation of  
16 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact  
17 that, at the time of the violation, there was a minor passenger under 16 years of age  
18 or an unborn child in the person’s motor vehicle.

19 **(8) AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES.** (a) *Distribution*  
20 *or delivery to prisoners.* 1. In this paragraph, “precinct” means a place where any  
21 activity is conducted by a prison, jail, or house of correction.

22 2. When making a sentencing decision concerning a person convicted of  
23 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the  
24 fact that the violation involved delivering, distributing, or possessing with intent to

1 deliver or distribute a controlled substance or controlled substance analog to a  
2 prisoner within the precincts of any prison, jail, or house of correction.

3 (b) *Distribution or delivery on public transit vehicles.* When making a  
4 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m),  
5 the court shall consider as an aggravating factor the fact that the violation involved  
6 delivering, distributing, or possessing with intent to deliver or distribute a controlled  
7 substance included in schedule I or II or a controlled substance analog of any  
8 controlled substance included in schedule I or II and that the person knowingly used  
9 a public transit vehicle during the violation.

10 (9) AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME. The aggravating factors  
11 listed in this section are not elements of any crime. A prosecutor is not required to  
12 charge any aggravating factor or otherwise allege the existence of an aggravating  
13 factor in any pleading for a court to consider the aggravating factor when making a  
14 sentencing decision.

15 (10) USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL. The requirement  
16 under sub. (2) (a) that a court consider sentencing guidelines adopted by the  
17 sentencing commission or the criminal penalties study committee does not require  
18 a court to make a sentencing decision that is within any range or consistent with a  
19 recommendation specified in the guidelines, and there is no right to appeal a court's  
20 sentencing decision based on the court's decision to depart in any way from any  
21 guideline.

22 (11) STATEMENT OF REASONS FOR SENTENCE. The court shall state in open court  
23 and on the record the reasons for its imposition of a particular sentence and the  
24 reasons for each element of its sentencing decision, including its decision as to  
25 whether to impose a bifurcated sentence under s. 973.01 or to place a person on

1 probation and its decision as to the length of a bifurcated sentence, including the  
2 length of each component of the bifurcated sentence, the amount of a fine, and the  
3 length of a term of probation.

4 **(12) STANDARD OF REVIEW ON APPEAL.** (a) In an appeal from a court's sentencing  
5 decision, the appellate court shall reverse the sentencing decision if it determines  
6 that the sentencing court erroneously exercised its discretion in making the  
7 sentencing decision.

8 (b) An erroneous exercise of discretion occurs under any of the following  
9 circumstances:

10 1. The sentencing court fails to exercise discretion in making its sentencing  
11 decision.

12 2. The sentencing court fails to explain its reasoning process in making its  
13 sentencing decision.

14 3. The sentencing court bases its sentencing decision on clearly irrelevant or  
15 improper factors.

16 4. The sentencing court gives too much weight to one factor in the face of other  
17 contravening factors in making its sentencing decision.

18 5. The sentencing court imposes a sentence that is so excessive, unusual, or  
19 disproportionate to the offense as to shock the public sentiment and violate the  
20 judgment of reasonable persons concerning what is right and proper under the  
21 circumstances.

22 6. There is not substantial evidence in the record to support the reasons stated  
23 on the record under sub. (11) for the imposition of the sentence and the sentencing  
24 decision.

1 (c) Paragraph (b) does not preclude an appellate court from finding that a  
2 sentencing court erroneously exercised its discretion for reasons other than those  
3 specified in par. (b).

4 **SECTION 825.** 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

5 973.03 (3) (e) 1. A crime which is a Class A ~~or~~, B, or C felony.

6 2. A crime which is a Class ~~C~~ D, E, F, or G felony listed in s. 969.08 (10) (b), but  
7 not including any crime specified in s. 943.10.

8 **SECTION 826.** 973.03 (3) (e) 3. of the statutes is repealed.

9 **SECTION 827.** 973.031 of the statutes is created to read:

10 **973.031 Court-ordered drug treatment.** Whenever the court imposes a  
11 sentence or places a person on probation for any offense committed on or after the  
12 effective date of this section .... [revisor inserts date], the court may order the person  
13 to participate in a drug treatment program as a condition of probation or, in the case  
14 of a person sentenced under s. 973.01, while the person is in prison or as a condition  
15 of extended supervision or both. The court may order the department to pay for the  
16 cost of drug treatment under this section from the appropriation under s. 20.410 (1)  
17 (a) for persons in jail or prison or under s. 20.410 (1) (b) for persons on probation or  
18 extended supervision.

