



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4866/1

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January 2002 Special Session

## ASSEMBLY BILL 1

February 5, 2002 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION, by request of Governor Scott McCallum. Referred to Joint Committee on Finance.

- 1     **AN ACT relating to:** state finances and appropriations, constituting the  
2             governor's recommendations for correcting the imbalance between projected  
3             revenues and authorized expenditures.

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*Analysis by the Legislative Reference Bureau*

**INTRODUCTION**

This bill provides and adjusts levels of funding for various state programs. The bill also creates and revises programs and makes changes in various laws, lapses funds from program revenue appropriations, and transfers funds from segregated funds to the general fund. The descriptions that follow relate to the most significant changes in the law proposed in the bill. In most cases, changes in the amounts of existing spending authority, changes in the amounts of bonding authority under existing bonding programs, and lapses and transfers of funds are not discussed.

For additional information concerning this bill, see the department of administration's publication *Budget Reform Bill Summary* and the executive budget books, the legislative fiscal bureau's summary document, and the legislative reference bureau's drafting files, which contain separate drafts on each policy item. In most cases, the policy item drafts contain a more detailed analysis than is printed with this bill.

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**GUIDE TO THE BILL**

The sections of this bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled "laws of [year], chapter ..." from 1848 to 1981, and "[year] Wisconsin Act ..." beginning with 1983) are displayed next by year of original enactment and by act number.

The remaining sections of the bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX Nonstatutory provisions.**
- 92XX Appropriation changes.**
- 93XX Initial applicability.**
- 94XX Effective dates.**

The remaining two digits indicate the state agency to which the provision relates:

- XX01 Administration.**
- XX02 Adolescent pregnancy prevention and pregnancy services board.**
- XX03 Aging and long-term care board.**
- XX04 Agriculture, trade and consumer protection.**
- XX05 Arts board.**
- XX06 Boundary area commission, Minnesota-Wisconsin.**
- XX07 Building commission.**
- XX08 Child abuse and neglect prevention board.**
- XX09 Circuit courts.**
- XX10 Commerce.**
- XX11 Corrections.**
- XX12 Court of appeals.**
- XX13 District attorneys.**
- XX14 Educational communications board.**
- XX15 Elections board.**
- XX16 Employee trust funds.**
- XX17 Employment relations commission.**
- XX18 Employment relations department.**
- XX19 Ethics board.**
- XX20 Financial institutions.**
- XX21 Governor.**
- XX22 Health and Educational Facilities Authority.**
- XX23 Health and family services.**
- XX24 Higher educational aids board.**
- XX25 Historical society.**
- XX26 Housing and Economic Development Authority.**
- XX27 Insurance.**
- XX28 Investment board.**
- XX29 Joint committee on finance.**
- XX30 Judicial commission.**

- XX31 Justice.**
- XX32 Legislature.**
- XX33 Lieutenant governor.**
- XX34 Lower Wisconsin state riverway board.**
- XX35 Medical College of Wisconsin.**
- XX36 Military affairs.**
- XX37 Natural resources.**
- XX38 Personnel commission.**
- XX39 Public defender board.**
- XX40 Public instruction.**
- XX41 Public lands, board of commissioners of.**
- XX42 Public service commission.**
- XX43 Regulation and licensing.**
- XX44 Revenue.**
- XX45 Secretary of state.**
- XX46 State fair park board.**
- XX47 Supreme Court.**
- XX48 Technical college system.**
- XX49 Technology for educational achievement in Wisconsin board.**
- XX50 Tobacco control board.**
- XX51 Tourism.**
- XX52 Transportation.**
- XX53 Treasurer.**
- XX54 University of Wisconsin Hospitals and Clinics Authority.**
- XX55 University of Wisconsin Hospitals and Clinics Board.**
- XX56 University of Wisconsin System.**
- XX57 Veterans affairs.**
- XX58 Workforce development.**
- XX59 Other.**

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9125. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number "59" (**other**) within each type of provision.

In order to facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

Following is a list of the most commonly used acronyms appearing in the analysis.

- DATCP . . . Department of Agriculture, Trade and Consumer Protection
- DEG . . . . . Department of Electronic Government
- DER . . . . . Department of Employment Relations
- DETF . . . . . Department of Employee Trust Funds

DFI . . . . . Department of Financial Institutions  
DHFS . . . . . Department of Health and Family Services  
DMA . . . . . Department of Military Affairs  
DNR . . . . . Department of Natural Resources  
DOA . . . . . Department of Administration  
DOC . . . . . Department of Corrections  
DOJ . . . . . Department of Justice  
DOR . . . . . Department of Revenue  
DOT . . . . . Department of Transportation  
DPI . . . . . Department of Public Instruction  
DRL . . . . . Department of Regulation and Licensing  
DVA . . . . . Department of Veterans Affairs  
DWD . . . . . Department of Workforce Development  
JCF . . . . . Joint Committee on Finance  
OCI . . . . . Office of the Commissioner of Insurance  
PSC . . . . . Public Service Commission  
UW . . . . . University of Wisconsin  
WHEDA . . . . . Wisconsin Housing and Economic Development Authority  
WHEFA . . . . . Wisconsin Health and Educational Facilities Authority

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## **AGRICULTURE**

Current law authorizes DATCP to grant \$240,000 in each fiscal year to Dane County to assist in paying the costs of operating an exposition center and of hosting the World Dairy Expo at the exposition center. This bill eliminates the authority and the funding for those grants.

## **COMMERCE AND ECONOMIC DEVELOPMENT**

### **ECONOMIC DEVELOPMENT**

This bill requires the department of commerce to establish a grants management office to identify public and private sources of grants, act as a clearinghouse for those sources of grants, and offer to governmental agencies, nonprofit organizations, school boards, charter schools, and private schools training and assistance in pursuing grants.

Under the Business Development Initiative Program, the department of commerce provides technical assistance and grants to individuals, small businesses, and nonprofit organizations for developing and planning the start-up or expansion of a business that is expected to provide job opportunities for persons with severe disabilities. This bill eliminates the Business Development Initiative Program.

### **COMMERCE**

#### ***Uniform Electronic Transactions Act***

Currently, various state and federal laws govern the use of electronic documents and signatures, the most significant one being the federal Electronic Signatures in Global and National Commerce Act, or “E-sign.” E-sign generally preempts inconsistent state laws.

This bill enacts a version of the Uniform Electronic Transactions Act (UETA), which was approved and recommended for enactment by the National Conference of Commissioners on Uniform State Laws in 1999. Although enactments of this approved version of UETA are not preempted by E-sign, because this bill makes certain substantive changes to the approved version of UETA that render the bill inconsistent with the approved version, it is difficult to determine whether a court would consider the bill preempted by E-sign. Because some of the unchanged UETA provisions are ambiguous, this analysis does not cover all potential legal effects of these ambiguous provisions.

Like E-sign, the bill primarily affects the use of electronic documents and electronic signatures in transactions. Under the bill's broad definitions, such things as information stored on a computer disk or a voice mail recording would likely qualify for use as an electronic document. However, like E-sign, this bill does not apply to the execution of wills, to testamentary trusts, or to a transaction governed by any chapter of this state's version of the Uniform Commercial Code other than the chapter dealing with sales of goods. Unlike current law under E-sign and the version of UETA recommended for enactment in all of the states, the bill also specifically exempts deeds and cancellation notices for local telecommunications services.

Like E-sign, this bill specifies that a document or signature may not be denied legal effect or enforceability solely because it is in electronic form. Unlike E-sign, this bill provides that an electronic document satisfies any law requiring a document to be in writing and that an electronic signature satisfies any law requiring a signature. The bill does not require the use of electronic documents or electronic signatures. Rather, the bill applies only to transactions between parties each of which has agreed to conduct transactions by electronic means. However, unlike current law under E-sign, this bill does not contain any protections that specifically apply only to consumer transactions. The consumer protections currently in effect under E-sign would arguably have no effect in this state upon the enactment of this bill.

Under this bill, a person may use an electronic document in a transaction to satisfy any law requiring the person to provide, send, or deliver information in writing to another person, if the electronic document satisfies certain conditions. Although the bill also states that a document relating to a transaction may not be denied legal effect solely because it is in electronic form, the bill likely permits a person to deny the legal effect of an electronic document that does not satisfy these conditions. The bill also appears to require the parties to a transaction to comply with any legal requirement relating to the provision of information *other than a requirement that the information be provided on paper*.

The bill establishes the time and location of the sending and receipt of an electronic document, although the parties to a transaction may agree to alter the effect of these provisions. The bill also permits a sender to expressly provide in an electronic document that the document is deemed to be sent from a different location. The bill also establishes the legal effects of any change or error in an electronic document that occurs in a transmission between the parties to a transaction. These effects depend in part upon whether the parties have consented to the use of a

security procedure and whether the transaction is an automated transaction involving an individual.

This bill generally permits the use of an electronic document to satisfy any law that requires document retention. An electronic document retained in compliance with these provisions has the same legal status as the original document and need not contain any information the sole purpose of which is to enable the document to be sent, communicated, or received. Under current law, this ancillary information is normally required to be retained if the document to which it is attached is required to be retained.

The bill does not apply to any new laws enacted by this state, after enactment of this bill, that prohibit a person from using an electronic document to satisfy any requirement that the person retain a document for evidentiary, audit, or like purposes.

In addition, the bill does not preclude a governmental unit of this state from imposing additional requirements for the retention of any document on another governmental unit subject to its jurisdiction. It is unclear how this provision relates to other provisions of the bill which provide that an electronic document satisfies any retention requirement as long as specified requirements relating to accuracy and accessibility are also satisfied. This provision is narrower than the corresponding provision included in the version of UETA recommended for enactment in all the states in that the corresponding provision is not specifically limited in its application to documents of governmental units.

Like E-sign, this bill also permits electronic notarization, acknowledgement, or verification of a signature or document relating to a transaction, as long as the electronic signature of the person performing the notarization, acknowledgement, or verification is accompanied by all other information required by law. Unlike current law under E-sign and the version of UETA recommended for enactment in all the states, an electronic notarization under this bill must also comply with rules promulgated by DEG and the secretary of state. In addition, unlike the version of UETA recommended for enactment in all the states, this bill provides that public records retention requirement currently in effect in this state continue to apply. The bill also permits the public records board to promulgate rules prescribing additional records retention standards and DEG to promulgate rules with regard to the use of electronic documents and signatures by governmental units.

### ***Electronic mail prohibitions***

This bill prohibits the user of an electronic mail service from sending an electronic mail solicitation or chain letter that uses the service provider's equipment in a manner that violates the provider's solicitation or chain letter policy. The bill also prohibits any person from sending an electronic mail message or chain letter to an Internet user that uses the equipment of the Internet user's electronic mail service provider in a manner that violates the provider's solicitation or chain letter policy.

These prohibitions apply only if the electronic mail service provider displays the solicitation or chain letter policy on the home page of its Internet Web site and makes printed copies of the policy available at no charge. The bill provides for

damages for an electronic mail service provider injured by a person who violates either prohibition more than 30 days after the policy is displayed on the home page.

The bill also prohibits a person from sending an electronic mail solicitation unless the person includes, with the solicitation, a return electronic mail address or notice of a toll-free telephone number that the recipient may use to notify the person that the recipient does not want to receive solicitations. If the recipient notifies the person, the person may not send another solicitation to the recipient. In addition, the bill prohibits a person from knowingly sending an electronic mail message that represents that the message is from another person without the consent of that person or that the message is from an Internet domain name without the consent of the person that registered the name.

### ***Internet privacy***

This bill imposes certain requirements on a person that maintains Web sites to conduct business in Wisconsin. First, the person may not disclose, in exchange for anything of value, information about a state resident that is obtained from the resident's use of the Internet, unless the resident consents to the disclosure. Second, the person may not request a child to provide, through the Internet, personal information about the child, unless the person makes a reasonable effort to obtain the consent of the child's parent or legal guardian.

The bill also requires the person maintaining the Web site to display on the home page of the Web site a description of any information that the person collects about visitors to the Web site, including any information that is sold or provided to third parties. If the person sells or provides information to third parties, the person must allow a visitor to the Web site to notify the person whether or not the visitor consents to the sale or provision of information. If the visitor does not consent, the person may not sell or provide the information.

### **CORRECTIONAL SYSTEM**

This bill reduces the funding and position authorization for DOC for the purpose of delaying the opening of the New Lisbon Correctional Institution, Highview Correctional Institution, the Oshkosh Correctional Institution segregation unit, the Winnebago and Sturtevant workhouses, and the Racine probation and parole holding facilities that were authorized in 2001 Wisconsin Act 16.

Under current law, DOC may establish a secure work program for inmates, under which the inmates are assigned to work away from the grounds of their institution but are restrained and required to wear distinctively colored clothing. This bill eliminates DOC's authority to operate such a program.

Under current law, DOC may require, as a condition of probation, that a serious child sex offender (a person who has been convicted of sexual assault of a child under the age of 13) who is on or being placed on probation undergo antiandrogen treatment (pharmacological treatment using a substance that inhibits the biological effects of male hormones such as testosterone). DOC or the parole commission may also impose such a requirement as a condition of parole, but may not base a decision to parole the offender on the offender's suitability or willingness to undergo the treatment.

A person confined in a state prison for an offense committed before December 31, 1999, is generally entitled to be released on his or her mandatory release date; that is, once he or she has served two-thirds of his or her sentence. However, if a person is sentenced to imprisonment for certain serious felonies, including sexual assault of a child, the mandatory release date is merely a presumptive mandatory release date. The parole commission may deny such a person presumptive mandatory release if, among other things, the person is a child sex offender who refuses to participate in recommended antiandrogen treatment.

This bill eliminates the antiandrogen treatment program.

Under current law, DOC must provide adequate health care to an inmate but must generally require the inmate to pay a charge of at least \$2.50 for each request for health services. This bill requires DOC to promulgate emergency rules increasing the charge to at least \$7.50 for each request.

Under current law, DOC must charge a fee to each person on probation, parole, or extended supervision to partially reimburse DOC for providing supervision and services. If the person is subject to medium, maximum, or high risk supervision by DOC, DOC must have a goal of receiving at least \$1 per day, if appropriate, from the person. This bill requires DOC to promulgate emergency rules requiring DOC to have a goal of receiving at least \$2 per day.

### **COURTS AND PROCEDURE**

Under current law, generally, when a person files a civil action or appeal in circuit court, the person must pay a court support services fee of \$40 in addition to the regular filing fee. This bill raises the fee to \$52. If the amount of the recovery sought exceeds \$5,000 (the limit in small claims actions), a person must pay a court support services fee of \$100 in addition to the regular filing fee. This bill raises the fee to \$130. If the amount of the recovery sought is no more than \$5,000, the person must pay a court support services fee of \$30 in addition to the regular filing fee. This bill raises the \$30 filing fee to \$39.

### **CRIMES**

#### **FELONY PENALTIES**

Under current law, crimes punishable by imprisonment of more than one year are felonies. Virtually every felony created in the criminal code is put in one of six classes (Class A, B, BC, C, D, or E), and each class has a specific maximum term of imprisonment and a maximum fine. Class A felonies are punishable by life imprisonment. For other classified felonies committed on or after December 31, 1999, the maximum terms of imprisonment are as follows:

Class B	60 years
Class BC	30 years
Class C	15 years
Class D	10 years
Class E	5 years

Except for Class A and Class B felonies, which are not punishable by a fine, each classified felony has a maximum fine of \$10,000.



This bill does the following with respect to criminal offenses and penalties for them:

1. *New felony classes.* The bill expands the number of felony classes from six to nine and, except for Class A and Class B felonies, creates new maximum terms of imprisonment and new maximum fines, as follows:

<u>Class of Felony</u>	<u>Maximum Imprisonment</u>	<u>Maximum Fine</u>
Class A	Life imprisonment	Not applicable
Class B	60 years	Not applicable
Class C	40 years	\$100,000
Class D	25 years	\$100,000
Class E	15 years	\$50,000
Class F	12 years, 6 months	\$25,000
Class G	10 years	\$25,000
Class H	6 years	\$10,000
Class I	3 years, 6 months	\$10,000

2. *Classification of felonies.* The bill places felony offenses classified under current law into the new felony classes, with the exception of a few classified felony offenses that are reduced to misdemeanor offenses. In addition, the bill places unclassified felony offenses (including all felonies created outside of the criminal code) into the new felony classes, with the exception of certain unclassified felony offenses that are reduced to misdemeanor offenses and offenses that are felonies only because of the application of a penalty enhancer.

As a general rule, the bill places a felony offense into a felony class based on the maximum amount of time that a person committing the offense before December 31, 1999, could serve in prison before being released on parole under the mandatory release law (see below, item 1 under **THE STRUCTURE OF FELONY SENTENCES**, item 1). However, in some cases a felony is placed in a higher or lower felony class than the one based on the mandatory release date for a maximum sentence for an offence committed before December 31, 1999. For those felony offenses that are reduced to misdemeanor offenses under the bill, the new penalty for the offense is a fine of not more than \$10,000 or imprisonment of not more than nine months or both.

3. *Changes in property offenses.* Under current law, the penalties for certain property offenses in the criminal code (such as theft, criminal damage to property, receiving stolen property, issuing worthless checks, and various kinds of fraud) are based on the value of the property stolen or damaged. Before the enactment of 2001 Wisconsin Act 16, the threshold between misdemeanor and felony penalties for most of these crimes was \$1,000. Thus, if the value of the property involved was \$1,000 or less, the crime was a misdemeanor, and if the value of the property involved was more than \$1,000 the crime was a felony. For some crimes, the severity of the felony penalties also depends on the dollar value of the property involved. Thus, before the enactment of Act 16, if a person committed the offense of theft and the value of the property involved was more than \$1,000 but not more than \$2,500, the person was

guilty of a Class E felony. If the value of the property involved exceeded \$2,500, the person was guilty of a Class C felony. Act 16, however, set the threshold between misdemeanors and felonies for most property offenses in the criminal code that are based on the dollar value of the property involved at \$2,500.

