



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBs0360/1  
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 533**

February 16, 2016 - Offered by Representatives KOLSTE, BILLINGS, SARGENT, GOYKE, SUBECK, SPREITZER, KESSLER, MEYERS, WACHS, HESSELBEIN, BARCA, JORGENSEN, SHANKLAND and HEBL.

1     **AN ACT** *to renumber and amend* 108.24 (1); *to amend* 108.24 (2); and *to create*  
2           108.24 (1) (b) and (c) and 108.24 (2c) of the statutes; **relating to:** criminal  
3           penalties under the unemployment insurance law and providing a criminal  
4           penalty.

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

5           **SECTION 1.** 108.24 (1) of the statutes is renumbered 108.24 (1) (a) and amended  
6           to read:

7           108.24 (1) (a) Any person who knowingly makes a false statement or  
8           representation to obtain any benefit payment under this chapter, either for himself  
9           or herself or for any other person, shall be fined not less than \$100 nor more than  
10          \$500 or imprisoned not more than 90 days, or both; and each such false statement  
11          or representation constitutes a separate offense. This may be penalized as provided

1 in par. (b). Any penalty imposed under par. (b) is in addition to any penalty imposed  
2 under s. 108.04 (11) (bh).

3 **SECTION 2.** 108.24 (1) (b) and (c) of the statutes are created to read:

4 108.24 (1) (b) Whoever violates par. (a):

5 1. If the value of any benefits obtained does not exceed \$2,500, is subject to a  
6 fine not to exceed \$10,000 or imprisonment not to exceed 9 months, or both.

7 2. If the value of any benefits obtained exceeds \$2,500 but does not exceed  
8 \$5,000, is guilty of a Class I felony.

9 3. If the value of any benefits obtained exceeds \$5,000 but does not exceed  
10 \$10,000, is guilty of a Class H felony.

11 4. If the value of any benefits obtained exceeds \$10,000, is guilty of a Class G  
12 felony.

13 (c) In any case involving more than one violation of par. (a), all such violations  
14 may be prosecuted as a single crime.

15 **SECTION 3.** 108.24 (2) of the statutes is amended to read:

16 108.24 (2) Except as provided in ~~sub.~~ subs. (2c) and (2m) and s. 108.16 (8) (m),  
17 any person who knowingly makes a false statement or representation in connection  
18 with any report or as to any information duly required by the department under this  
19 chapter, or who knowingly refuses or fails to keep any records or to furnish any  
20 reports or information duly required by the department under this chapter, shall be  
21 fined not less than \$100 nor more than \$500, or imprisoned not more than 90 days  
22 or both; ~~and each.~~ Each such false statement or representation and every day of such  
23 refusal or failure constitutes a separate offense.

24 **SECTION 4.** 108.24 (2c) of the statutes is created to read:

1           108.24 (2c) (a) Any person who knowingly makes a false statement or  
2 representation in connection with any report or as to any information duly required  
3 by the department under this chapter, or who knowingly refuses or fails to keep any  
4 records or to furnish any reports or information duly required by the department  
5 under this chapter and who, as a result of that false statement or representation or  
6 knowing refusal or failure, avoids liability to the department for contributions,  
7 reimbursements, assessments, or other amounts under this chapter, may be  
8 penalized as provided in par. (b):

9           (b) Whoever violates par. (a):

10           1. If the amount for which the person avoided liability to the department does  
11 not exceed \$2,500, the person is subject to a fine not to exceed \$10,000 or  
12 imprisonment not to exceed 9 months, or both.

13           2. If the amount for which the person avoided liability to the department  
14 exceeds \$2,500 but does not exceed \$5,000, is guilty of a Class I felony.

15           3. If the amount for which the person avoided liability to the department  
16 exceeds \$5,000 but does not exceed \$10,000, is guilty of a Class H felony.

17           4. If the amount for which the person avoided liability to the department  
18 exceeds \$10,000, is guilty of a Class G felony.

19           (c) In any case involving more than one violation of par. (a), all such violations  
20 may be prosecuted as a single crime.

21           **SECTION 5. Initial applicability.**

22           (1) UNEMPLOYMENT INSURANCE; CRIMINAL PENALTIES. This act first applies to a  
23 violation of section 108.24 (1) (a) or (2c) (a) of the statutes, as affected by this act,  
24 committed on the effective date of this subsection.

25           **SECTION 6. Effective date.**