19 **SECTION 828.** 973.032 (4) (c) 2. of the statutes is amended to read:

20 973.032 (4) (c) 2. The person is sentenced for the escape ~~under s. 946.42 (4) (b)~~  
21 to a sentence of imprisonment concurrent with the sentence to the intensive  
22 sanctions program.

23 **SECTION 829.** 973.075 (1) (b) 1m. e. of the statutes is amended to read:

24 973.075 (1) (b) 1m. e. To cause more than \$1,000 \$2,000 worth of criminal  
25 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.



1           **SECTION 830.** 973.075 (2) (d) of the statutes is amended to read:

2           973.075 (2) (d) The officer has probable cause to believe that the property was  
3 derived from or realized through a crime or that the property is a vehicle which was  
4 used to transport any property or weapon used or to be used or received in the  
5 commission of any felony, which was used in the commission of a crime relating to  
6 a submerged cultural resource in violation of s. 44.47 or which was used to cause  
7 more than ~~\$1,000~~ \$2,000 worth of criminal damage to cemetery property in violation  
8 of s. 943.01 (2) (d) or 943.012.

9           **SECTION 831.** 973.09 (2) (b) 1. of the statutes is amended to read:

10           973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one  
11 year nor more than either the statutory maximum term of ~~imprisonment~~  
12 confinement in prison for the crime or 3 years, whichever is greater.

13           **SECTION 832.** 973.09 (6) of the statutes is created to read:

14           973.09 (6) The court may require as a condition of probation that the person  
15 participate in a drug treatment program under s. 973.031.

16           **SECTION 833.** 973.15 (2m) of the statutes is created to read:

17           973.15 (2m) (a) *Definitions.* In this subsection:

18           1. “Determinate sentence” means a bifurcated sentence imposed under s.  
19 973.01 or a life sentence under which a person is eligible for release to extended  
20 supervision under s. 973.014 (1g) (a) 1. or 2.

21           2. “Indeterminate sentence” means a sentence to the Wisconsin state prisons  
22 other than one of the following:

23           a. A determinate sentence.

24           b. A sentence under which the person is not eligible for release on parole under  
25 s. 939.62 (2m) (c) or 973.014 (1) (c).

1           3. “Period of confinement in prison,” with respect to any sentence to the  
2 Wisconsin state prisons, means any time during which a person is incarcerated  
3 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113  
4 (3), or 302.114 (3) and any period of confinement in prison required to be served under  
5 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

6           (b) *Determinate sentences imposed to run concurrent with or consecutive to*  
7 *determinate sentences.* 1. If a court provides that a determinate sentence is to run  
8 concurrent with another determinate sentence, the person sentenced shall serve the  
9 periods of confinement in prison under the sentences concurrently and the terms of  
10 extended supervision under the sentences concurrently.

11           2. If a court provides that a determinate sentence is to run consecutive to  
12 another determinate sentence, the person sentenced shall serve the periods of  
13 confinement in prison under the sentences consecutively and the terms of extended  
14 supervision under the sentences consecutively and in the order in which the  
15 sentences have been pronounced.

16           (c) *Determinate sentences imposed to run concurrent with or consecutive to*  
17 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run  
18 concurrent with an indeterminate sentence, the person sentenced shall serve the  
19 period of confinement in prison under the determinate sentence concurrent with the  
20 period of confinement in prison under the indeterminate sentence and the term of  
21 extended supervision under the determinate sentence concurrent with the parole  
22 portion of the indeterminate sentence.

23           2. If a court provides that a determinate sentence is to run consecutive to an  
24 indeterminate sentence, the person sentenced shall serve the period of confinement  
25 in prison under the determinate sentence consecutive to the period of confinement

1 in prison under the indeterminate sentence and the parole portion of the  
2 indeterminate sentence consecutive to the term of extended supervision under the  
3 determinate sentence.

4 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*  
5 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run  
6 concurrent with a determinate sentence, the person sentenced shall serve the period  
7 of confinement in prison under the indeterminate sentence concurrent with the  
8 period of confinement in prison under the determinate sentence and the parole  
9 portion of the indeterminate sentence concurrent with the term of extended  
10 supervision required under the determinate sentence.

11 2. If a court provides that an indeterminate sentence is to run consecutive to  
12 a determinate sentence, the person sentenced shall serve the period of confinement  
13 in prison under the indeterminate sentence consecutive to the period of confinement  
14 in prison under the determinate sentence and the parole portion of the  
15 indeterminate sentence consecutive to the term of extended supervision under the  
16 determinate sentence.