This bill restores the thresholds between misdemeanors and felonies for criminal code property offenses that are based on the dollar value of the property involved to their pre-Act 16 levels.

The bill also assigns new classifications for these property offenses based on the value of the property involved. To illustrate, under the bill, theft is penalized as follows:

<u>Dollar Value of Property Involved</u>	<u>Class of Misdemeanor or Felony</u>
\$1,000 or less	Class A misdemeanor
More than \$1,000 but not more than \$5,000	Class I felony
More than \$5,000 but not more than \$10,000	Class H felony
More than \$10,000	Class G felony

4. *Felony murder.* Under current law, a person commits felony murder if he or she causes the death of another while committing or attempting to commit certain felonies (such as sexual assault, arson or armed robbery). If a person commits felony murder, the maximum period of imprisonment for the felony the person committed or attempted to commit is increased by not more than 20 years. This bill provides that the maximum period of imprisonment for the felony the person committed or attempted to commit is increased by not more than 15 years.

5. *Changes to the crime of carjacking.* Under current law, a person is guilty of carjacking if he or she intentionally takes any vehicle without the consent of the owner while possessing a dangerous weapon and by using or threatening the use of force or the weapon against another. This bill classifies every carjacking offense, including an offense resulting in a person's death (currently a Class A felony), as a Class C felony and adds carjacking to the list of offenses subject to the felony murder statute (see item 4 above, *Felony murder*).

6. *Increase in certain misdemeanor penalties.* The bill increases penalties for a few misdemeanor offenses by classifying them as felony offenses. The misdemeanor offenses that are changed to felony offenses by the bill (and the classification into which the offense is placed) are as follows:

- A) Stalking (Class I felony).
- B) Criminal damage to railroad property (Class I felony).
- C) Possession of a firearm in a school zone (Class I felony).
- D) Discharge of a firearm in a school zone (Class G felony).

7. *Elimination of certain minimum penalty provisions.* Current law requires a court to impose a minimum sentence of imprisonment in certain cases. In other cases current law specifies a minimum sentence of imprisonment but also allows a court, in the exercise of its discretion, to impose a lesser sentence of imprisonment or no imprisonment at all (a presumptive minimum prison sentence). For the most part, this bill eliminates both mandatory and presumptive minimum prison

sentences for felony offenses. The bill, however, does not eliminate mandatory prison sentence requirements for Class A felonies, which carry a mandatory sentence of life imprisonment (see below, **SENTENCES OF LIFE IMPRISONMENT**), nor does it change the persistent repeater penalty enhancers (often called the “three strikes, you’re out” and “two strikes, you’re out” laws), which require a sentence of life imprisonment without possibility of release. It also does not change the requirement that a person be given a minimum sentence of imprisonment if he or she is convicted of a repeat serious sex crime or a repeat violent crime, although the bill provides that, instead of a minimum sentence of five years, the court must impose a bifurcated sentence that includes a minimum term of confinement in prison of three years and six months (see below, **THE STRUCTURE OF FELONY SENTENCES**, item 2, for a description of bifurcated sentences). In addition, the bill does not change the minimum mandatory sentence of six months for fifth and subsequent offenses of operating a motor vehicle while intoxicated.

8. *Elimination of mandatory consecutive sentences.* Under current law, a court sentencing a person convicted of a crime generally may provide that any sentence imposed run concurrent with or consecutive to any other sentence imposed at the same time or any sentence imposed previously. However, a court must impose a consecutive sentence if the person was convicted of certain escape offenses, possession or discharge of a firearm in a school zone, using or possessing a handgun and an armor-piercing bullet while committing another crime, or violating conditions of lifetime supervision by committing another crime. This bill eliminates the requirement that consecutive sentences be imposed in these cases. The bill also imposes new requirements relating to bifurcated sentences and sentences imposed under current law that are ordered to run consecutively to each other (see below, **THE STRUCTURE OF FELONY SENTENCES**, item 3-C).

#### **PENALTY ENHANCERS**

Current law contains various penalty enhancers if the crime is committed under certain circumstances. For instance, current law provides penalty enhancers for committing a crime using a dangerous weapon or committing a crime against a victim chosen because of his or her race, religion, color, disability, sexual orientation, national origin, or ancestry (the “hate crime” enhancer). Current law also provides for penalty enhancers that may be triggered by the defendant’s status at the time he or she committed the crime. For instance, current law provides a penalty enhancer for habitual criminals and for persons responsible for the welfare of a child who commit certain crimes against the child.

The bill retains the current penalty enhancers for: habitual criminals; using a dangerous weapon in the commission of a crime; committing a violent crime in a school zone; committing certain domestic abuse offenses within 72 hours after an arrest for a domestic abuse incident; committing a “hate crime”; distributing a controlled substance to a person under the age of 17; and distributing a controlled substance within 1,000 feet of a school, park, correctional institution, or certain other facilities. The bill eliminates the remaining penalty enhancers and instead includes them in a list of aggravating factors that a court must consider when sentencing a person.

In addition, under current law, if a person violates certain prohibitions relating to operating a motor vehicle while intoxicated and, at the time of the offense, a child under the age of 16 is in the vehicle, the penalties for the offense double. This bill retains this penalty enhancer for most of the offenses involving operating a motor vehicle while intoxicated, but the bill eliminates the enhancer for the crimes of homicide by intoxicated use of a vehicle and injury by intoxicated use of a vehicle.

**THE STRUCTURE OF FELONY SENTENCES (OTHER THAN LIFE SENTENCES)**

1. *The structure of prison sentences for felony offenses committed before December 31, 1999.* If a person is sentenced to prison for a felony committed before December 31, 1999, the person will usually have three possible ways of being released from prison on parole: discretionary parole granted by the parole commission (for which a person is usually eligible after serving 25% of the sentence or six months, whichever is greater); mandatory release on parole (usually granted automatically after the person serves two-thirds of the sentence); or special action parole release by the secretary of corrections (a program designed to relieve prison crowding). However, the person could be subject to more restrictive discretionary parole eligibility provisions or to restrictions on mandatory release under certain circumstances (for example, if the person has one or more prior convictions for certain serious felonies).

2. *The structure of prison sentences for felony offenses committed on or after December 31, 1999.* Under 1997 Wisconsin Act 283, if a court chooses to sentence a felony offender to a term of imprisonment in state prison for a felony committed on or after December 31, 1999, the court must do so by imposing a bifurcated sentence that includes a term of confinement in prison followed by a term of community supervision (called "extended supervision"). The offender is not eligible for parole. A bifurcated sentence imposed under 1997 Wisconsin Act 283 must be structured as follows:

A) The total length of the bifurcated sentence may not exceed the maximum term of imprisonment allowable for the felony.

B) The court must set the term of confinement in prison portion of the sentence to be at least one year but not more than 40 years for a Class B felony, 20 years for a Class BC felony, ten years for a Class C felony, five years for a Class D felony, or two years for a Class E felony. If the person is being sentenced to prison for a felony that is not in one of these classes, the term of confinement in prison portion of the sentence must be at least one year but not more than 75% of the total length of the bifurcated sentence.

C) The term of extended supervision must equal at least 25% of the length of the term of confinement in prison. There is no limit on the length of the term of extended supervision, other than the limit that results from the requirements that the term of confinement in prison portion of a bifurcated sentence be at least one year and that the total bifurcated sentence not exceed the maximum term of imprisonment specified by law for the crime.

During the term of extended supervision, the person is subject to supervision by DOC and is subject to conditions set by both the court and DOC. If a person violates a condition of, or DOC rule related to, extended supervision, the person's

extended supervision may be revoked in an administrative proceeding and the person may be returned to serve a period of time in prison.

3. *The changes made by this bill.* This bill makes the following changes relating to the imposition of bifurcated sentences:

A) The bill establishes new maximum terms of confinement in prison for all felony classes, except for Class A and Class B. The bill also limits the amount of extended supervision that a court can impose for classified felonies. The maximum term of confinement in prison and the maximum term of extended supervision for each classified felony (other than Class A felonies) is as follows:

<u>Class of Felony</u>	<u>Maximum Term of Con- finement in Prison</u>	<u>Maximum Term of Extended Supervision</u>
Class B	40 years	20 years
Class C	25 years	15 years
Class D	15 years	10 years
Class E	10 years	5 years
Class F	7 years, 6 months	5 years
Class G	5 years	5 years
Class H	3 years	3 years
Class I	1 year, 6 months	2 years

B) When a court is imposing a bifurcated sentence it must consider any advisory sentencing guidelines for the offense adopted by the sentencing commission (see below, **SENTENCING COMMISSION**) or, if the sentencing commission has not adopted guidelines for the offense, the temporary advisory guidelines adopted by the criminal penalties study committee (created by 1997 Wisconsin Act 283). In addition, the bill requires the sentencing court to consider the protection of the public, the gravity of the offense, and the rehabilitative needs of the defendant, along with any applicable mitigating and aggravating circumstances. The bill includes a partial list of aggravating circumstances that a court must consider, which incorporates the provisions of current penalty enhancers eliminated by the bill (see above, **PENALTY ENHANCERS**). The bill also generally requires the court to state the reasons for its sentencing decision in open court and on the record.

C) When a court imposes a bifurcated sentence on a person who is also subject to a prison sentence for a crime committed before December 31, 1999 (an indeterminate sentence), the court must specify all of the following: 1) whether the confinement in prison portion of the bifurcated sentence is to run concurrent with or consecutively to the imprisonment portion of the indeterminate sentence; and 2) whether the period of parole under the indeterminate sentence is to run concurrent with or consecutively to the term of extended supervision portion of the bifurcated sentence. The court must make the same specifications when imposing an indeterminate sentence on a person who is also subject to a bifurcated sentence.

D) The bill allows DOC to take custody of a person who is on extended supervision in order to investigate an alleged violation of a condition of extended

supervision. If a person on extended supervision admits that he or she has violated a condition or rule of extended supervision, DOC may confine the person for not more than 90 days in a DOC regional detention facility or, with the consent of the sheriff, in a county jail.

E) The bill changes the procedure for revoking extended supervision by requiring that a court determine how long to send a person back to prison after his or her extended supervision is revoked. DOC or the administrative law judge who made the revocation decision must make a recommendation to the court concerning the amount of time for which the person should be returned to prison. The court then reviews the recommendation and makes the final decision as to the amount of time for which the person is returned to prison.

F) DOC or a person on extended supervision may petition a court to modify the conditions of extended supervision set by the court. The court may hold a hearing on a petition to modify extended supervision and may grant the petition if it determines that the requested modification would meet the needs of DOC and the public and would be consistent with the objectives of the person's bifurcated sentence.

G) Older prisoners who have been given a bifurcated sentence may petition the sentencing court for a modification of the terms of the sentence if they are 65 years of age or older and have served at least five years of the term of confinement in prison portion of their bifurcated sentence or are 60 years of age or older and have served at least ten years of the term of confinement in prison portion of the bifurcated sentence. The prisoner files a petition with the prison's program review committee, which may then refer the petition to the sentencing court if it finds that the public interest would be served by a modification of the prisoner's bifurcated sentence. If a petition is referred to a sentencing court, the court must determine whether the public interest would be served by a modification of the prisoner's bifurcated sentence. The victim of the prisoner's crime has a right to provide a statement concerning the modification of the sentence.

If the court decides that the public interest would be served by such a modification, the court must modify the sentence by: 1) reducing the term of confinement in prison portion of the sentence to a number that provides for the release of the prisoner to extended supervision; and 2) increasing the term of extended supervision of the prisoner by the same number, so that the total length of the bifurcated sentence does not change.

H) A prisoner who has been given a bifurcated sentence and who has a terminal condition (defined as an incurable condition caused by injury, disease, or illness, as a result of which the person has a medical prognosis that his or her life expectancy is 6 months or less) may petition the sentencing court for a modification of the terms of the sentence. The conditions under which and the manner by which a court may modify a bifurcated sentence for such a person are identical to those that are described in the second and third paragraphs of item 3-G, except that the prisoner must submit affidavits from two physicians setting forth a diagnosis that the prisoner has a terminal condition.

I) If a misdemeanor offender may be sentenced to prison because of the application of a sentence enhancer and the court decides to sentence the person to prison, the court must impose a bifurcated sentence. In sentencing a person to prison in such a case, the term of confinement in prison portion of the sentence may not constitute more than 75% of the total bifurcated sentence.

#### **SENTENCES OF LIFE IMPRISONMENT**

Currently, if a person is sentenced to life imprisonment for an offense committed before December 31, 1999, the person usually must serve 20 years minus time calculated under the mandatory release formula before he or she is eligible for release on parole. If the person does not receive extensions due to violations of prison rules, he or she reaches parole eligibility after serving 13 years, four months. However, a court may set a parole eligibility date for a person serving a life sentence that is later than the usual parole eligibility date or may provide that the person is not eligible for parole. No person serving a life sentence of any kind is entitled to mandatory release on parole.

If a person is sentenced to life imprisonment for a crime committed on or after December 31, 1999, he or she is not eligible for parole. Instead, the court who is sentencing the person to life imprisonment must do one of the following: 1) provide that the person is eligible for release to extended supervision after serving 20 years; 2) set a date on which the person becomes eligible for extended supervision, as long as that date requires the person to serve at least 20 years; or 3) provide that the person is not eligible for extended supervision. If the court provides that the person is eligible for extended supervision, the person may petition the sentencing court for release to extended supervision on or after the extended supervision eligibility date. A person sentenced to life imprisonment who is released to extended supervision is on extended supervision for the remainder of his or her life and, like a person on extended supervision under a bifurcated sentence (see above, **THE STRUCTURE OF FELONY SENTENCES**, item 2-C), may have his or her extended supervision revoked in an administrative proceeding and be returned to prison if he or she violates a condition of extended supervision or a rule promulgated by DOC relating to extended supervision. A person returned to prison after a revocation of extended supervision may not petition for rerelease to extended supervision until he or she has served a period of time back in prison. The time period, which must be at least five years, is determined by an administrative law judge or, if the person waived a revocation hearing, by DOC.

This bill changes the procedures regarding revocation of extended supervision for a person serving a life sentence in the same way that it does for a person serving a bifurcated sentence. (See above, **THE STRUCTURE OF FELONY SENTENCES**, items 3-D and 3-E.) The only difference is that when extended supervision of a person serving a life sentence is revoked, the recommendation by DOC or an administrative law judge and the court's final decision concerning the amount of time for which the person should be returned to prison must provide for the person to be returned to prison for at least five years.

### **SENTENCING COMMISSION**

This bill creates a sentencing commission that must study sentencing practices throughout the state. Using the information it obtains, the sentencing commission must adopt advisory sentencing guidelines for judges when imposing sentences for felonies committed on or after the effective date of the changes made in this bill regarding felony classifications. The sentencing commission must also assist the legislature in assessing the cost of changes in statutes affecting criminal sentencing and provide information regarding sentencing to judges, lawyers, state agencies, and the legislature. The sentencing commission is abolished on December 31, 2007.

### **JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES**

This bill creates a joint review committee on criminal penalties to review proposed legislation that creates a new crime or revises a penalty for an existing crime. The joint review committee is comprised of one majority party member and one minority party member from each house of the legislature, the attorney general or his or her designee, the secretary of corrections or his or her designee, the state public defender or his or her designee, two reserve judges, and two members of the public appointed by the governor, one of whom must have law enforcement experience in this state and one of whom must be an elected county official.

Under the bill, when a bill that is introduced in either house of the legislature proposes to create a new crime or revise a penalty for an existing crime, a standing committee to which the bill is referred may not vote on whether to recommend the bill for passage and the bill may not be passed by the house in which it is introduced before the joint review committee submits a report on the bill or, if a report is requested by the speaker of the assembly or the presiding officer of the senate, before the 30th day after the report is requested, whichever is earlier. The report must address such issues as the costs that are likely to be incurred or saved if the bill is enacted, the consistency of penalties proposed in the bill with existing criminal penalties, and whether acts prohibited under the bill are prohibited under existing criminal statutes.

Finally, the bill requires the joint review committee to recommend standards and procedures to be used by a court to modify a bifurcated sentence and to propose legislation to implement those recommendations.

### **LAW ENFORCEMENT TRAINING**

Under current law, no person may be appointed permanently as a law enforcement or tribal law enforcement officer unless he or she first completes law enforcement training approved by the law enforcement standards board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. This bill requires that, as of January 1, 2003, the training include training on responding to acts of terrorism.

### **EDUCATION**

#### **PRIMARY AND SECONDARY EDUCATION**

Under current law, the state determines how much general school aid to appropriate to pay two-thirds of statewide school costs (two-thirds funding). This



bill provides that certain referendum-approved debt service is not aided, thus lowering the amount of aid needed to meet two-thirds funding.

Under the current three-tiered school aid formula, the first tier of support is for costs shared between the state and school district up to a primary cost ceiling of \$1,000 per pupil. The state's share at this level is calculated using a guaranteed property valuation of \$2,000,000 per pupil. Every school district is guaranteed no less in general aid than this primary aid amount. This bill reduces this primary guarantee to \$1,930,000.

Current law generally limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index. This bill replaces the inflation-based adjustment with a flat \$210 per pupil increase for the revenue limit calculated for the 2002-03 school year, although the bill allows a school board to override this change by a two-thirds vote. The bill directs DPI to encourage school districts to accommodate this reduction in the revenue limit increase without negatively affecting their instructional programs.

Current law requires each school board and charter school that operates high school grades to administer a high school graduation examination to all 11th and 12th grade pupils beginning in the 2002-03 school year. This bill delays implementation of the examination until the 2004-05 school year.