17 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent  
18 determinate sentences and extended supervision is revoked in each case, or if a  
19 person is serving a determinate sentence concurrent with an indeterminate sentence  
20 and both extended supervision and parole are revoked, the person shall concurrently  
21 serve any periods of confinement in prison required under those sentences under s.  
22 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

23 **SECTION 834.** 973.155 (1) (b) of the statutes is amended to read:

24 973.155 (1) (b) The categories in par. (a) include custody of the convicted  
25 offender which is in whole or in part the result of a probation, extended supervision

1 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed  
2 upon the person for the same course of conduct as that resulting in the new  
3 conviction.

4 **SECTION 835.** 973.30 of the statutes is created to read:

5 **973.30 Sentencing commission. (1) DUTIES.** The sentencing commission  
6 shall do all of the following:

7 (a) Select an executive director having appropriate training and experience to  
8 study sentencing practices and prepare proposed sentencing guidelines.

9 (b) Monitor and compile data regarding sentencing practices in the state.

10 (c) Adopt advisory sentencing guidelines for felonies committed on or after the  
11 effective date of this paragraph .... [revisor inserts date], to promote public safety, to  
12 reflect changes in sentencing practices and to preserve the integrity of the criminal  
13 justice and correctional systems.

14 (d) Provide information to the legislature, state agencies, and the public  
15 regarding the costs to and other needs of the department which result from  
16 sentencing practices.

17 (e) Provide information to judges and lawyers about the sentencing guidelines.

18 (f) Publish and distribute to all circuit judges hearing criminal cases an annual  
19 report regarding its work, which shall include all sentencing guidelines and all  
20 changes in existing sentencing guidelines adopted during the 12 months preceding  
21 the report.

22 (g) Study whether race is a basis for imposing sentences in criminal cases and  
23 submit a report and recommendations on this issue to the governor, to each house  
24 of the legislature under s. 13.172 (2), and to the supreme court.

1 (h) Assist the legislature in assessing the cost of enacting new or revising  
2 existing statutes affecting criminal sentencing.

3 (i) At least semiannually, submit reports to all circuit judges, and to the chief  
4 clerk of each house of the legislature for distribution to the appropriate standing  
5 committees under s. 13.172 (3), containing statistics regarding criminal sentences  
6 imposed in this state. Each report shall have a different focus and need not contain  
7 statistics regarding every crime. Each report shall contain information regarding  
8 sentences imposed statewide and in each of the following geographic areas:

9 1. Milwaukee County.

10 2. Dane and Rock counties.

11 3. Brown, Outagamie, Calumet, and Winnebago counties.

12 4. Racine and Kenosha counties.

13 5. All other counties.

14 (j) Study how sentencing options affect various types of offenders and offenses.

15 **(2) STAFF.** Subject to authorization under s. 16.505, the sentencing commission  
16 may hire staff to assist it in the performance of its duties.

17 **(3) SUNSET.** This section does not apply after December 31, 2006.

18 **SECTION 836.** 977.05 (4) (jm) of the statutes is created to read:

19 977.05 (4) (jm) At the request of an inmate determined by the state public  
20 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent  
21 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113  
22 (9g) before a program review committee and the sentencing court, if the state public  
23 defender determines the case should be pursued.

24 **SECTION 837.** 977.06 (2) (b) of the statutes is amended to read:

1           977.06 (2) (b) A person who makes a false representation that he or she does  
2 not believe is true for purposes of qualifying for assignment of counsel shall be fined  
3 not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both  
4 is guilty of a Class I felony.

5           **SECTION 838.** 978.13 (1) (c) of the statutes is amended to read:

6           978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
7 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
8 prosecution of violent crime cases primarily involving felony violations under s.  
9 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
10 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32 (2). The state treasurer shall  
11 pay the amount authorized under this paragraph to the county treasurer pursuant  
12 to a voucher submitted by the district attorney to the secretary of administration  
13 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph  
14 may not exceed \$94,400 in the 1999-2000 fiscal year and \$97,200 in the 2000-01  
15 fiscal year.

16           **SECTION 839.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

17           [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~  
18 The committee shall submit a report of its findings and recommendations to the  
19 legislature in the manner provided under section 13.172 (2) of the statutes and to the  
20 governor. The report shall include any proposed legislation that is necessary to  
21 implement the recommendations made by the committee in its report.