#### **HIGHER EDUCATION**

This bill prohibits the UW board of regents from increasing the average tuition charged a resident undergraduate in the 2002-03 academic year compared to the average tuition charged a resident undergraduate in the 2001-02 academic year by more than 10% without first obtaining the approval of JCF and DOA.

This bill appropriates moneys from the utility public benefits fund for paying a portion of the energy costs of the UW System in fiscal year 2001-02 and fiscal year 2002-03. The bill also prohibits the UW board of regents from spending a portion of its general purpose revenue funding for energy costs in fiscal year 2001-02 and fiscal year 2002-03 without the approval of DOA.

Currently, the rate of the property tax levied by a technical college district board is limited to 1.5 mills. This bill provides that the amount of that levy is limited to the lesser of the amount generated by a levy rate of 1.5 mills or the amount levied in the previous year increased by the rate of inflation. If a district board's limit is the latter, it may exceed this limit (but not the 1.5 mill rate limit) if it obtains the approval of the district electors at a referendum.

The bill also limits the increase in fees charged technical college students in the 2002-03 school year to 10%.

Under current law, the technical college system board awards a \$500 grant to each recent high school graduate who enrolls in the system and maintains a 2.0 grade point average. This bill eliminates this grant program.

Instead, the bill directs the board to pay a student's tuition and fees at a technical college if the student has been terminated or laid off from employment, has

been referred to the technical college by a local work force development board, and has maintained a 2.0 grade point average.

Current law authorizes the technical college system board to establish and supervise training programs in fire prevention and protection. This bill requires the programs to include training in responding to acts of terrorism.

#### **OTHER EDUCATIONAL AND CULTURAL AGENCIES**

This bill eliminates funding for the Milwaukee Public Museum effective July 1, 2002.

#### **ENVIRONMENT**

Current law requires a person to pay a supplemental title fee when the person applies for a certificate of title for a new motor vehicle or for a certificate of title after a transfer of ownership of a used motor vehicle. The supplemental title fees are deposited into the transportation fund. On each October 1, an amount equal to the amount of the supplemental title fees collected during the previous fiscal year is transferred from the general fund to the environmental fund.

This bill reduces the amount of the transfer from the general fund to the environmental fund by \$555,000 per fiscal year beginning in fiscal year 2002-03.

#### **HEALTH AND HUMAN SERVICES**

##### **HEALTH**

Under current law, DHFS must award grants to community health centers that provide primary health care and social services to low-income persons. This bill eliminates the grants to community health centers on July 1, 2002.

This bill expands training requirements for initial licensure or licensure renewal as emergency medical technicians or initial certification or certification renewal as first responders to require that, as of January 1, 2003, applicants satisfactorily complete training for response to acts of terrorism.

Beginning in 2004, JCF annually must transfer to the tobacco control fund from the permanent endowment fund the lesser of \$25,000,000 or 8.5% of the market value of the investments in the permanent endowment fund. Beginning in 2004, this bill annually transfers from the general fund to the tobacco control fund an amount equal to \$25,000,000 less the amount transferred to the tobacco control fund by JCF from the permanent endowment fund in that year.

Under current law, DHFS provides financial assistance for the treatment of kidney disease, cystic fibrosis, and hemophilia. This bill permits DHFS to provide this financial assistance only if the person has first applied for assistance under all other state-funded health care assistance programs for which the person may be eligible.

Current law requires that the financial assistance for the treatment of kidney disease be equal to the allowable charges for that treatment under the federal medicare program. This bill eliminates that requirement. The bill also provides that if the amounts appropriated for this financial assistance are insufficient to assist all eligible persons, DHFS may establish waiting lists and may assign priorities to persons on those waiting lists.

### **MEDICAL ASSISTANCE**

This bill requires the secretary of health and family services to create a prescription drug prior authorization committee to advise DHFS on issues related to prior authorization decisions concerning prescription drugs for medical assistance recipients.

### **MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES**

This bill appropriates moneys from the utility public benefits fund for paying a portion of the energy costs of DHFS in fiscal year 2002-03. The bill also prohibits DHFS from spending a portion of its general purpose revenue funding for energy costs in fiscal year 2002-03 without the approval of the secretary of administration.

### **OTHER HEALTH AND HUMAN SERVICES**

Under current law, DHFS may confine a person who has been found to be sexually violent in an institution, after which the person may petition the court to order his or her supervised release. If the person is a serious child sex offender, the court, when deciding whether he or she should be placed on supervised release, may consider what arrangements are available to ensure that the person has access to and will participate in antiandrogen treatment or other necessary treatment, although the court may not base a decision to release a sexually violent person who is a child sex offender on the person's suitability or willingness to undergo the treatment. If the court finds that the person is appropriate for supervised release, DHFS and the social services department of the county in which the person will reside must prepare a plan -- which the court must approve -- that identifies the person's needs for treatment and services, including antiandrogen treatment. This bill eliminates the antiandrogen treatment program.

### **LOCAL GOVERNMENT**

Under current law, shared revenue (which includes payments under the shared revenue program, the public utility distribution program, the county mandate relief program, the expenditure restraint program, and the small municipality shared revenue program) is paid from the general fund. This bill reduces the total amount of shared revenue payments in 2002 and 2003 and eliminates shared revenue beginning in 2004.

Under the bill, in 2002 and 2003, DOR determines the shared revenue payments to be paid to each municipality and county in that year. DOR then reduces those payments by subtracting an amount based on the municipality's or county's population, so that the total amount of the reduction to all the payments in each year is \$350,000,000.

Under the bill, in 2002 and 2003, a portion of the payments under the shared revenue programs will be paid from moneys in the permanent endowment fund, which consists of all the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. In 2002, the amount from the permanent endowment fund to make payments under the shared revenue programs is \$580,000,000 less any amount expended from the permanent endowment fund for purposes relating to the contracting of public debt during the 2001-02 fiscal year.

In 2003, the amount from the permanent endowment fund to make the payments is the amount, determined by DOA, that is not designated for other purposes. In addition, the bill appropriates moneys from the permanent endowment fund, in an amount determined by DOA, for purposes relating to the contracting of public debt.

Under current law, with some exceptions, no county may impose an operating levy (the county purpose levy less the debt levy) at an operating levy rate (the total levy rate less the debt levy rate) that exceeds .001 or the operating levy rate in 1992, whichever is greater. A county may exceed the limit if its board adopts a resolution to do so and the resolution is approved by the electors of the county in a referendum. The limit may also be exceeded if a county increases the services that it provides by adding responsibility for providing a service transferred to the county by another governmental unit. If a county exceeds the limit, DOR must reduce the county's shared revenue payment and may ask DOT to reduce the county's general transportation aid payments.

Under this bill, generally no city, village, town, or county (political subdivision) whose total levy rate is at least one mill may annually increase its operating levy by a percentage that exceeds the sum of the rate of increase of inflation and population growth in the political subdivision. A political subdivision may exceed this limit if its governing body adopts a resolution to do so and the resolution is approved by the electors of the political subdivision in a referendum. The limit does not apply to any increase in a political subdivision's operating levy that results from complying with a court order, and may be adjusted to account for a transfer of responsibility to provide a service between units of government.

In addition, the limit on the increase in the levy under the bill does not apply in any county in which the operating levy that the county may impose under current law is less than the operating levy that the county may impose under the levy rate limit imposed by the bill.

This bill authorizes a political subdivision to request a waiver from a state mandate (a requirement for a political subdivision to engage in an activity or provide a service, or to increase the level of its activities or services), other than a state mandate in the area of health or safety.

The appropriate agency, or DOR, determines whether to grant the request and notifies the political subdivision and DOR in writing. A waiver is effective for four years and may be extended.

## **STATE GOVERNMENT**

### **STATE BUILDING PROGRAM**

Currently, if the building commission sells a state-owned building or structure, the commission must first use the net proceeds of the sale to retire any public debt incurred to finance construction or acquisition of the building or structure. Any remaining net proceeds are appropriated to JCF for use as determined by JCF.

This bill provides that if, before to July 1, 2003, the building commission sells any or all of the state office buildings located at 123 West Washington Avenue (Lorraine Building), 121 East Wilson Street (Lake Terrace Building), or 149 East Wilson Street in the city of Madison the commission must deposit the net proceeds

of the sale, after retiring any outstanding debt incurred in constructing or acquiring the buildings, into the general fund.

The bill also provides that if, during the period beginning on July 1, 2001, and ending on the day before the effective date of this bill, the building commission sold one of these state office buildings and any portion of the proceeds of that sale was appropriated to JCF, then on that effective date an amount equivalent to the lesser of the amount appropriated or the unencumbered balance in that appropriation is transferred to the general fund.

Currently, as work proceeds on a state building project, the state makes payments to the contractors, but the state retains 10% of the value of the work to be performed until 50% of the value of the work is completed. Under this bill, the state retains not more than 5% of the value of the work to be performed.

#### **STATE EMPLOYMENT**

This bill requires the secretary of administration to determine the number of positions in each state agency not funded as a result of any reduction in state agency operations appropriations under 2001 Wisconsin Act 16 for the 2001-03 fiscal biennium or any reduction in the appropriations under this bill and to notify JCF of the determination. If the cochairpersons of JCF do not notify the secretary within 14 working days that the committee has scheduled a meeting to review the determination, the secretary must reduce each state agency's authorized positions for the 2002-03 fiscal year by the number of unfunded positions for that state agency. If, within 14 working days, the chairpersons of JCF notify the secretary that JCF has scheduled a meeting to review the determination, the secretary may make the reductions in the authorized positions only upon approval of JCF.

#### **STATE FINANCE**

Under current law, if the secretary of administration determines that previously authorized expenditures will exceed revenues in the current or forthcoming fiscal year by more than 0.5% of the estimated general purpose revenue appropriations for that fiscal year, the secretary must immediately notify the governor, the presiding officers of each house of the legislature, and JCF. The governor must then submit a bill to correct the imbalance between projected revenues and authorized expenditures. If the legislature is not in a floorperiod at the time of the secretary's notification, the governor must call a special session of the legislature and submit the bill for consideration at that session.

This bill revises the process by which the secretary and the governor may correct budgetary imbalances. Under the bill, in each even-numbered year, the LFB must prepare an estimate of general purpose revenue receipts and expenditures for the current fiscal biennium. In addition, at any time during a fiscal biennium, DOA and DOR may prepare an estimate of general purpose revenue receipts and expenditures for the current fiscal biennium.

If the LFB estimate or the DOA and DOR estimate concludes that previously authorized general purpose revenue expenditures will exceed general purpose revenue receipts by an amount greater than 2% of the previously authorized general purpose revenue appropriations for that fiscal year, the governor must declare a fiscal emergency no later than 15 days after the date on which LFB or DOA and DOR

makes the determination. If the legislature is in a floorperiod on the date on which the governor declares a fiscal emergency, the governor, no later than 15 days after the date on which the governor declared a fiscal emergency, must submit a bill to the legislature to correct the imbalance. If the legislature has not passed a bill to correct the imbalance before the close of the last regular floorperiod of the legislative session, the secretary may, to correct the imbalance, reduce any sum certain appropriation or any expenditure estimate previously approved by the secretary during the fiscal biennium or lapse or transfer moneys to the general fund from program revenue or segregated revenue appropriations.

However, if the legislature is not in a floorperiod on the date on which the governor declares a fiscal emergency, the governor is not required to submit a bill to the legislature and the secretary may, to correct the imbalance, reduce any sum certain appropriation or any expenditure estimate that was previously approved by the secretary during the fiscal biennium or lapse or transfer moneys to the general fund from program revenue or segregated revenue appropriations.

Under the bill, the secretary may not lapse or transfer money to the general fund from any of the following: an appropriation that is funded from federal revenues; an appropriation for principal repayment and interest payments on public debt or operating notes; an appropriation to DOT for the purpose of undertaking construction projects; an appropriation for the operation of any state institution established for the care or custody of individuals; an appropriation funded from gifts, grants, or bequests; an appropriation containing moneys whose lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys; or an appropriation containing moneys whose lapse or transfer would violate the federal or state constitution.

Finally, the bill provides that if the secretary reduces a sum certain appropriation or an expenditure estimate, or lapses or transfers money to the general fund from any appropriation that is made to provide money to more than one local governmental unit, with the result that less money is provided to the local governmental unit, the secretary must ensure that each local governmental unit receives the same percentage reduction in money paid from that appropriation.

This bill requires the board of commissioners of public lands to establish the Federal Match Star Program, under which the board may make loans from the common school fund, the normal school fund, the university fund, and the agricultural college fund to any municipality eligible to receive a state trust fund loan. The moneys must be used to provide matching funds for any federal grant that is awarded to a municipality following a competitive application process and that requires matching funds. The bill provides that the total amount of outstanding loans may not exceed \$50,000,000.

Under current law a fiscal estimate must be prepared for any bill making an appropriation and any bill increasing or decreasing existing appropriations or state or general local government fiscal liability or revenues. This bill requires that an estimate of the economic impact on a private person or a political subdivision of this state must also be prepared.

### **OTHER STATE GOVERNMENT**

Under current law, whenever an agency proposes an administrative rule that may have an effect on small businesses, the agency must consider methods of reducing that effect, including the establishment of less stringent requirements for small businesses. The agency must also allow small businesses to participate in rule making and must notify the secretary of commerce and the small business ombudsman clearinghouse if the agency proposes a rule that will affect small businesses. If the agency determines that the proposed rule may have a significant economic impact on a substantial number of small businesses, the agency must include a regulatory flexibility analysis at the time the agency submits its final draft of the proposed rule to the legislature.

This bill requires DOA to prepare an economic impact assessment of any proposed rule prepared by an agency that may have an economic impact on a private person, such as a business or corporation, or on a political subdivision of the state, such as a city or county. The assessment must evaluate the costs and benefits of complying with the proposed rule and the potential impact of the proposed rule on the decisions of the private person or political subdivision of the state. The agency must submit the economic impact assessment to the legislative council staff with the proposed rule, and to the legislature when the proposed rule is in final form, with a report explaining any changes that were made in the proposed rule as a result of the economic impact assessment.

Current law requires each county to appoint a local emergency planning committee to facilitate the preparation and implementation of an emergency response plan for responding to the release of a hazardous substance. The division of emergency management in DOA awards grants to local emergency planning committees for maintaining, exercising, reviewing, and implementing emergency response plans related to the release of a hazardous substance and purchasing necessary equipment and supplies.

This bill authorizes the office of justice assistance to award grants to local emergency planning committees for purchasing materials and providing services related to investigating, preventing, and responding to acts of terrorism. The grant program sunsets on June 30, 2003.

This bill permits the governor to designate one of his or her employees as a domestic security coordinator to coordinate the state's security and public safety needs. The bill also permits the secretary of administration to transfer any vacant unclassified position in the executive branch of state government to the office of the governor to fill the domestic security coordinator position. The bill does not transfer funding for the transferred position.

This bill creates a special committee, called the commission on local government, consisting of members appointed by the governor, to examine the organization, authority, and efficiency of local governments; the services provided by each type of local government; the services required of local governments by the state; the relationship of local governments with the state; spending by local governments; and ways to deliver local governmental services more efficiently. The commission must report its findings and recommendations to the governor and the

legislature by February 1, 2003. Upon submittal of its report, the commission ceases to exist.

Under current law, DOA provides grants and loans to persons and families of low and moderate income to defray housing costs and awards grants to community-based organizations and other housing organizations to pay operating costs and salaries and other personnel expenses so that the organizations are better able to provide housing services to these persons. This bill changes the source of funding for these grants and loans from the general fund to WHEDA's authority surplus fund.

Currently, DOA awards grants to the Wisconsin Patient Safety Institute, Inc., for collection, analysis, and dissemination of information about patient safety and training of health care providers and their employees directed toward improving patient safety. This bill eliminates these grants.

### **TAXATION**

This bill adopts, for income tax and franchise tax purposes, the changes to the federal Internal Revenue Code made by Public Laws 106-200; 106-230; 106-519; 106-554; 106-573; 107-15; 107-16, excluding the section related to a deduction for higher education expenses; and 107-22.

### **TRANSPORTATION**

This bill transfers \$4,333,600 in fiscal year 2001-02 and \$6,190,900 in fiscal year 2002-03 from the transportation fund to the general fund.

### **VETERANS AND MILITARY AFFAIRS**

Under current law, DMA administers the Youth Challenge Program, which is a residential program that enables disadvantaged youth to obtain a high school equivalency diploma. This bill eliminates the Youth Challenge Program effective July 1, 2002.

This bill appropriates moneys from the utility public benefits fund for paying a portion of the energy costs of DMA in fiscal year 2002-03. The bill also prohibits DMA from spending a portion of its general purpose revenue funding for energy costs in fiscal year 2002-03 without the approval of the secretary of administration.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1           **SECTION 1.** 6.18 of the statutes is amended to read:
- 2           **6.18 Former residents.** If ineligible to qualify as an elector in the state to
- 3           which the elector has moved, any former qualified Wisconsin elector may vote an



1 absentee ballot in the ward of the elector's prior residence in any presidential election  
2 occurring within 24 months after leaving Wisconsin by requesting an application  
3 form and returning it, properly executed, to the municipal clerk of the elector's prior  
4 Wisconsin residence. When requesting an application form for an absentee ballot,  
5 the applicant shall specify the applicant's eligibility for only the presidential ballot.  
6 The application form shall require the following information and be in substantially  
7 the following form:

8 This blank shall be returned to the municipal clerk's office. Application must  
9 be received in sufficient time for ballots to be mailed and returned prior to any  
10 presidential election at which applicant wishes to vote. Complete all statements in  
11 full.