22           **SECTION 9101. Nonstatutory provisions; administration.**

23           (1) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (27)  
24 (c) 1. of the statutes, as created by this act, the initial members of the sentencing  
25 commission shall be appointed for the following terms:

1 (a) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as  
2 created by this act, one of whom is not employed by any unit of federal, state, or local  
3 government and one circuit judge, for terms expiring on January 1, 2003.

4 (b) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as  
5 created by this act, one of whom is not employed by any unit of federal, state, or local  
6 government, one district attorney, and one circuit judge, for terms expiring on  
7 January 1, 2004.

8 (c) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as  
9 created by this act, one representative of crime victims, and one attorney in private  
10 practice, for terms expiring on January 1, 2005.

11 (2) SENTENCING COMMISSION; POSITION AUTHORIZATION. There is authorized for  
12 the sentencing commission 1.0 FTE GPR executive director position, 1.0 FTE GPR  
13 deputy director position, and 4.0 FTE GPR other positions to be funded from the  
14 appropriation under section 20.505 (4) (dr) of the statutes, as created by this act.

15 (3) CRIMINAL PENALTIES STUDY COMMITTEE. Until the members of the sentencing  
16 commission created under section 973.30 of the statutes, as created by this act, are  
17 appointed, the criminal penalties study committee shall provide information to  
18 lawyers, judges, the legislature, and the public regarding changes made in the  
19 substance and structure of criminal penalties to be imposed under this act.

20 (4) DISTRICT ATTORNEY POSITION REALLOCATIONS.

21 (a) *Increased allocations.* Of the authorized FTE GPR assistant district  
22 attorney positions for the department of administration funded from the  
23 appropriation under section 20.475 (1) (d) of the statutes, the number of positions  
24 allocated to the prosecutorial unit of Taylor County is increased by 0.2 position.

1           (b) *Decreased allocations.* Of the authorized FTE GPR assistant district  
2 attorney positions for the department of administration funded from the  
3 appropriation under section 20.475 (1) (d) of the statutes, the number of positions  
4 allocated to the prosecutorial unit of Rusk County is decreased by 0.2 position.

5           **SECTION 9111. Nonstatutory provisions; corrections.**

6           (1) INITIAL IMPLEMENTATION OF CASELOAD REDUCTION REQUIREMENTS. The  
7 department of corrections shall develop a plan to implement section 301.03 (3a) of  
8 the statutes, as created by this act, which it shall submit to the joint committee on  
9 finance no later than the first day of the 3rd day of the month beginning after the  
10 effective date of this subsection. No later than the first day of the 5th month  
11 beginning after the effective date of this subsection, the department shall begin  
12 reducing caseloads for probation, extended supervision, and parole agents in Brown,  
13 Dane, Kenosha, Milwaukee, Racine, and Rock counties who supervise more than 20  
14 persons on probation, extended supervision, or parole.

15           **SECTION 9201. Appropriation changes; administration.**

16           (1) ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS. In the schedule under  
17 section 20.005 (3) of the statutes for the appropriation to the department of  
18 administration under section 20.475 (1) (d) of the statutes, as affected by the acts of  
19 2001, the dollar amount is increased by \$1,047,600 for fiscal year 2001-02 and the  
20 dollar amount is increased by \$1,068,600 for fiscal year 2002-03 to increase the  
21 authorized FTE positions for the department of administration by 20.75 GPR  
22 positions on the effective date of this subsection for assistant district attorney  
23 positions as follows: 0.25 position for Adams County; 1.0 position for Burnett  
24 County; 0.25 position for Chippewa County; 0.5 position for Columbia County; 2.5  
25 positions for Dane County; 0.25 position for Jefferson County; 0.5 position for



1 Kenosha County; 0.5 position for LaCrosse County; 1.0 position for Manitowoc  
2 County; 1.0 position for Marathon County; 7.0 positions for Milwaukee County; 0.5  
3 position for Oneida County; 0.5 position for Outagamie County; 1.0 position for Polk  
4 County; 0.5 position for Portage County; 0.75 position for Rock County; 1.0 position  
5 for Sauk County, to serve Marquette and Sauk counties; 0.5 position for Sheboygan  
6 County; and 1.25 positions for Winnebago County.

7 **SECTION 9332. Initial applicability; legislature.**

8 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section  
9 13.525 (5) of the statutes first applies to bills introduced on the effective date of this  
10 subsection.