12 APPLICATION FOR PRESIDENTIAL  
13 ELECTOR'S ABSENT BALLOT.

14 (To be voted at the Presidential Election  
15 on November ..., ... (year)

16 I, ... hereby swear or affirm that I am a citizen of the United States, formerly  
17 residing at ... in the ... ward ... aldermanic district (city, town, village) of ..., County  
18 of ... for 10 days prior to leaving the State of Wisconsin. I, ... do solemnly swear or  
19 affirm that I do not qualify to register or vote under the laws of the State of ...(State  
20 you now reside in) where I am presently residing. A citizen must be a resident of:  
21 State ...(Insert time) County ...(Insert time) City, Town or Village ...(Insert time),  
22 in order to be eligible to register or vote therein. I further swear or affirm that my  
23 legal residence was established in the State of ...(the State where you now reside)  
24 on ... Month ... Day ... Year.

25 Signed ...

1 Address ....(Present address)

2 ....(City) ....(State)

3 Subscribed and sworn to before me this .... day of .... (year)

4 ....(Notary Public, or other officer authorized to administer oaths.)

5 ....(County)

6 My Commission expires

7 MAIL BALLOT TO:

8 NAME ....

9 ADDRESS ....

10 CITY .... STATE .... ZIP CODE ....

11 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
12 under this section may be fined not more than \$1,000 or imprisoned for not more than  
13 6 months, or both. Whoever intentionally votes more than once in an election may  
14 be fined not more than \$10,000 or imprisoned for not more than 3 years, and 6 months  
15 or both.

16 ....(Municipal Clerk)

17 ....(Municipality)

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

19 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
20 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~  
21 ~~or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a Class I  
22 felony.

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

24 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
25 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve

1 a specific figure, or ~~where~~ if the intentional violation concerns a figure which exceeds  
2 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~  
3 ~~more than 4 years and 6 months or both.~~

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

5 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
6 (a), (e), (f), (j), (k), (L), (m), (y) or (z) ~~may be fined not more than \$10,000 or imprisoned~~  
7 ~~for not more than 4 years and 6 months or both~~ is guilty of a Class I felony.

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

9 **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
10 offers or promises to give his or her vote or influence in favor of or against any  
11 measure or proposition pending or proposed to be introduced, in the legislature in  
12 consideration or upon condition that any other person elected to the same legislature  
13 will give or will promise or agree to give his or her vote or influence in favor of or  
14 against any other measure or proposition pending or proposed to be introduced in  
15 such legislature, or who gives, offers or promises to give his or her vote or influence  
16 for or against any measure on condition that any other member will give his or her  
17 vote or influence in favor of any change in any other bill pending or proposed to be  
18 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
19 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
20 is guilty of a Class I felony.

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

22 **13.06 Executive favor.** Any member of the legislature who gives, offers or  
23 promises to give his or her vote or influence in favor of or against any measure or  
24 proposition pending or proposed to be introduced in the legislature, or that has  
25 already been passed by either house of the legislature, in consideration of or on

1 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
2 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
3 introduced in the legislature or that has already been passed by the legislature, or  
4 either house thereof, or in consideration or upon condition that the governor  
5 nominate for appointment or appoint or remove any person to or from any office or  
6 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~  
7 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty  
8 of a Class I felony.

9 **SECTION 7.** 13.093 (2) (a) and (b) of the statutes are amended to read:

10 13.093 (2) (a) Any bill making an appropriation and any bill increasing or  
11 decreasing existing appropriations or state or general local government fiscal  
12 liability or revenues or having an economic impact on a private person or a political  
13 subdivision of this state shall, before any vote is taken thereon by either house of the  
14 legislature if the bill is not referred to a standing committee, or before any public  
15 hearing is held before any standing committee or, if no public hearing is held, before  
16 any vote is taken by the committee, incorporate a reliable estimate of the anticipated  
17 change in appropriation authority or state or general local government fiscal liability  
18 or revenues and a reliable estimate of the anticipated economic impact on a private  
19 person or a political subdivision of this state under the bill, including to the extent  
20 possible a projection of such changes in future biennia. For purposes of this  
21 paragraph, a bill increasing or decreasing the liability or revenues of the  
22 unemployment reserve fund is considered to increase or decrease state fiscal liability  
23 or revenues. Except as otherwise provided by joint rules of the legislature, such  
24 estimates shall be made by the department or agency administering the  
25 appropriation or fund or collecting the revenue or administering the law creating the

1 economic impact. The joint survey committee on retirement systems shall prepare  
2 the fiscal estimate with respect to the provisions of any bill referred to it which create  
3 or modify any system for, or make any provision for, the retirement of or payment of  
4 pensions to public officers or employees. When a fiscal estimate or economic impact  
5 estimate is prepared after the bill has been introduced, it shall be printed and  
6 distributed as are amendments.

7 (b) Executive budget bills introduced under s. 16.47 (1) are exempt from the  
8 ~~fiscal estimate~~ requirement under par. (a) but shall, if they contain a provision  
9 affecting a public retirement fund or providing a tax exemption, be analyzed as to  
10 those provisions by the respective joint survey committee. If such a bill contains a  
11 provision providing a tax exemption, the bill shall be simultaneously referred to the  
12 joint survey committee on tax exemptions and the joint committee on finance. The  
13 report of the joint survey committee on tax exemptions shall be prepared within 60  
14 days of introduction for bills introduced under s. 16.47 (1).

15 **SECTION 8.** 13.525 of the statutes is created to read:

16 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

17 There is created a joint review committee on criminal penalties composed of the  
18 following members:

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

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

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

24 (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           **(5m) RECOMMENDATIONS REGARDING SENTENCE MODIFICATIONS.** (a) No later than  
21 the first day of the 6th month beginning after the effective date of this paragraph ....  
22 [revisor inserts date], the committee shall submit a report to the legislature, in the  
23 manner provided under s. 13.172 (2), and to the governor containing  
24 recommendations regarding standards and procedures to be used by a court to

1 modify a bifurcated sentence. The report shall include any proposed legislation that  
2 is necessary to implement the recommendations made by the committee in its report.

3 (b) Any proposed legislation included in the report under par. (a) shall provide  
4 that a bifurcated sentence that a court previously imposed may be modified only by  
5 reducing the term of confinement in prison portion of the sentence and lengthening  
6 the term of extended supervision imposed so that the total length of the bifurcated  
7 sentence originally imposed does not change.

8 **(6) COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as  
9 needed to elicit information for making a report under sub. (5) (b) or (5m) (a) or for  
10 developing proposed legislation under sub. (5m) (a). The committee shall meet at the  
11 call of its cochairpersons. All actions of the committee require the approval of a  
12 majority of all of its members.

13 **SECTION 9.** 13.525 (5m) of the statutes, as created by 2001 Wisconsin Act ...  
14 (this act), is repealed.

15 **SECTION 10.** 13.69 (6m) of the statutes is amended to read:

16 13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a  
17 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
18 he or she does not believe to be true ~~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 11.** 13.95 (1) (h) of the statutes is created to read:

22 13.95 **(1)** (h) In each even-numbered year, no later than January 31, prepare  
23 an estimate of general purpose revenue receipts and expenditures for the current  
24 fiscal biennium. The legislative fiscal bureau shall submit a copy of the estimate to



1 the governor, the secretary of administration, the co-chairpersons of the joint  
2 committee on finance, and the presiding officer of each house of the legislature.

3 **SECTION 12.** 14.21 of the statutes is created to read:

4 **14.21 Domestic security.** The governor may designate an employee of the  
5 office of the governor to serve as domestic security coordinator. The domestic security  
6 coordinator shall, upon direction of the governor, advise and assist in carrying out  
7 the functions of the governor with respect to coordination of the state's security and  
8 public safety needs.

9 **SECTION 13.** 15.01 (2) of the statutes, as affected by 2001 Wisconsin Act 16, is  
10 amended to read:

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

22 **SECTION 14.** 15.105 (27) of the statutes is created to read:

23 15.105 (27) SENTENCING COMMISSION. (a) *Creation; membership.* There is  
24 created a sentencing commission that is attached to the department of  
25 administration under s. 15.03 and that shall consist of the following members:

1           1. The attorney general or his or her designee.

2           2. The state public defender or his or her designee.

3           3. Seven members, at least 2 of whom are not employed by any unit of federal,  
4 state, or local government, appointed by the governor.

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

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

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

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

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

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

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

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

24           (e) *Reimbursement and compensation.* Members of the commission shall be  
25 reimbursed for their actual and necessary expenses incurred in the performance of

1 their duties. An officer or employee of the state shall be reimbursed by the agency  
2 that pays the member's salary. Members who are full-time state officers or  
3 employees shall receive no compensation for their services. Other members shall be  
4 paid \$25 per day, in addition to their actual and necessary expenses, for each day on  
5 which they are actually and necessarily engaged in the performance of their duties.

6 (f) *Sunset*. This subsection does not apply after December 31, 2007.

7 **SECTION 15.** 16.33 (1) (a) of the statutes is amended to read:

8 16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents  
9 designated under s. 16.334, from the ~~appropriation~~ appropriations under s. 20.505  
10 (7) (b) and (j) to persons or families of low or moderate income to defray housing costs  
11 of the person or family.

12 **SECTION 16.** 16.40 (24) of the statutes, as created by 2001 Wisconsin Act 16, is  
13 repealed.

14 **SECTION 17.** 16.40 (25) of the statutes is created to read:

15 16.40 (25) PAYMENTS FROM THE PERMANENT ENDOWMENT FUND RELATING TO PUBLIC  
16 DEBT. Annually, determine the amount to be paid from the permanent endowment  
17 fund into one or more sinking funds of the bond security and redemption fund under  
18 s. 18.09 (1) and any escrow accounts established under escrow agreements  
19 authorized by the secretary of administration that relate to the contracting of public  
20 debt.

21 **SECTION 18.** 16.50 (5) of the statutes is amended to read:

22 16.50 (5) DISBURSEMENTS. The secretary may not draw a warrant for payment  
23 of any expenditures incurred by any department nor may any department make any  
24 expenditure for which the approval of the secretary or the governor is necessary  
25 under this section, including any expenditure under s. 20.867, unless the

1 expenditure was made in accordance with an estimate submitted to and approved  
2 by the secretary or by the governor. In the event that the secretary determines that  
3 previously authorized expenditures will exceed revenues in the current or  
4 forthcoming fiscal year by more than ~~0.5%~~ 2.0% of the estimated general purpose  
5 revenue appropriations for that fiscal year, he or she may not decline to approve an  
6 estimate or to draw a warrant under this subsection, but shall instead proceed under  
7 sub. (7).

8 **SECTION 19.** 16.50 (6m) of the statutes is created to read:

9 16.50 **(6m)** ESTIMATES OF EXPENDITURES AND REVENUES. At any time during a  
10 fiscal biennium, the departments of administration and revenue may jointly prepare  
11 an estimate of general purpose revenue receipts and expenditures for that fiscal  
12 biennium. The departments of administration and revenue shall submit a copy of  
13 any estimate to the governor, the co-chairpersons of the joint committee on finance,  
14 and the presiding officer of each house of the legislature.

15 **SECTION 20.** 16.50 (7) of the statutes, as affected by 2001 Wisconsin Act 16, is  
16 repealed and recreated to read:

17 16.50 **(7)** REVENUE SHORTFALL. (a) If the legislative fiscal bureau, under s. 13.95  
18 (1) (h), or the departments of administration and revenue, under sub. (6m),  
19 determine that previously authorized general purpose revenue expenditures will  
20 exceed general purpose revenue receipts by an amount that is greater than 2% of the  
21 previously authorized general purpose revenue appropriations for that fiscal year,  
22 the governor shall declare a fiscal emergency no later than 15 days after the date on  
23 which the legislative fiscal bureau or the departments of administration and revenue  
24 makes the determination.

1 (b) If the legislature is in a floorperiod on the date on which the governor  
2 declares a fiscal emergency under par. (a), the governor, no later than 15 days after  
3 the date on which the governor declared a fiscal emergency, shall submit a bill to the  
4 legislature containing his or her recommendations for correcting the imbalance. If  
5 the legislature has not passed a bill to correct the imbalance before the close of the  
6 last regular floorperiod of the legislature, the secretary, subject to pars. (d) to (f), may  
7 do any of the following to correct the imbalance for that fiscal biennium:

8 1. Reduce any sum certain appropriation, any expenditure estimate previously  
9 approved under sub. (2), and any expenditure estimate for an appropriation under  
10 ss. 20.255 (2) (ac), (fm), and (fu) and 20.835 (1) (b), (c), (d), (e), and (f).

11 2. Lapse or transfer moneys to the general fund, whichever is appropriate, from  
12 program revenue or segregated revenue appropriations.

13 (c) If the legislature is not in a floorperiod on the date on which the governor  
14 declares a fiscal emergency under par. (a), the secretary, subject to pars. (d) to (f), may  
15 do any of the following to correct the imbalance for that fiscal biennium:

16 1. Reduce any sum certain appropriation, any expenditure estimate previously  
17 approved under sub. (2), and any expenditure estimate for an appropriation under  
18 ss. 20.255 (2) (ac), (fm), and (fu) and 20.835 (1) (b), (c), (d), (e), and (f).

19 2. Lapse or transfer moneys to the general fund, whichever is appropriate, from  
20 program revenue or segregated revenue appropriations.

21 (d) The secretary may not reduce any sum certain appropriation or any  
22 expenditure estimate under par. (b) 1. or (c) 1. if the reduction would violate the  
23 federal or state constitution.

24 (e) The secretary may not lapse or transfer money to the general fund under  
25 par. (b) 2. or (c) 2. from any of the following:

1           1. An appropriation that is funded from federal revenues.

2           2. An appropriation for principal repayment and interest payments on public  
3 debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).

4           3. An appropriation to the department of transportation for the purpose of  
5 undertaking construction projects.

6           4. An appropriation for the operation of any state institution established for the  
7 care or custody of individuals.

8           5. An appropriation funded from gifts, grants, or bequests.

9           6. An appropriation containing moneys whose lapse or transfer would violate  
10 a condition imposed by the federal government on the expenditure of the moneys.

11           7. An appropriation containing moneys whose lapse or transfer would violate  
12 the federal or state constitution.

13           (f) 1. In this paragraph, "local governmental unit" means a political subdivision  
14 of the state, a special purpose district of the state, an instrumentality or corporation  
15 of such a political subdivision or special purpose district, a combination or subunit  
16 of any of the foregoing, or an instrumentality of the state and any of the foregoing.

17           2. If the secretary reduces a sum certain appropriation or an expenditure  
18 estimate under par. (b) 1. or (c) 1., or lapses or transfers money to the general fund  
19 under par. (b) 2. or (c) 2., from any appropriation that is made to provide money to  
20 more than one local governmental unit, with the result that less money is provided  
21 to the local governmental units, the secretary shall ensure that each local  
22 governmental unit receives the same percentage reduction in money paid from that  
23 appropriation.

24           **SECTION 21.** 16.855 (19) of the statutes is amended to read:

1           16.855 (19) As the work progresses under any contract for construction the  
2 department, from time to time, shall grant to the contractor an estimate of the  
3 amount and proportionate value of the work done, which shall entitle the contractor  
4 to receive the amount thereof, less the ~~retaining~~ retainage, from the proper fund. On  
5 all construction projects, the ~~The~~ retainage shall be an amount equal to 10% not more  
6 than 5% of said estimate until 50% 100% of the work has been completed. ~~At 50%~~  
7 ~~completion, no additional amounts shall be retained, and partial payments shall be~~  
8 ~~made in full to the contractor unless the architect or engineer certifies that the job~~  
9 ~~is not proceeding satisfactorily. At 50% completion or any time thereafter when the~~  
10 ~~progress of the work is not satisfactory, additional amounts may be retained but in~~  
11 ~~no event shall the total retainage be more than 10% of the value of the work~~  
12 ~~completed. Upon substantial completion of the work, an amount retained may be~~  
13 ~~paid to the contractor. For the purposes of this section, estimates may include any~~  
14 ~~fabricated or manufactured materials and components specified, previously paid for~~  
15 ~~by contractor and delivered to the work or properly stored and suitable for~~  
16 ~~incorporation in the work embraced in the contract. This subsection does not apply~~  
17 ~~to contracts awarded under s. 16.858.~~

18           **SECTION 22.** 16.964 (9) of the statutes is created to read:

19           16.964 (9) (a) In this subsection:

20           1. "Act of terrorism" has the meaning given in s. 146.50 (1) (ag).

21           2. "Local emergency planning committee" means a committee appointed under  
22 s. 59.54 (8) (a).

23           (b) From the appropriation under s. 20.505 (6) (e), the office shall provide grants  
24 to local emergency planning committees to purchase materials and services for use  
25 in investigating, preventing, or responding to acts of terrorism. Materials and

1 services that may be purchased with funds provided under this subsection include  
2 any of the following:

3 1. Communications equipment.

4 2. Safety or protective equipment for law enforcement officers, fire fighters,  
5 emergency medical technicians, first responders, or local emergency response team  
6 members who respond to emergencies.

7 3. Training related to investigation or prevention of, or response to, acts of  
8 terrorism that pose a threat to the environment.

9 4. Information systems, software, or computer equipment for investigating acts  
10 of terrorism that pose a threat to the environment.

11 **SECTION 23.** 16.964 (9) of the statutes, as created by 2001 Wisconsin Act .... (this  
12 act), is repealed.

13 **SECTION 24.** 19.42 (10) (p) of the statutes is created to read:

14 19.42 (10) (p) A member, the executive director, or the deputy director of the  
15 sentencing commission.

16 **SECTION 25.** 19.42 (13) (o) of the statutes is created to read:

17 19.42 (13) (o) The position of member, executive director, or deputy director of  
18 the sentencing commission.