11 **SECTION 9359. Initial applicability; other.**

12 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32  
13 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.623, 939.624,  
14 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b),  
15 940.19 (3), 940.195 (3), 940.195 (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m),  
16 941.296 (3), 943.01 (2g), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m),  
17 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d)  
18 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1m) (cm)  
19 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41  
20 (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm),  
21 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3),  
22 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3. of the statutes; the renumbering of  
23 section 351.07 (2) (a) of the statutes; the renumbering and amendment of sections  
24 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1)  
25 (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01

1 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections  
2 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14  
3 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),  
4 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 49.127 (8) (a) 2.,  
5 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9)  
6 (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49  
7 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 55.06 (11) (am), 66.1207 (1)  
8 (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4),  
9 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143  
10 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 108.225  
11 (11), 108.225 (18), 114.20 (18) (c), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68  
12 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20  
13 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c),  
14 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10)  
15 (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2),  
16 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21  
17 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06  
18 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2.,  
19 301.45 (6) (a) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
20 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),  
21 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175  
22 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
23 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),  
24 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
25 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),

1 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 938.208 (1) (a),  
2 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3),  
3 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2),  
4 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1)  
5 (b), 939.62 (1) (c), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1),  
6 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06  
7 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),  
8 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),  
9 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.20 (1), 940.20 (1m),  
10 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.),  
11 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2)  
12 (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1)  
13 (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2)  
14 (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3)  
15 (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3.,  
16 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b),  
17 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43  
18 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)  
19 (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
20 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),  
21 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),  
22 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2)  
23 (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38  
24 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)  
25 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017

1 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2),  
2 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3)  
3 (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201  
4 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b),  
5 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (a), 943.21 (3) (b), 943.23 (1g),  
6 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1),  
7 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1),  
8 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),  
9 943.34 (1) (a), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39  
10 (intro.), 943.395 (2) (a), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c),  
11 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4)  
12 (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (a), 943.50 (4) (b), 943.50  
13 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2)  
14 (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3)  
15 (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.205 (2)  
16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (1m)  
17 (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03  
18 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.),  
19 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m)  
20 (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425  
21 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g),  
22 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60  
23 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r)  
24 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
25 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02

1 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03  
2 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05  
3 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.),  
4 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2),  
5 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2)  
6 (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b),  
7 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2)  
8 (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2),  
9 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.),  
10 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41  
11 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.),  
12 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),  
13 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g)  
14 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41  
15 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m)  
16 (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm)  
17 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2.,  
18 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41  
19 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m)  
20 (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1.,  
21 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1.,  
22 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c),  
23 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d), 961.41  
24 (3g) (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am)  
25 3., 961.42 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3),

1 961.472 (2), 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3),  
2 961.575 (3), 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10)  
3 (a), 969.08 (10) (b), 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2)  
4 (b) 3., 973.01 (2) (b) 4., 973.01 (2) (b) 5., 973.01 (5), 973.03 (3) (e) 1. and 2., 973.075  
5 (1) (b) 1m. e., 973.075 (2) (d), 973.09 (2) (b) 1., and 977.06 (2) (b) of the statutes; the  
6 repeal and recreation of sections 944.15 (title), 961.41 (1) (im) and 961.41 (1m) (im)  
7 of the statutes; and the creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04  
8 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title),  
9 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3)  
10 (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23  
11 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50  
12 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g.,  
13 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m)  
14 (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01  
15 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.017,  
16 and 973.09 (6) of the statutes first apply to offenses committed on the effective date  
17 of this subsection.

18 (2) RETURNING PERSONS TO PRISON UPON REVOCATION. The treatment of sections  
19 302.113 (9) (a), (at), (b), (c), and (g) and 302.114 (9) (a), (b), (bm), and (f) of the statutes  
20 first applies to persons who are the subjects of extended supervision revocation  
21 proceedings that are commenced by the department of corrections on the effective  
22 date of this subsection.

23 (3) CONCURRENT AND CONSECUTIVE SENTENCES. The treatment of section 973.15  
24 (2m) of the statutes first applies to persons sentenced for crimes committed on the  
25 effective date of this subsection.

1           **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
2           SECTIONS 9401, 9432, and 9459 of this act, this act takes effect on the day after  
3           publication.

4           **SECTION 9401. Effective dates; administration.**

5           (1) DISTRICT ATTORNEY POSITION REALLOCATIONS. SECTION 9101 (4) of this act  
6           takes effect on January 1, 2002.

7           (2) DISTRICT ATTORNEY APPROPRIATION INCREASE. SECTION 9201 (1) of this act  
8           takes effect on the day after publication of the 2001-03 biennial budget act.

9           **SECTION 9432. Effective dates; legislature.**

10          (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section  
11          13.525 (5) of the statutes and SECTION 9332 (1) of this act take effect on January 1,  
12          2002.

13          **SECTION 9459. Effective dates; other.**

14          (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32  
15          (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.623, 939.624,  
16          939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b),  
17          940.19 (3), 940.195 (3), 940.195 (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m),  
18          941.296 (3), 943.01 (2g), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m),  
19          948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d)  
20          5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1m) (cm)  
21          5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41  
22          (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm),  
23          961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3),  
24          961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3. of the statutes; the renumbering of  
25          section 351.07 (2) (a) of the statutes; the renumbering and amendment of sections

1 15.01 (2), 49.95 (1), 125.075 (2), 302.113 (9) (a), 302.114 (9) (a), 939.63 (1), 943.20 (3)  
2 (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a)  
3 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d)  
4 of the statutes; the amendment of sections 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60 (1)  
5 (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c),  
6 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80  
7 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d),  
8 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm)  
9 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141  
10 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1.,  
11 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15  
12 (12), 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a),  
13 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26  
14 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),  
15 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c),  
16 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)  
17 (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)  
18 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85  
19 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
20 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129  
21 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
22 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b),  
23 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.048  
24 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11 (1g) (a) 2., 302.11  
25 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b), 302.114 (9) (bm),



1 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
2 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),  
3 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175  
4 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
5 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),  
6 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
7 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),  
8 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208  
9 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78  
10 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50  
11 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62  
12 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.632 (1) (e) 1.,  
13 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1),  
14 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2),  
15 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2),  
16 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195  
17 (2), 940.195 (4), 940.195 (5), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b),  
18 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2)  
19 (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22  
20 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23  
21 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m.,  
22 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,  
23 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305  
24 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m),  
25 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.),

1 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a),  
2 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e),  
3 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1),  
4 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2)  
5 (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3),  
6 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2) (d), 943.011 (2)  
7 (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017  
8 (2) (intro.), 943.017 (2) (d), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04,  
9 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20  
10 (3) (a), 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3)  
11 (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m)  
12 (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3)  
13 (a), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24  
14 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3),  
15 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32  
16 (1) (intro.), 943.32 (2), 943.34 (1) (a), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.),  
17 943.38 (2), 943.39 (intro.), 943.395 (2) (a), 943.395 (2) (b), 943.40 (intro.), 943.41 (8)  
18 (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46  
19 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (a),  
20 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b),  
21 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2.,  
22 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06,  
23 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),  
24 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.),  
25 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12

1 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32  
2 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1),  
3 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44  
4 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b),  
5 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a),  
6 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2),  
7 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x)  
8 (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c),  
9 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1),  
10 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b),  
11 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2)  
12 (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1)  
13 (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)  
14 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),  
15 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1)  
16 (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a),  
17 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1)  
18 (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41  
19 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3.,  
20 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f)  
21 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1)  
22 (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41  
23 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.),  
24 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.),  
25 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m)

1 (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e)  
2 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3.,  
3 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41  
4 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m)  
5 (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41  
6 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),  
7 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43  
8 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)  
9 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 967.04 (9),  
10 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)  
11 (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2)  
12 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01  
13 (2) (b) 5., 973.01 (5), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2.,  
14 973.075 (1) (b) 1m. e., 973.075 (2) (d), 973.09 (2) (b) 1., 977.06 (2) (b) and 978.13 (1)  
15 (c) of the statutes; the repeal and recreation of sections 944.15 (title), 961.41 (1) (im)  
16 and 961.41 (1m) (im) of the statutes; the creation of sections 15.105 (27), 19.42 (10)  
17 (o), 19.42 (13) (n), 20.505 (4) (dr), 20.923 (4) (b) 7., 20.923 (6) (hr), 49.95 (1) (e) and  
18 (f), 125.075 (2) (b), 230.08 (2) (L) 6., 230.08 (2) (of), 302.113 (7m), 302.113 (9) (ag),  
19 302.113 (9) (at), 302.113 (9) (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114  
20 (9) (ag), 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17  
21 (2t), 758.19 (8), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3)  
22 (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50  
23 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34  
24 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025  
25 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm)

1 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41  
2 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b)  
3 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6.,  
4 973.01 (7m), 973.017, 973.031, 973.09 (6), 973.15 (2m), and 973.30 of the statutes;  
5 and SECTIONS 9101 (1) and (2) and 9359 (1), (2), and (3) of this act take effect on the  
6 first day of the 6th month beginning after publication.

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**(END)**