19 **SECTION 26.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
20 insert the following amounts for the purposes indicated:

21 **2001-02**      **2002-03**

22 **20.285 University of Wisconsin System**

23 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC

24 SERVICE



				<b>2001-02</b>	<b>2002-03</b>
1	(s)	Energy costs; public benefits			
2		funding	SEG A	4,150,000	17,122,600
3		<b>20.292 Technical college system, board of</b>			
4	(1)	TECHNICAL COLLEGE SYSTEM			
5	(eq)	Educational assistance for dislo-			
6		cated workers	GPR A	-0-	4,200,000
7		<b>20.435 Health and family services, department</b>			
8		<b>of</b>			
9	(2)	CARE AND TREATMENT FACILITIES			
10	(r)	Energy costs; public benefits			
11		funding	SEG A	-0-	600,000
12		<b>20.465 Military affairs, department of</b>			
13	(1)	NATIONAL GUARD OPERATIONS			
14	(r)	Energy costs; public benefits			
15		funding	SEG A	-0-	427,400
16		<b>20.505 Administration, department of</b>			
17	(4)	ATTACHED DIVISIONS AND OTHER BODIES			
18	(dr)	Sentencing commission	GPR A	-0-	140,000
19	(6)	OFFICE OF JUSTICE ASSISTANCE			
20	(e)	Terrorism preparation and			
21		response grants	GPR B	3,600,000	-0-

**2001-02      2002-03**

1	(7)	HOUSING ASSISTANCE					
2	(j)	Housing grants and loans; sur-					
3		plus transfer	PR	B	1,500,000	3,300,300	

**20.855 Miscellaneous appropriations**

(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS

6	(v)	Transfers to general fund;					
7		2001-02 and 2002-03 fiscal					
8		years	SEG	A	4,333,600	6,190,900	

**SECTION 27.** 20.115 (1) (c) of the statutes is repealed.

**SECTION 28.** 20.115 (4) (f) of the statutes is repealed.

**SECTION 29.** 20.143 (1) (en) of the statutes is repealed.

**SECTION 30.** 20.143 (1) (in) of the statutes is repealed.

**SECTION 31.** 20.255 (2) (ac) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of educational aids under ss. 121.08, 121.09, and 121.105 and subch. VI of ch. 121 equal to \$3,767,893,500 \$4,200,945,900 in the ~~1999-2000~~ 2002-03 fiscal year and equal to the amount determined by the joint committee on finance under s. 121.15 (3m) (c) in each the 2004-05 fiscal year ~~thereafter~~.

**SECTION 32.** 20.255 (3) (eg) of the statutes is repealed.

**SECTION 33.** 20.285 (1) (s) of the statutes is created to read:

20.285 (1) (s) *Energy costs; public benefits funding.* From the utility public benefits fund, the amounts in the schedule to pay for utilities and for fuel, heat, and

1 air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, including all  
2 operating costs recommended by the department of administration that result from  
3 the installation of pollution abatement equipment in state-owned or state-operated  
4 heating, cooling, or power plants, by or on behalf of the board of regents. No moneys  
5 may be encumbered from this appropriation after June 30, 2003.

6 **SECTION 34.** 20.292 (1) (ep) of the statutes is repealed.

7 **SECTION 35.** 20.292 (1) (eq) of the statutes is created to read:

8 20.292 (1) (eq) *Educational assistance for dislocated workers.* The amounts in  
9 the schedule for educational assistance for dislocated workers under s. 38.307.

10 **SECTION 36.** 20.370 (1) (fe) 1. of the statutes is amended to read:

11 20.370 (1) (fe) 1. From the general fund, a sum sufficient in fiscal year 1993-94  
12 and in each fiscal year thereafter that equals the sum of the amount certified in that  
13 fiscal year under s. 71.10 (5) (h) 3. for the previous fiscal year and the amounts  
14 received under par. (gr) in that fiscal year for the purposes of the endangered  
15 resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under  
16 this subdivision may not exceed \$500,000 in a fiscal year, except that the amount  
17 appropriated under this subdivision in fiscal year 2001-02 may not exceed \$482,500  
18 and the amount appropriated under this subdivision in fiscal year 2002-03 may not  
19 exceed \$475,000.

20 **SECTION 37.** 20.410 (1) (bm) of the statutes is repealed.

21 **SECTION 38.** 20.435 (2) (r) of the statutes is created to read:

22 20.435 (2) (r) *Energy costs; public benefits funding.* From the utility public  
23 benefits fund, the amounts in the schedule to be used at mental health institutes and  
24 centers for the developmentally disabled to pay for utilities and for fuel, heat, and  
25 air conditioning and to pay costs incurred by or on behalf of the department under

1 ss. 16.858 and 16.895. No moneys may be encumbered from this appropriation after  
2 June 30, 2003.

3 **SECTION 39.** 20.435 (5) (fh) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is repealed.

5 **SECTION 40.** 20.436 (1) (b) of the statutes is created to read:

6 20.436 (1) (b) *Annual transfer from general fund.* Annually, beginning on June  
7 15, 2004, a sum sufficient to be transferred to the tobacco control fund equal to  
8 \$25,000,000, less the amount transferred from the permanent endowment fund  
9 under s. 13.101 (16) (b) in that year.

10 **SECTION 41.** 20.445 (3) (md) of the statutes, as affected by 2001 Wisconsin Act  
11 16, is amended to read:

12 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less  
13 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and  
14 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), and (kp),  
15 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km), and (ky), (5) (ky),  
16 (7) (ky), and (8) (kx), 20.465 (4) (k), and 20.835 (2) (kf). All block grant moneys  
17 received for these purposes from the federal government or any of its agencies, all  
18 moneys transferred under 2001 Wisconsin Act ... (this act), section 9223 (17), from  
19 the appropriation account under s. 20.435 (7) (o), and all moneys recovered under s.  
20 49.143 (3) shall be credited to this appropriation account.

21 **SECTION 42.** 20.465 (1) (r) of the statutes is created to read:

22 20.465 (1) (r) *Energy costs; public benefits funding.* From the utility public  
23 benefits fund, the amounts in the schedule to be used at military buildings under the  
24 control of the department to pay for utilities and for fuel, heat, and air conditioning

1 and to pay costs incurred by or on behalf of the department under ss. 16.858 and  
2 16.895. No moneys may be encumbered from this appropriation after June 30, 2003.

3 **SECTION 43.** 20.465 (4) (c) of the statutes is repealed.

4 **SECTION 44.** 20.505 (1) (fe) of the statutes, as created by 2001 Wisconsin Act  
5 16, is repealed.

6 **SECTION 45.** 20.505 (3) (s) of the statutes, as affected by 2001 Wisconsin Act 16,  
7 is amended to read:

8 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*  
9 *grants.* From the utility public benefits fund, a sum sufficient equal to the difference  
10 between the unencumbered balance in the utility public benefits fund on the effective  
11 date of this paragraph .... [revisor inserts date], and the sum of the amounts shown  
12 in the schedule under s. 20.005 (3) for the appropriations under pars. (r) and (rr) and  
13 the amounts appropriated under ss. 20.285 (1) (s), 20.435 (2) (r), 20.465 (1) (r), and  
14 20.505 (3) (q), for energy conservation and efficiency and renewable resource grants  
15 under s. 16.957 (2) (b) 1. and to make the transfer to the air quality improvement fund  
16 under s. 16.958 (2) (a).

17 **SECTION 46.** 20.505 (3) (s) of the statutes, as affected by 2001 Wisconsin Act ....  
18 (this act), is repealed and recreated to read:

19 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*  
20 *grants.* From the utility public benefits fund, a sum sufficient for energy  
21 conservation and efficiency and renewable resource grants under s. 16.957 (2) (b) 1.  
22 and to make the transfer to the air quality improvement fund under s. 16.958 (2) (a).

23 **SECTION 47.** 20.505 (4) (dr) of the statutes is created to read:

1           20.505 (4) (dr) *Sentencing commission*. The amounts in the schedule for the  
2           general program operations of the sentencing commission. No money may be  
3           encumbered from the appropriation under this paragraph after December 31, 2007.

4           **SECTION 48.** 20.505 (4) (mr) of the statutes is created to read:

5           20.505 (4) (mr) *Sentencing commission; federal aid*. All moneys received as  
6           federal aid as authorized by the governor under s. 16.54 to carry out the purposes for  
7           which the aid is provided. No money may be encumbered from the appropriation  
8           under this paragraph after December 31, 2007.

9           **SECTION 49.** 20.505 (6) (e) of the statutes is created to read:

10          20.505 (6) (e) *Terrorism preparation and response grants*. Biennially, the  
11          amounts in the schedule for grants to local emergency planning committees under  
12          s. 16.964 (9).

13          **SECTION 50.** 20.505 (6) (e) of the statutes, as created by 2001 Wisconsin Act ....  
14          (this act), is repealed.

15          **SECTION 51.** 20.505 (7) (b) (title) of the statutes is amended to read:

16          20.505 (7) (b) (title) *Housing grants and loans; general purpose revenue*.

17          **SECTION 52.** 20.505 (7) (j) of the statutes is created to read:

18          20.505 (7) (j) *Housing grants and loans; surplus transfer*. Biennially, the  
19          amounts in the schedule for grants and loans under s. 16.33 and for grants under s.  
20          16.336. All moneys received from the Wisconsin Housing and Economic  
21          Development Authority under s. 234.165 (3) shall be credited to this appropriation  
22          account.

23          **SECTION 53.** 20.835 (1) (b) of the statutes is amended to read:

1           20.835 (1) (b) *Small municipalities shared revenue*. A sum sufficient to make  
2 the payments under s. 79.03 (3c). No moneys may be encumbered or expended from  
3 this appropriation after June 30, 2004.

4           **SECTION 54.** 20.835 (1) (c) of the statutes is amended to read:

5           20.835 (1) (c) *Expenditure restraint program account*. A sum sufficient to make  
6 the payments under s. 79.05. No moneys may be encumbered or expended from this  
7 appropriation after June 30, 2004.

8           **SECTION 55.** 20.835 (1) (d) of the statutes is amended to read:

9           20.835 (1) (d) *Shared revenue account*. A sum sufficient to meet the  
10 requirements of the shared revenue account established under s. 79.01 (2) to provide  
11 for the distributions from the shared revenue account to counties, towns, villages,  
12 and cities under ss. 79.03, 79.04, and 79.06. No moneys may be encumbered or  
13 expended from this appropriation after June 30, 2004.

14           **SECTION 56.** 20.835 (1) (f) of the statutes is amended to read:

15           20.835 (1) (f) *County mandate relief account*. A sum sufficient to make the  
16 payments to counties under s. 79.058. No moneys may be encumbered or expended  
17 from this appropriation after June 30, 2004.

18           **SECTION 57.** 20.855 (2) of the statutes is created to read:

19           20.855 (2) TRANSFERS TO GENERAL FUND. (s) *Segregated fund transfers to the*  
20 *general fund*. From the appropriate segregated funds, a sum sufficient equal to the  
21 amount of moneys from segregated revenue appropriations that are transferred to  
22 the general fund under s. 16.50 (7) (b) 2. or (c) 2.

23           **SECTION 58.** 20.855 (4) (f) of the statutes is amended to read:

24           20.855 (4) (f) *Supplemental title fee matching*. From the general fund, a sum  
25 sufficient equal to the amount of supplemental title fees collected under ss. 101.9208

1 (1) (dm) and 342.14 (3m), as determined under s. 85.037, less \$555,000, to be  
2 transferred to the environmental fund on October 1 annually.

3 **SECTION 59.** 20.855 (4) (rb) of the statutes is created to read:

4 20.855 (4) (rb) *Shared revenue payment.* From the permanent endowment  
5 fund, a sum sufficient to make the payments under s. 79.02 (2) (b) and (c).

6 **SECTION 60.** 20.855 (4) (rb) of the statutes, as created by 2001 Wisconsin Act  
7 .... (this act), is repealed.

8 **SECTION 61.** 20.855 (4) (rh) of the statutes, as created by 2001 Wisconsin Act  
9 16, is amended to read:

10 20.855 (4) (rh) *Annual transfer from permanent endowment fund to general*  
11 *fund.* From the permanent endowment fund, to be transferred to the general fund,  
12 a sum sufficient equal to the amount that is required to be transferred to the general  
13 fund under s. 13.101 (16).

14 **SECTION 62.** 20.855 (4) (rm) of the statutes is created to read:

15 20.855 (4) (rm) *Payment relating to public debt.* From the permanent  
16 endowment fund, a sum sufficient equal to the amount determined by the  
17 department of administration under s. 16.40 (25), to be paid into one or more sinking  
18 funds of the bond security and redemption fund under s. 18.09 (1) and any escrow  
19 accounts established under escrow agreements authorized by the secretary of  
20 administration that relate to the contracting of public debt.

21 **SECTION 63.** 20.855 (4) (v) of the statutes is created to read:

22 20.855 (4) (v) *Transfers to general fund; 2001-02 and 2002-03 fiscal years.*  
23 From the transportation fund, the amounts in the schedule to be transferred to the  
24 general fund.



1           **SECTION 64.** 20.855 (4) (v) of the statutes, as created by 2001 Wisconsin Act ...  
2 (this act), is repealed.

3           **SECTION 65.** 20.866 (2) (xc) of the statutes is amended to read:

4           20.866 (2) (xc) *Building commission; refunding tax-supported general*  
5 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the  
6 whole or any part of any unpaid indebtedness used to finance facilities in which  
7 general obligation bonds are paid from general purpose revenue. The state may  
8 contract public debt in an amount not to exceed ~~\$2,125,000,000~~ \$2,102,086,430 for  
9 this purpose. Such indebtedness shall be construed to include any premium and  
10 interest payable with respect thereto. Debt incurred by this paragraph shall be  
11 repaid under the appropriations providing for the retirement of public debt incurred  
12 for tax-supported facilities in proportional amounts to the purposes for which the  
13 debt was refinanced. It is the intent of the legislature that this refunding authority  
14 only be used if the true interest costs to the state can be reduced.

15           **SECTION 66.** 20.866 (2) (xd) of the statutes is amended to read:

16           20.866 (2) (xd) *Building commission; refunding self-amortizing general*  
17 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the  
18 whole or any part of any unpaid indebtedness used to finance facilities in which  
19 general obligation bonds are repaid from program revenues or segregated funds. The  
20 state may contract public debt in an amount not to exceed ~~\$275,000,000~~  
21 \$272,863,033 for this purpose. Such indebtedness shall be construed to include any  
22 premium and interest payable with respect thereto. Debt incurred by this paragraph  
23 shall be repaid under the appropriations providing for the retirement of public debt  
24 incurred for self-amortizing facilities in proportional amounts to the purposes for

1 which the debt was refinanced. It is the intent of the legislature that this refunding  
2 authority only be used if the true interest costs to the state can be reduced.

3 **SECTION 67.** 20.866 (2) (xe) (title) of the statutes, as created by 2001 Wisconsin  
4 Act 16, is amended to read:

5 20.866 (2) (xe) (title) *Building commission; refunding tax-supported and*  
6 *self-amortizing general obligation debt incurred before June 30, 2003.*

7 **SECTION 68.** 20.866 (2) (xm) of the statutes is created to read:

8 20.866 (2) (xm) *Building commission; refunding tax-supported and*  
9 *self-amortizing general obligation debt.* From the capital improvement fund, a sum  
10 sufficient to refund the whole or any part of any unpaid indebtedness used to finance  
11 tax-supported or self-amortizing facilities. In addition to the amount that may be  
12 contracted under par. (xe), the state may contract public debt in an amount not to  
13 exceed \$440,000,000 for this purpose. Such indebtedness shall be construed to  
14 include any premium and interest payable with respect thereto. Debt incurred by  
15 this paragraph shall be repaid under the appropriations providing for the retirement  
16 of public debt incurred for tax-supported and self-amortizing facilities in  
17 proportional amounts to the purposes for which the debt was refinanced. No moneys  
18 may be expended under this paragraph unless the true interest costs to the state can  
19 be reduced by the expenditure.

20 **SECTION 69.** 20.923 (4) (b) 7. of the statutes is created to read:

21 20.923 (4) (b) 7. Sentencing commission: executive director.

22 **SECTION 70.** 20.923 (6) (aw) of the statutes is created to read:

23 20.923 (6) (aw) Commerce, department of: grants management specialist.

24 **SECTION 71.** 20.923 (6) (hr) of the statutes is created to read:

25 20.923 (6) (hr) Sentencing commission: deputy director.

1           **SECTION 72.** 21.26 of the statutes is repealed.

2           **SECTION 73.** 23.33 (13) (cg) of the statutes is amended to read:

3           23.33 **(13)** (cg) *Penalties related to causing death or injury; interference with*  
4 *signs and standards.* A person who violates sub. (8) (f) 1. ~~shall be fined not more than~~  
5 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
6 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
7 person.

8           **SECTION 74.** 24.61 (3) (e) of the statutes is created to read:

9           24.61 **(3)** (e) *Federal match star program loan.* 1. In this paragraph:

10          a. “Federal discretionary grant” means a grant awarded by the federal  
11 government directly to a municipality following a competitive application process.

12          b. “Federal formula grant” means a grant awarded by the federal government  
13 to a state or municipality in accordance with a distribution formula that is prescribed  
14 by federal law or regulation.

15          c. “State-administered pass-through federal grant” means a grant awarded by  
16 the federal government to the state and that is paid to the state, but is spent by a  
17 municipality.

18          2. Subject to subd. 3., the board shall establish a program, to be known as the  
19 federal match star program, under which the board may loan moneys belonging to  
20 the trust funds to any municipality that is eligible to receive a loan under this  
21 subsection, for the purpose of providing matching funds for any federal discretionary  
22 grant that requires the municipality to provide matching funds as a condition of  
23 receiving the grant. In consultation with the department of administration, the  
24 board shall promulgate rules to implement the program.

1           3. a. The total amount of outstanding loans made under subd. 2. may not exceed  
2           \$50,000,000.

3           b. No loans may be made under subd. 2. to a municipality to provide matching  
4           funds for state-administered pass-through grants or federal formula grants.

5           4. Annually, the board shall submit a report to the department of  
6           administration and to the chief clerk of each house of the legislature, for distribution  
7           to the legislature under s. 13.172 (2), that specifies the amount of moneys loaned to  
8           municipalities under subd. 2. and the amount of federal discretionary grants  
9           awarded to municipalities that use loans under subd. 2. as matching funds for the  
10          grants.

11          **SECTION 75.** 24.63 (1) of the statutes is amended to read:

12          24.63 (1) LOANS OTHER THAN TO SCHOOL DISTRICTS. ~~A~~ Except as provided in sub.  
13          (2s), a state trust fund loan, other than a loan to a school district, may be made for  
14          any term not exceeding 20 years and may be made payable in ~~instalments~~  
15          installments. A state trust fund loan to a municipality other than a school district  
16          shall be in an amount ~~which~~ that does not, together with all other indebtedness of  
17          the municipality applying for the loan, exceed 5% of the valuation of the taxable  
18          property within the municipality as equalized for state purposes. If a state trust fund  
19          loan is made to pay off existing indebtedness, it may be advanced to the borrower in  
20          ~~instalments~~ installments as fast as the indebtedness or the evidence of indebtedness  
21          is canceled.

22          **SECTION 76.** 24.63 (2) of the statutes is amended to read:

23          24.63 (2) SCHOOL DISTRICT LOANS. ~~A~~ Except as provided in sub. (2s), a state  
24          trust fund loan to a school district may be made for any time, not exceeding 20 years,  
25          as is agreed upon between the school district and the board, and for an amount ~~which~~

1     that, together with all other indebtedness of that district, does not exceed its  
2     allowable indebtedness as determined under s. 67.03 (1).

3             **SECTION 77.** 24.63 (2m) of the statutes is amended to read:

4             24.63 (2m) COOPERATIVE EDUCATIONAL SERVICE AGENCY LOANS. ~~A~~ Except as  
5     provided in sub. (2s), a state trust fund loan to a cooperative educational service  
6     agency may be made for any term, not exceeding 20 years, as is agreed upon between  
7     the agency and the board, and for a total amount ~~which~~ that, for each school district  
8     for which the loan is sought, in the proportion determined under s. 24.61 (7), together  
9     with all other indebtedness of the school district, does not exceed the school district's  
10    allowable indebtedness under s. 67.03 (1).

11            **SECTION 78.** 24.63 (2s) of the statutes is created to read:

12            24.63 (2s) FEDERAL MATCH STAR PROGRAM LOANS. A loan under s. 24.61 (3) (e) to  
13    a municipality, may be made for any term not exceeding 5 years. A loan under s.  
14    24.61 (3) (e) to a municipality other than a school district shall be in an amount that  
15    does not, together with all other indebtedness of the municipality applying for the  
16    loan, exceed 5% of the valuation of the taxable property within the municipality as  
17    equalized for state purposes. A loan under s. 24.61 (3) (e) to a school district shall  
18    be in an amount that, together with all other indebtedness of that district, does not  
19    exceed its allowable indebtedness as determined under s. 67.03 (1).

20            **SECTION 79.** 24.63 (3) of the statutes is amended to read:

21            24.63 (3) INTEREST RATES. All state trust fund loans shall bear and draw interest  
22    at a rate not less than 2% payable annually, except that the interest charged on a loan  
23    under s. 24.61 (3) (e) shall accrue at the earnings rate received by the state on moneys  
24    held in the state investment fund.

25            **SECTION 80.** 24.73 of the statutes is amended to read:

1           **24.73 Extension of loan.** All loans made or ~~which~~ that may be made from any  
2 state trust funds, other than loans under s. 24.61 (3) (e), to any borrower may be  
3 extended for such time and upon such terms as may be agreed upon by and between  
4 the board and such borrower; provided, however, that no loan shall be extended upon  
5 which there is any default in the payment of interest at the time of making  
6 application therefor, nor to any period beyond 20 years from its inception, nor at any  
7 rate of interest less than the minimum established by law.

8           **SECTION 81.** 25.66 (1) (e) of the statutes is created to read:

9           25.66 (1) (e) Beginning in fiscal year 2003-04, all moneys transferred from the  
10 general fund under s. 20.436 (1) (b).

11           **SECTION 82.** 25.69 of the statutes, as created by 2001 Wisconsin Act 16, is  
12 amended to read:

13           **25.69 Permanent endowment fund.** There is established a separate  
14 nonlapsible trust fund designated as the permanent endowment fund, consisting of  
15 all of the proceeds from the sale of the state's right to receive payments under the  
16 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,  
17 and all investment earnings on the proceeds. Moneys in the permanent endowment  
18 fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and  
19 (rv) and to make the appropriations under s. 20.855 (4) (rb) and (rm).

20           **SECTION 83.** 25.69 of the statutes, as affected by 2001 Wisconsin Acts 16 and  
21 .... (this act), is repealed and recreated to read:

22           **25.69 Permanent endowment fund.** There is established a separate  
23 nonlapsible trust fund designated as the permanent endowment fund, consisting of  
24 all of the proceeds from the sale of the state's right to receive payments under the  
25 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,

1 and all investment earnings on the proceeds. Moneys in the permanent endowment  
2 fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh)  
3 and to make the appropriation under s. 20.855 (4) (rm).

4 **SECTION 84.** 26.14 (8) of the statutes is amended to read:

5 26.14 (8) Any person who intentionally sets fire to the land of another or to a  
6 marsh shall be ~~fined not more than \$10,000 or imprisoned for not more than 7 years~~  
7 ~~and 6 months or both~~ is guilty of a Class H felony.

8 **SECTION 85.** 29.971 (1) (c) of the statutes is amended to read:

9 29.971 (1) (c) ~~For~~ A person having fish in his or her possession in violation of  
10 this chapter ~~and is guilty of a Class I felony if~~ the value of the fish under par. (d)  
11 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~  
12 ~~3 years or both.~~

13 **SECTION 86.** 29.971 (1m) (c) of the statutes is amended to read:

14 29.971 (1m) (c) ~~For~~ A person possessing clams in violation of s. 29.537, is guilty  
15 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
16 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

17 **SECTION 87.** 29.971 (11m) (a) of the statutes is amended to read:

18 29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or  
19 possessing a bear without a valid Class A bear license, or for possessing a bear which  
20 does not have a carcass tag attached or possessing a bear during the closed season,  
21 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
22 more than 6 months or both for the first violation, or by a fine of not more than ~~\$5,000~~  
23 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
24 subsequent violation, and, in addition, the court shall revoke all hunting approvals

1 issued to the person under this chapter and shall prohibit the issuance of any new  
2 hunting approval under this chapter to the person for 3 years.

3 **SECTION 88.** 29.971 (11p) (a) of the statutes is amended to read:

4 29.971 (**11p**) (a) For entering the den of a hibernating black bear and harming  
5 the bear, by a fine of not more than \$10,000 or imprisonment for not more than 2  
6 years 9 months or both.

7 **SECTION 89.** 30.80 (2g) (b) of the statutes is amended to read:

8 30.80 (**2g**) (b) Shall be fined not ~~less than \$300 nor more than \$5,000~~ \$10,000  
9 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
10 injury to a person but the person did not suffer great bodily harm.

11 **SECTION 90.** 30.80 (2g) (c) of the statutes is amended to read:

12 30.80 (**2g**) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
13 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a  
14 person and the person suffered great bodily harm.

15 **SECTION 91.** 30.80 (2g) (d) of the statutes is amended to read:

16 30.80 (**2g**) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
17 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
18 death to a person.

19 **SECTION 92.** 30.80 (3m) of the statutes is amended to read:

20 30.80 (**3m**) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
21 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
22 a Class H felony.

23 **SECTION 93.** 36.25 (6) (d) of the statutes is amended to read:

24 36.25 (**6**) (d) Any officer, agent, clerk or employee of the survey or department  
25 of revenue who makes known to any person except the officers of the survey or



1 department of revenue, in any manner, any information given to such person in the  
2 discharge of such person's duties under par. (c), which information was given to such  
3 person with the request that it not be made known, ~~upon conviction thereof, shall be~~  
4 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~  
5 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent  
6 the use for assessment purposes of any information obtained under this subsection.

7 **SECTION 94.** 38.04 (9) of the statutes is amended to read:

8 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to  
9 life and property, the board may establish and supervise training programs in fire  
10 prevention and protection. The training programs shall include training in  
11 responding to acts of terrorism, as defined in s. 146.50 (1) (ag), and shall be available  
12 to members of volunteer and paid fire departments maintained by public and private  
13 agencies, including industrial plants. No training program required for  
14 participation in structural fire fighting that is offered to members of volunteer and  
15 paid fire departments maintained by public agencies may require more than 60  
16 hours of training.

17 **SECTION 95.** 38.16 (1) of the statutes is renumbered 38.16 (1) (a) and amended  
18 to read:

19 38.16 (1) (a) Annually by October 31, or within 10 days after receipt of the  
20 equalized valuations from the department of revenue, whichever is later, the district  
21 board may levy a tax, ~~not exceeding 1.5 mills on the full value of the taxable property~~  
22 ~~of the district,~~ for the purpose of making capital improvements, acquiring  
23 equipment, and operating and maintaining the schools of the district, ~~except that the~~  
24 ~~mill limitation is not applicable to taxes levied for the purpose of paying principal and~~  
25 ~~interest on valid bonds or notes now or hereafter outstanding as provided in s.~~

1 67.035. The district board secretary shall file with the clerk of each city, village, and  
2 town, any part of which is located in the district, a certified statement showing the  
3 amount of the levy and the proportionate amount of the tax to be spread upon the tax  
4 rolls for collection in each city, village, and town. Such proportion shall be  
5 ascertained on the basis of the ratio of full value of the taxable property of that part  
6 of the city, village, or town located in the district to the full value of all taxable  
7 property in the district, as certified to the district board secretary by the department  
8 of revenue. Upon receipt of the certified statement from the district board secretary,  
9 the clerk of each city, village, and town shall spread the amounts thereof upon the  
10 tax rolls for collection. When the taxes are collected, such amounts shall be paid by  
11 the treasurer of each city, village, and town to the district board treasurer.

12 **SECTION 96.** 38.16 (1) (b) of the statutes is created to read:

13 38.16 (1) (b) Taxes levied under par. (a), other than taxes levied for the purpose  
14 of paying debt service on district bonds and notes, may not exceed the lesser of the  
15 following:

16 1. The amount levied in the previous year multiplied by the sum of 1.0 plus the  
17 allowable rate of increase under s. 73.0305 expressed as a decimal.

18 2. The amount that would be generated by a levy rate of 1.5 mills.

19 **SECTION 97.** 38.16 (1) (c) of the statutes is created to read:

20 38.16 (1) (c) 1. Notwithstanding par. (b), if a district board's limit in any year  
21 is the amount under par. (b) 1., and it wishes to levy a tax in that year that is greater  
22 than the amount under par. (b) 1. but not greater than the amount under par. (b) 2.,  
23 it shall promptly adopt a resolution to that effect. The resolution shall specify the  
24 amount of the proposed excess levy. The resolution shall be filed as provided in s.  
25 8.37. The district board shall call a special referendum for the purpose of submitting

1 the resolution to the electors of the district for approval or rejection. In lieu of a  
2 special referendum, the district board may specify that the referendum be held at the  
3 next succeeding spring primary or election or September primary or general election,  
4 if such election is to be held not sooner than 42 days after the filing of the resolution  
5 of the district board.

6 2. The district board secretary shall publish type A, B, C, D, and E notices of  
7 the referendum under s. 10.01 (2). Notwithstanding s. 10.01 (2) (a), the type A notice  
8 shall include a statement of the amount of the proposed excess levy specified in subd.  
9 1. and a copy of the resolution under subd. 1. Section 5.01 (1) applies in the event  
10 of failure to comply with the notice requirements of this subdivision.

11 3. The referendum shall be held in accordance with chs. 5 to 12. The district  
12 board secretary shall provide the election officials with all necessary election  
13 supplies. The form of the ballot shall correspond substantially with the standard  
14 form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and  
15 7.08 (1) (a). The question submitted shall be whether the limit under par. (b) 1. may  
16 be exceeded by a specified amount. The limit otherwise applicable to the district  
17 under par. (b) is increased by the amount approved by a majority of those voting on  
18 the question.

19 **SECTION 98.** 38.28 (1m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a  
22 technical college district, including debt service charges for district bonds and  
23 promissory notes for building programs or capital equipment, but excluding all  
24 expenditures relating to auxiliary enterprises and community service programs, all  
25 expenditures funded by or reimbursed with federal revenues, all receipts under sub.

1 (6) and ss. 38.12 (9), 38.14 (3) and (9), 38.307, 118.15 (2) (a), 118.55 (7r), and 146.55  
2 (5), all receipts from grants awarded under ss. 38.04 (8), (19), (20), and (31), 38.14  
3 (11), 38.26, 38.27, ~~38.305~~, 38.31, 38.33, and 38.38, all fees collected under s. 38.24,  
4 and driver education and chauffeur training aids.

5 **SECTION 99.** 38.305 of the statutes, as affected by 2001 Wisconsin Act 16, is  
6 repealed.

7 **SECTION 100.** 38.307 of the statutes is created to read:

8 **38.307 Educational assistance for dislocated workers. (1)** Beginning in  
9 the 2002-03 school year, the board shall pay a student's tuition and fees at a district  
10 college under s. 38.24 (1m) if the student satisfies all of the following criteria:

11 (a) The student is a dislocated worker who has been referred to the district by  
12 a local work force development board established under 29 USC 2832.

13 (b) The student is enrolled in an associate degree program or a vocational  
14 diploma program.

15 (c) The student maintains a grade point average of at least 2.0.

16 (2) The board shall pay tuition and fees under this section from the  
17 appropriation under s. 20.292 (1) (eq). If the amount appropriated in any fiscal year  
18 is insufficient to pay the tuition and fees of all eligible students, the board shall fulfill  
19 requests for payment in the order in which they were received.

20 (4) The board shall promulgate rules to implement and administer this section.

21 **SECTION 101.** 47.03 (3) (d) of the statutes is amended to read:

22 47.03 (3) (d) Any person who violates this subsection shall be fined not more  
23 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

24 **SECTION 102.** 48.355 (2d) (b) 3. of the statutes is amended to read:

1           48.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),  
2           1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or  
3           (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
4           federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225  
5           (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,  
6           and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
7           in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
8           of the parent.

9           **SECTION 103.** 48.415 (9m) (b) 2. of the statutes is amended to read:

10           48.415 **(9m)** (b) 2. The commission of a violation of s. 940.19 (3), 1999 stats.,  
11           a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
12           948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other  
13           state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or  
14           (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06  
15           or 948.08 if committed in this state.

16           **SECTION 104.** 48.417 (1) (d) of the statutes is amended to read:

17           48.417 **(1)** (d) A court of competent jurisdiction has found that the parent has  
18           committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)  
19           or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a  
20           violation of the law of any other state or federal law, if that violation would be a  
21           violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or  
22           948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in  
23           great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
24           defined in s. 939.22 (38), to the child or another child of the parent.

1           **SECTION 105.** 48.561 (3) (a) (intro.) of the statutes, as affected by 2001  
2 Wisconsin Act 16, is renumbered 48.561 (3) (intro.) and amended to read:

3           48.561 **(3)** (intro.) A county having a population of 500,000 or more shall  
4 contribute ~~\$58,893,500~~ \$38,792,200 in each state fiscal year for the provision of child  
5 welfare services in that county by the department. That contribution shall be made  
6 as follows:

7           **SECTION 106.** 48.561 (3) (a) 1. of the statutes, as created by 2001 Wisconsin Act  
8 16, is renumbered 48.561 (3) (a).

9           **SECTION 107.** 48.561 (3) (a) 2. of the statutes, as created by 2001 Wisconsin Act  
10 16, is renumbered 48.561 (3) (bm).

11           **SECTION 108.** 48.561 (3) (a) 3. of the statutes, as created by 2001 Wisconsin Act  
12 16, is repealed.

13           **SECTION 109.** 48.561 (3) (b) of the statutes, as affected by 2001 Wisconsin Act  
14 16, is repealed.

15           **SECTION 110.** 48.57 (3p) (g) 2. of the statutes is amended to read:

16           48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified  
17 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,  
18 939.64, 939.641 or 939.645 or has been convicted of a violation of the law of any other  
19 state or federal law under circumstances under which the person would be subject  
20 to a penalty specified in any of those sections if convicted in this state.

21           **SECTION 111.** 48.685 (1) (c) of the statutes is amended to read:

22           48.685 **(1)** (c) "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a  
23 violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
24 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
25 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),

1 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or  
2 United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or  
3 a 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 if committed in this state.

7 **SECTION 112.** 48.685 (5) (bm) 2. of the statutes is amended to read:

8 48.685 **(5)** (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,  
9 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

10 **SECTION 113.** 48.685 (5) (bm) 3. of the statutes is amended to read:

11 48.685 **(5)** (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,  
12 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,  
13 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

14 **SECTION 114.** 48.685 (5) (bm) 4. of the statutes is amended to read:

15 48.685 **(5)** (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,  
16 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that  
17 is a felony, if committed not more than 5 years before the date of the investigation  
18 under sub. (2) (am).

19 **SECTION 115.** 49.141 (7) (a) of the statutes is amended to read:

20 49.141 **(7)** (a) A person who is convicted of violating sub. (6) in connection with  
21 the furnishing by that person of items or services for which payment is or may be  
22 made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~  
23 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

24 **SECTION 116.** 49.141 (7) (b) of the statutes is amended to read:

1           49.141 (7) (b) A person, other than a person under par. (a), who is convicted of  
2 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
3 ~~2 years~~ 9 months or both.

4           **SECTION 117.** 49.141 (9) (a) of the statutes is amended to read:

5           49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,  
6 in return for referring an individual to a person for the furnishing or arranging for  
7 the furnishing of any item or service for which payment may be made in whole or in  
8 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
9 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
10 service, or item for which payment may be made in whole or in part under Wisconsin  
11 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
12 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or~~  
13 ~~imprisoned for not more than 7 years and 6 months or both.~~

14           **SECTION 118.** 49.141 (9) (b) of the statutes is amended to read:

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

24           **SECTION 119.** 49.141 (10) (b) of the statutes is amended to read:



1           49.141 **(10)** (b) A person who violates this subsection is guilty of a Class H  
2 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
3 the person may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~  
4 ~~years and 6 months or both.~~

5           **SECTION 120.** 49.195 (3n) (k) of the statutes is amended to read:

6           49.195 **(3n)** (k) 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 subsection with intent to evade or defeat the assessment or collection of  
9 any debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years~~  
10 ~~and 6 months or both, is guilty of a Class H felony and shall be liable to the state for~~  
11 assessed the costs of prosecution.

12           **SECTION 121.** 49.195 (3n) (r) of the statutes is amended to read:

13           49.195 **(3n)** (r) No employer may discharge or otherwise discriminate with  
14 respect to the terms and conditions of employment against any employee by reason  
15 of the fact that his or her earnings have been subject to levy for any one levy or  
16 because of compliance with any provision of this subsection. Any person who violates  
17 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~  
18 ~~2 years or both~~ is guilty of a Class I felony.

19           **SECTION 122.** 49.45 (49) of the statutes is created to read:

20           49.45 **(49)** PRESCRIPTION DRUG PRIOR AUTHORIZATION. The secretary shall  
21 exercise his or her authority under s. 15.04 (1) (c) to create a prescription drug prior  
22 authorization committee to advise the department on issues related to prior  
23 authorization decisions made concerning prescription drugs on behalf of medical  
24 assistance recipients. The secretary shall appoint as members at least all of the  
25 following:

1 (a) Two physicians, as defined in s. 448.01 (5), who are currently in practice.

2 (b) Two pharmacists, as defined in s. 450.01 (15).

3 (c) One advocate for recipients of medical assistance.

4 (d) One representative of the pharmaceutical manufacturing industry.

5 **SECTION 123.** 49.49 (1) (b) 1. of the statutes is amended to read:

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

13 **SECTION 124.** 49.49 (2) (a) of the statutes is amended to read:

14 49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits  
15 or receives any remuneration, including any kickback, bribe, or rebate, directly or  
16 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual  
17 to a person for the furnishing or arranging for the furnishing of any item or service  
18 for which payment may be made in whole or in part under a medical assistance  
19 program, or in return for purchasing, leasing, ordering, or arranging for or  
20 recommending purchasing, leasing, or ordering any good, facility, service, or item for  
21 which payment may be made in whole or in part under a medical assistance program,  
22 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
23 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for~~  
24 ~~not more than 7 years and 6 months or both.~~

25 **SECTION 125.** 49.49 (2) (b) of the statutes is amended to read:

1           49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
2 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
3 or covertly, in cash or in kind to any person to induce such person to refer an  
4 individual to a person for the furnishing or arranging for the furnishing of any item  
5 or service for which payment may be made in whole or in part under a medical  
6 assistance program, or to purchase, lease, order, or arrange for or recommend  
7 purchasing, leasing, or ordering any good, facility, service or item for which payment  
8 may be made in whole or in part under a medical assistance program, is guilty of a  
9 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50  
10 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for not more~~  
11 ~~than 7 years and 6 months or both.~~

12           **SECTION 126.** 49.49 (3) of the statutes is amended to read:

13           49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly  
14 and wilfully make or cause to be made, or induce or seek to induce the making of, any  
15 false statement or representation of a material fact with respect to the conditions or  
16 operation of any institution or facility in order that such institution or facility may  
17 qualify either upon initial certification or upon recertification as a hospital, skilled  
18 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~  
19 ~~person who violates~~ this subsection is guilty of a Class H felony, except that,  
20 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be  
21 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~  
22 ~~or both.~~

23           **SECTION 127.** 49.49 (3m) (b) of the statutes is amended to read:

24           49.49 (3m) (b) A person who violates this subsection is guilty of a Class H  
25 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),

1 ~~the person~~ may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~  
2 ~~years and 6 months or both.~~

3 **SECTION 128.** 49.49 (4) (b) of the statutes is amended to read:

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

8 **SECTION 129.** 49.68 (3) (a) of the statutes is amended to read:

9 49.68 (3) (a) ~~Any~~ Subject to s. 49.687 (6), any permanent resident of this state  
10 who suffers from chronic renal disease may be accepted into the dialysis treatment  
11 phase of the renal disease control program if the resident meets the standards set  
12 by rule under sub. (2) and the requirements specified in s. 49.687 and the rules  
13 promulgated under s. 49.687.

14 **SECTION 130.** 49.68 (3) (b) of the statutes, as affected by 2001 Wisconsin Act 16,  
15 is amended to read:

16 49.68 (3) (b) From the appropriation accounts under ss. 20.435 (4) (e) and (je),  
17 the state shall pay the cost of medical treatment required as a direct result of chronic  
18 renal disease of certified patients from the date of certification, including the cost of  
19 administering recombinant human erythropoietin to appropriate patients, whether  
20 the treatment is rendered in an approved facility in the state or in a dialysis or  
21 transplantation center ~~which~~ that is approved as such by a contiguous state, subject  
22 to the conditions specified under par. (d) and s. 49.687 (6). Approved facilities may  
23 include a hospital in-center dialysis unit or a nonhospital dialysis center ~~which~~ that  
24 is closely affiliated with a home dialysis program supervised by an approved facility.  
25 Aid shall also be provided for all reasonable expenses incurred by a potential

1 living-related donor, including evaluation, hospitalization, surgical costs, and  
2 postoperative follow-up to the extent that ~~these~~ those costs are not reimbursable  
3 under the federal medicare program, another state-funded health care assistance  
4 program, as defined by rule promulgated under s. 49.687 (4), or other insurance. In  
5 addition, all expenses incurred in the procurement, transportation, and preservation  
6 of cadaveric donor kidneys shall be covered to the extent that ~~these~~ those costs are  
7 not otherwise reimbursable. All donor-related costs are chargeable to the recipient  
8 and reimbursable under this subsection. The cost of travel, lodging, and meals for  
9 persons who must travel to receive inpatient or outpatient dialysis treatment for  
10 kidney disease are not reimbursable under this subsection.

11 **SECTION 131.** 49.68 (3) (d) 1. of the statutes is amended to read:

12 49.68 (3) (d) 1. No aid may be granted under this subsection unless the recipient  
13 has no other form of aid available from the federal medicare program, from another  
14 state-funded health care assistance program, as defined by rule promulgated under  
15 s. 49.687 (4), or from private health, accident, sickness, medical and, or hospital  
16 insurance coverage. If insufficient aid is available from other sources and if the  
17 recipient has paid an amount equal to the annual medicare deductible amount  
18 specified in subd. 2., the state shall pay the difference in cost to a qualified recipient.  
19 If at any time sufficient federal or private insurance aid or other state aid becomes  
20 available during the treatment period, state aid under this subsection shall be  
21 terminated or appropriately reduced. Any patient who is eligible for the federal  
22 medicare program shall register and pay the premium for medicare medical  
23 insurance coverage where permitted, and shall pay an amount equal to the annual  
24 medicare deductible amounts required under 42 USC 1395e and 1395L (b), prior to  
25 becoming eligible for state aid under this subsection.

1           **SECTION 132.** 49.68 (3) (e) of the statutes is repealed.

2           **SECTION 133.** 49.683 (1) of the statutes is amended to read:

3           49.683 (1) The Subject to s. 49.687 (6), the department may provide financial  
4 assistance for costs of medical care of persons over the age of 18 years with the  
5 diagnosis of cystic fibrosis who meet ~~financial requirements established by the~~  
6 ~~department by rule under s. 49.687 (1) the requirements specified in s. 49.687 and~~  
7 the rules promulgated under s. 49.687.

8           **SECTION 134.** 49.683 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
9 is amended to read:

10           49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the  
11 appropriation accounts under s. 20.435 (4) (e) and (je) to the extent that those costs  
12 are not reimbursable under the federal medicare program, any other state-funded  
13 health care assistance program, as defined by rule promulgated under s. 49.687 (4),  
14 or private health insurance coverage.

15           **SECTION 135.** 49.685 (4) of the statutes is amended to read:

16           49.685 (4) ELIGIBILITY. ~~Any Subject to s. 49.687 (6), any~~ permanent resident of  
17 this state who suffers from hemophilia or other related congenital bleeding disorder  
18 may participate in the program if that person meets the requirements of specified in  
19 this section and s. 49.687 and the standards set by rule rules promulgated under this  
20 section and s. 49.687. The person shall enter into an agreement with the  
21 comprehensive hemophilia treatment center for a maintenance program to be  
22 followed by that person as a condition for continued eligibility. The physician  
23 director or a designee shall, at least once in each 6-month period, review the  
24 maintenance program and verify that the person is complying with the program.

25           **SECTION 136.** 49.685 (6) (b) of the statutes is amended to read:

1           49.685 (6) (b) Reimbursement shall may not be made under this section for any  
2 blood products or supplies which that are not purchased from or provided by a  
3 comprehensive hemophilia treatment center, or a source approved by the treatment  
4 center. Reimbursement shall may not be made under this section for any portion of  
5 the costs of blood products or supplies which that are payable under any ~~other state~~  
6 ~~or federal program, under any other state-funded health care assistance program,~~  
7 ~~as defined by rule promulgated under s. 49.687 (4), or under any grant, contract and~~  
8 ~~any other contractual, or other arrangement.~~

9           **SECTION 137.** 49.687 (title) of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

11           **49.687 (title) Disease aids; patient requirements; rebate agreements**  
12 **cost-saving measures.**

13           **SECTION 138.** 49.687 (4) of the statutes is created to read:

14           49.687 (4) The department may provide assistance under s. 49.68, 49.683, or  
15 49.685 to a person only if the person has first applied for assistance under all other  
16 state-funded health care assistance programs for which the person may be eligible.  
17 The department shall promulgate a rule defining those other state-funded health  
18 care assistance programs and, in defining those programs, shall include the medical  
19 assistance program under subch. IV, the health insurance risk-sharing plan under  
20 ch. 149, the badger care health care program under s. 49.665, the prescription drug  
21 assistance for elderly persons program under s. 49.688, and any other state-funded  
22 health care assistance program under which assistance may be payable for the  
23 treatment of kidney disease, cystic fibrosis, or hemophilia.

24           **SECTION 139.** 49.687 (5) of the statutes is created to read:

1           49.687 (5) The department shall promulgate rules to contain the cost of  
2 assistance provided under ss. 49.68, 49.683, and 49.685. Those rules may include  
3 managed care requirements.

4           **SECTION 140.** 49.687 (6) of the statutes is created to read:

5           49.687 (6) If the amounts available under s. 20.435 (4) (e) and (je) are  
6 insufficient to provide assistance under s. 49.68, 49.683, and 49.685 to all persons  
7 who are eligible to receive assistance under those sections, the department may  
8 establish waiting lists for the enrollment of those persons in the programs under  
9 those sections and may assign priorities to persons who are on those waiting lists  
10 based on criteria that the department shall promulgate by rule.

11           **SECTION 141.** 49.688 (9) (b) of the statutes, as created by 2001 Wisconsin Act  
12 16, is amended to read:

13           49.688 (9) (b) A person who is convicted of violating a rule promulgated by the  
14 department under par. (a) in connection with that person's furnishing of prescription  
15 drugs under this section is guilty of a Class H felony, except that, notwithstanding  
16 the maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than  
17 \$25,000, ~~or imprisoned for not more than 7 years and 6 months, or both.~~

18           **SECTION 142.** 49.688 (9) (c) of the statutes, as created by 2001 Wisconsin Act  
19 16, is amended to read:

20           49.688 (9) (c) A person other than a person specified in par. (b) who is convicted  
21 of violating a rule promulgated by the department under par. (a) may be fined not  
22 more than \$10,000, or imprisoned in the county jail for not more than one year, or  
23 both.

24           **SECTION 143.** 49.795 (8) (a) 2. of the statutes, as affected by 2001 Wisconsin Act  
25 16, is amended to read:



1           49.795 (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 144.** 49.795 (8) (b) 2. of the statutes, as affected by 2001 Wisconsin Act  
5           16, is amended to read:

6           49.795 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than  
7           \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
8           ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
9           felony.

10          **SECTION 145.** 49.795 (8) (c) of the statutes, as affected by 2001 Wisconsin Act  
11          16, is amended to read:

12          49.795 (8) (c) For any offense under this section, if the value of the food coupons  
13          is \$5,000 or more, a person who violates this section ~~may be fined not more than~~  
14          ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

15          **SECTION 146.** 49.95 (1) of the statutes is renumbered 49.95 (1) (intro.) and  
16          amended to read:

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

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

22          (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the  
23          person may be fined not more than \$250 or imprisoned for not more than 6 months  
24          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 147.** 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 148.** 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 149.** 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 150.** 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 151.** 66.0143 of the statutes is created to read:

7           **66.0143 Local appeals for exemption from state mandates. (1)**

8           DEFINITIONS. In this section:

9           (a) "Political subdivision" means a city, village, town, or county.

10          (b) "State mandate" means a state law that requires a political subdivision to  
11 engage in an activity or provide a service, or to increase the level of its activities or  
12 services.

13          **(2) APPEALS FOR EXEMPTIONS.** (a) A political subdivision may file a request with  
14 the department of revenue for a waiver from a state mandate, except for a state  
15 mandate that is related to any of the following:

16           1. Health.

17           2. Safety.

18          (b) An administrative agency, or the department of revenue, may grant a  
19 political subdivision a waiver from a state mandate as provided in par. (c).

20          (c) The political subdivision shall specify in its request for a waiver its reason  
21 for requesting the waiver. Upon receipt of a request for a waiver, the department of  
22 revenue shall forward the request to the administrative agency which is responsible  
23 for administrating the state mandate. The agency shall determine whether to grant  
24 the waiver and shall notify the political subdivision and the department of revenue  
25 of its decision in writing. If no agency is responsible for administrating the state

1 mandate, the department of revenue shall determine whether to grant the waiver  
2 and shall notify the political subdivision of its decision in writing.

3 (3) DURATION OF WAIVERS. A waiver is effective for 4 years. The administrative  
4 agency may renew the waiver for additional 4-year periods. If a waiver is granted  
5 by the department of revenue, the department may renew the waiver under this  
6 subsection.

7 (4) EVALUATION. By July 1, 2004, the department of revenue shall submit a  
8 report to the governor, and to the appropriate standing committees of the legislature  
9 under s. 13.172 (3). The report shall specify the number of waivers requested under  
10 this section, a description of each waiver request, the reason given for each waiver  
11 request, and the financial effects on the political subdivision of each waiver that was  
12 granted.

13 **SECTION 152.** 66.0602 of the statutes is created to read:

14 **66.0602 Limit on operating levy increase. (1) DEFINITIONS.** In this section:

15 (a) "Debt levy" means the political subdivision levy for debt service on loans  
16 under subch. II of ch. 24, bonds issued under s. 67.05, and promissory notes issued  
17 under s. 67.12 (12), less any revenues that abate the levy.

18 (b) "Inflation" means the percentage change in the U.S. bureau of labor  
19 statistics consumer price index for Milwaukee and Racine, all items, all urban  
20 consumers, or its successor index.

21 (c) "Municipality" means a city, village, or town.

22 (d) "Operating levy" means the political subdivision levy, less the debt levy.

23 (e) "Political subdivision" means a municipality or a county.

24 (f) "Population" means the number of persons residing in the political  
25 subdivision as determined by the department of administration under s. 16.96.

1 (g) "Total levy rate" means the political subdivision purpose levy divided by the  
2 equalized value of the political subdivision exclusive of any tax incremental district  
3 value increment.

4 (2) LIMIT. Except as provided in sub. (3), no political subdivision whose total  
5 levy rate is equal to or greater than .001 may increase its operating levy, each year,  
6 by a percentage that exceeds the sum of all of the following percentages:

7 (a) The increase in inflation from June of the preceding year to June of the  
8 current year.

9 (b) The percentage increase in population in the political subdivision from the  
10 preceding year to the current year.

11 (3) REFERENDUM, EXCEPTIONS. (a) 1. If the governing body of a political  
12 subdivision wishes to exceed the operating levy limit otherwise applicable to the  
13 political subdivision under this section, it shall adopt a resolution to that effect. The  
14 resolution shall specify the operating levy and the percentage increase in the  
15 operating levy that the governing body wishes to impose. The governing body shall  
16 call a special election for the purpose of submitting the resolution to the electors of  
17 the political subdivision for a referendum on approval or rejection. In lieu of calling  
18 a special election, the governing body may specify that the referendum be held at the  
19 next succeeding spring primary or election or September primary or general election  
20 to be held not earlier than 42 days after the adoption of the resolution of the  
21 governing body. The governing body shall file the resolution to be submitted to the  
22 electors as provided in s. 8.37.

23 2. The question submitted at the referendum shall be as follows: "Under state  
24 law, the operating levy increase for the ... (name of political subdivision), for the tax  
25 to be imposed for the year ... (year), is limited to ...% (the amount calculated under

1 sub. (2)) that results in an operating levy of \$.... . Notwithstanding the operating levy  
2 increase limit, shall the .... (name of political subdivision) be allowed to exceed this  
3 operating levy increase limit such that the operating levy increase for the year ....  
4 (year) will be ....% (the amount specified in the governing body's resolution) that  
5 results in an operating levy of \$.... ?”

6 3. Immediately after expiration of the time allowed to file a petition for a  
7 recount, the clerk of the political subdivision shall certify the results of the  
8 referendum to the department of revenue. If a petition for a recount is filed, the clerk  
9 shall make this certification immediately after the recount has been completed and  
10 the time allowed for filing an appeal has passed or, if appealed, immediately after the  
11 appeal is decided. A political subdivision may exceed the operating levy increase  
12 limit otherwise applicable to it under this section in that year such that the operating  
13 levy increase may not exceed the percentage approved by a majority of those voting  
14 on the question. The operating levy that results from approval in a referendum shall  
15 be the base operating levy to which the limit under sub. (2) is applied in the following  
16 year.

17 (b) 1. If a political subdivision transfers to another governmental unit  
18 responsibility for providing any service that the political subdivision provided in the  
19 preceding year, the operating levy increase limit otherwise applicable under this  
20 section to the political subdivision in the current year is decreased to reflect the cost  
21 that the political subdivision would have incurred to provide that service, as  
22 determined by the department of revenue.

23 2. If a political subdivision increases the services that it provides by adding  
24 responsibility for providing a service transferred to it from another governmental  
25 unit in any year, the operating levy increase limit otherwise applicable under this

1 section to the political subdivision in the current year is increased to reflect the cost  
2 of that service, as determined by the department of revenue.

3 (c) This section does not apply to any county in which the operating levy that  
4 the county may impose under s. 59.605 is less than the operating levy that the county  
5 may impose under this section.

6 (d) The limitation in this section does not apply to any increase in a political  
7 subdivision's operating levy that results from complying with a court order.

8 **(4) NOTIFICATION.** Each year, not later than August 15, the department of  
9 revenue shall notify every political subdivision of the increase in inflation and  
10 population, as described in sub. (2), that applies to the political subdivision.

11 **SECTION 153.** 66.0901 (9) (a) of the statutes is amended to read:

12 66.0901 (9) (a) Notwithstanding sub. (1) (a), in this subsection, "municipality"  
13 does not include the ~~department of transportation~~ state.

14 **SECTION 154.** 66.1207 (1) (b) of the statutes is amended to read:

15 66.1207 (1) (b) Any person who secures or assists in securing dwelling  
16 accommodations under s. 66.1205 by intentionally making false representations in  
17 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
18 which the person would not otherwise be entitled shall be ~~fined not more than~~  
19 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

20 **SECTION 155.** 66.1207 (1) (c) of the statutes is amended to read:

21 66.1207 (1) (c) Any person who secures or assists in securing dwelling  
22 accommodations under s. 66.1205 by intentionally making false representations in  
23 order to receive more than \$25,000 in financial assistance for which the person would  
24 not otherwise be entitled shall be ~~fined not more than \$10,000 or imprisoned for not~~  
25 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

1           **SECTION 156.** 69.24 (1) (intro.) of the statutes is amended to read:

2           69.24 (1) (intro.) Any person who does any of the following shall be fined not  
3 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
4 I felony:

5           **SECTION 157.** 70.47 (18) (a) of the statutes is amended to read:

6           70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,  
7 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~  
8 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a  
9 Class I felony.

10          **SECTION 158.** 71.01 (6) (g) of the statutes is repealed.

11          **SECTION 159.** 71.01 (6) (h) of the statutes is repealed.

12          **SECTION 160.** 71.01 (6) (i) of the statutes is amended to read:

13          71.01 (6) (i) For taxable years that begin after December 31, 1993, and before  
14 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear  
15 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
16 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,  
17 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203  
18 (d), and 13215 of P.L. 103-66 and as amended by P.L. 103-296, P.L. 103-337, P.L.  
19 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
20 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
21 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L. 99-514, P.L.  
22 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
23 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and  
24 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
25 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296,



1 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.  
2 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
3 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue  
4 Code applies for Wisconsin purposes at the same time as for federal purposes.  
5 Amendments to the federal Internal Revenue Code enacted after  
6 December 31, 1993, do not apply to this paragraph with respect to taxable years  
7 beginning after December 31, 1993, and before January 1, 1995, except that  
8 changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L.  
9 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
10 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
11 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the  
12 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.  
13 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
14 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
15 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time  
16 as for federal purposes.

17 **SECTION 161.** 71.01 (6) (j) of the statutes is amended to read:

18 71.01 (6) (j) For taxable years that begin after December 31, 1994, and before  
19 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear  
20 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
21 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,  
22 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
23 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-117, P.L. 104-188,  
24 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
25 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as

1 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
2 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.  
3 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
6 104-117, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L.  
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
8 and P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the  
9 same time as for federal purposes. Amendments to the federal Internal Revenue  
10 Code enacted after December 31, 1994, do not apply to this paragraph with respect  
11 to taxable years beginning after December 31, 1994, and before January 1, 1996,  
12 except that changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-117,  
13 P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
14 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
15 106-554, and changes that indirectly affect the provisions applicable to this  
16 subchapter made by P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1202,  
17 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
18 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the  
19 same time as for federal purposes.

20 **SECTION 162.** 71.01 (6) (k) of the statutes is amended to read:

21 71.01 (6) (k) For taxable years that begin after December 31, 1995, and before  
22 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear  
23 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
24 Internal Revenue Code as amended to December 31, 1995, excluding sections 103,  
25 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and

1 13203 (d) of P.L. 103-66, and as amended by P.L. 104-117, P.L. 104-188, excluding  
2 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
3 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
4 106-554, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
5 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.  
6 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
7 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
8 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
9 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
10 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
11 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue Code applies  
12 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
13 federal Internal Revenue Code enacted after December 31, 1995, do not apply to this  
14 paragraph with respect to taxable years beginning after December 31, 1995, and  
15 before January 1, 1997, except that changes to the Internal Revenue Code made by  
16 P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of  
17 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206  
18 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the  
19 provisions applicable to this subchapter made by P.L. 104-117, P.L. 104-188,  
20 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
21 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
22 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 163.** 71.01 (6) (L) of the statutes is amended to read:

24 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before  
25 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear

1 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
2 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,  
3 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
4 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
5 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277  
6 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L.  
7 107-16, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
8 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.  
9 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
10 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
11 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
12 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
13 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
14 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,  
15 excluding section 431 of P.L. 107-16. The Internal Revenue Code applies for  
16 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
17 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this  
18 paragraph with respect to taxable years beginning after December 31, 1996, and  
19 before January 1, 1998, except that changes to the Internal Revenue Code made by  
20 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554,  
21 and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly  
22 affect the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34,  
23 P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,  
24 excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the same time  
25 as for federal purposes.

1           **SECTION 164.** 71.01 (6) (m) of the statutes is amended to read:

2           71.01 **(6)** (m) For taxable years that begin after December 31, 1997, and before  
3           January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear  
4           decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
5           Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
6           104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
7           (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
8           104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36  
9           and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section  
10          431 of P.L. 107-16, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L.  
11          100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L.  
12          101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
13          102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
14          (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
15          103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202  
16          (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
17          105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
18          106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
19          107-16. The Internal Revenue Code applies for Wisconsin purposes at the same time  
20          as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
21          after December 31, 1997, do not apply to this paragraph with respect to taxable years  
22          beginning after December 31, 1997, and before January 1, 1999, except that  
23          changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.  
24          105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
25          107-16, excluding section 431 of P.L. 107-16, and changes that indirectly affect the

1 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
2 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
3 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
4 same time as for federal purposes.

5 **SECTION 165.** 71.01 (6) (n) of the statutes is amended to read:

6 71.01 **(6)** (n) For taxable years that begin after December 31, 1998, and before  
7 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear  
8 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
9 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,  
10 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
11 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
12 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L.  
13 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
14 107-16, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
15 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.  
16 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
17 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
18 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
19 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
20 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
21 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
22 P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
23 section 431 of P.L. 107-16. The Internal Revenue Code applies for Wisconsin  
24 purposes at the same time as for federal purposes. Amendments to the federal  
25 Internal Revenue Code enacted after December 31, 1998, do not apply to this

1 paragraph with respect to taxable years beginning after December 31, 1998, and  
2 before January 1, 2000, except that changes to the Internal Revenue Code made by  
3 P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
4 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that  
5 indirectly affect the provisions applicable to this subchapter made by P.L. 106-36  
6 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
7 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
8 same time as for federal purposes.

9 **SECTION 166.** 71.01 (6) (o) of the statutes is amended to read:

10 71.01 (6) (o) For taxable years that begin after December 31, 1999, and before  
11 January 1, 2001, for natural persons and fiduciaries, except fiduciaries of nuclear  
12 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
13 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
14 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
15 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
16 104-188, and as amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
17 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly  
18 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
19 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,  
20 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
21 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
22 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L.  
23 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
24 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
25 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230,

1 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
2 P.L. 107-16. The Internal Revenue Code applies for Wisconsin purposes at the same  
3 time as for federal purposes. Amendments to the federal Internal Revenue Code  
4 enacted after December 31, 1999, do not apply to this paragraph with respect to  
5 taxable years beginning after December 31, 1999, and before January 1, 2001,  
6 except that changes to the Internal Revenue Code made by P.L. 106-200, P.L.  
7 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
8 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
9 applicable to this subchapter made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
10 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, apply  
11 for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 167.** 71.01 (6) (p) of the statutes is created to read:

13 71.01 (6) (p) For taxable years that begin after December 31, 2000, and before  
14 January 1, 2002, for natural persons and fiduciaries, except fiduciaries of nuclear  
15 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
16 Internal Revenue Code as amended to December 31, 2000, excluding sections 103,  
17 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
18 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
19 104-188, and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and  
20 P.L. 107-22, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
21 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508,  
22 P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
23 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
24 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
25 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),



1 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
2 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
3 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16,  
4 excluding section 431 of P.L. 107-16, and P.L. 107-22. The Internal Revenue Code  
5 applies for Wisconsin purposes at the same time as for federal purposes.  
6 Amendments to the federal Internal Revenue Code enacted after December 31, 2000,  
7 do not apply to this paragraph with respect to taxable years beginning after  
8 December 31, 2000, and before January 1, 2002, except that changes to the Internal  
9 Revenue Code made by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
10 107-22, and changes that indirectly affect the provisions applicable to this  
11 subchapter made by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
12 107-22, apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 168.** 71.01 (6) (q) of the statutes is created to read:

14 71.01 (6) (q) For taxable years that begin after December 31, 2001, for natural  
15 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or  
16 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code  
17 as amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L.  
18 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section  
20 431 of P.L. 107-16, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L.  
21 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L.  
22 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
23 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
24 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
25 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202

1 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
2 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
3 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L.  
4 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22. The  
5 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
6 purposes. Amendments to the federal Internal Revenue Code enacted after  
7 December 31, 2001, do not apply to this paragraph with respect to taxable years  
8 beginning after December 31, 2001.

9 **SECTION 169.** 71.01 (7r) of the statutes is renumbered 71.01 (7r) (a) and  
10 amended to read:

11 71.01 (7r) (a) ~~Notwithstanding~~ For taxable years that begin after December 31,  
12 2000, and before January 1, 2002, notwithstanding sub. (6), for purposes of  
13 computing amortization or depreciation, "Internal Revenue Code" means either the  
14 federal Internal Revenue Code as amended to December 31, ~~1999~~ 2000, or the federal  
15 Internal Revenue Code in effect for the taxable year for which the return is filed,  
16 except that property that, under s. 71.02 (2) (d) 12., 1985 stats., is required to be  
17 depreciated for taxable year 1986 under the Internal Revenue Code as amended to  
18 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
19 Code as amended to December 31, 1980.

20 **SECTION 170.** 71.01 (7r) (b) of the statutes is created to read:

21 71.01 (7r) (b) For taxable years that begin after December 31, 2001,  
22 notwithstanding sub. (6), for purposes of computing amortization or depreciation,  
23 "Internal Revenue Code" means either the federal Internal Revenue Code as  
24 amended to December 31, 2001, or the federal Internal Revenue Code in effect for the  
25 taxable year for which the return is filed, except that property that, under s. 71.02

1 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year 1986 under the  
2 Internal Revenue Code as amended to December 31, 1980, shall continue to be  
3 depreciated under the Internal Revenue Code as amended to December 31, 1980.

4 **SECTION 171.** 71.22 (4) (g) of the statutes is repealed.

5 **SECTION 172.** 71.22 (4) (h) of the statutes is repealed.

6 **SECTION 173.** 71.22 (4) (i) of the statutes is amended to read:

7 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
8 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
9 December 31, 1993, and before January 1, 1995, means the federal Internal  
10 Revenue Code as amended to December 31, 1993, excluding sections 103, 104, and  
11 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and  
12 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465,  
13 P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311  
14 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.  
15 105-277, and P.L. 106-554, and as indirectly affected in the provisions applicable to  
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803  
17 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section  
18 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
19 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
20 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
21 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465,  
22 P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311  
23 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.  
24 105-277, and P.L. 106-554. The Internal Revenue Code applies for Wisconsin  
25 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 1993, do not apply to this  
2 paragraph with respect to taxable years beginning after December 31, 1993, and  
3 before January 1, 1995, except that changes to the Internal Revenue Code made by  
4 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.  
5 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.  
6 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and  
7 changes that indirectly affect the provisions applicable to this subchapter made by  
8 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.  
9 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.  
10 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for  
11 Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 174.** 71.22 (4) (j) of the statutes is amended to read:

13 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
14 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
15 December 31, 1994, and before January 1, 1996, means the federal Internal  
16 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and  
17 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
18 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,  
19 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
20 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
21 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647  
22 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
23 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
24 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
25 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections

1 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
2 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,  
3 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
4 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue Code applies  
5 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
6 federal Internal Revenue Code enacted after December 31, 1994, do not apply to this  
7 paragraph with respect to taxable years beginning after December 31, 1994, and  
8 before January 1, 1996, except that changes to the Internal Revenue Code made by  
9 P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L.  
10 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
11 and P.L. 106-554, and changes that indirectly affect the provisions applicable to this  
12 subchapter made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311,  
13 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and,  
14 P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time as  
15 for federal purposes.

16 **SECTION 175.** 71.22 (4) (k) of the statutes is amended to read:

17 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
18 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
19 December 31, 1995, and before January 1, 1997, means the federal Internal  
20 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and  
21 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
22 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,  
23 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,  
24 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
25 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647

1 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
2 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
3 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
4 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
5 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
6 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202,  
7 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
8 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue  
9 Code applies for Wisconsin purposes at the same time as for federal purposes.  
10 Amendments to the federal Internal Revenue Code enacted after  
11 December 31, 1995, do not apply to this paragraph with respect to taxable years  
12 beginning after December 31, 1995, and before January 1, 1997, except that  
13 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections  
14 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
15 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes  
16 that indirectly affect the provisions applicable to this subchapter made by P.L.  
17 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
19 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal  
20 purposes.

21 **SECTION 176.** 71.22 (4) (L) of the statutes is amended to read:

22 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
23 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
24 December 31, 1996, and before January 1, 1998, means the federal Internal  
25 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and

1 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
3 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L.  
4 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as  
5 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
6 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
7 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.  
8 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
9 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
12 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
13 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and,  
14 P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16. The  
15 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
16 purposes. Amendments to the federal Internal Revenue Code enacted after  
17 December 31, 1996, do not apply to this paragraph with respect to taxable years  
18 beginning after December 31, 1996, and before January 1, 1998, except that  
19 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
20 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding  
21 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
22 applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
23 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of  
24 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

25 **SECTION 177.** 71.22 (4) (m) of the statutes is amended to read:

1           71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
2 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after  
3 December 31, 1997, and before January 1, 1999, means the federal Internal  
4 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and  
5 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
6 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
7 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
8 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
9 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
10 P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2),  
11 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
12 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
13 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
14 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
15 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
16 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
17 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
18 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573,  
19 and P.L. 107-16, excluding section 431 of P.L. 107-16. The Internal Revenue Code  
20 applies for Wisconsin purposes at the same time as for federal purposes.  
21 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,  
22 do not apply to this paragraph with respect to taxable years beginning after  
23 December 31, 1997, and before January 1, 1999, except that changes to the Internal  
24 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,  
25 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of



1 P.L. 107-16, and changes that indirectly affect the provisions applicable to this  
2 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
3 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
4 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 178.** 71.22 (4) (n) of the statutes is amended to read:

6 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
7 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after  
8 December 31, 1998, and before January 1, 2000, means the federal Internal  
9 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and  
10 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
12 and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L.  
13 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
14 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
15 P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),  
16 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.  
17 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
18 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
19 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
20 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
21 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
22 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
23 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
24 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16. The Internal  
25 Revenue Code applies for Wisconsin purposes at the same time as for federal

1 purposes. Amendments to the federal Internal Revenue Code enacted after  
2 December 31, 1998, do not apply to this paragraph with respect to taxable years  
3 beginning after December 31, 1998, and before January 1, 2000, except that  
4 changes to the Internal Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L.  
5 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
6 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
7 applicable to this subchapter made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230,  
8 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
9 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 179.** 71.22 (4) (o) of the statutes is amended to read:

11 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
12 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
13 December 31, 1999, and before January 1, 2001, means the federal Internal Revenue  
14 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
15 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
16 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
17 amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,  
18 and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected in  
19 the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
20 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823  
21 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
22 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
23 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
24 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
25 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections

1 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
2 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
3 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
4 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16. The Internal  
5 Revenue Code applies for Wisconsin purposes at the same time as for federal  
6 purposes. Amendments to the federal Internal Revenue Code enacted after  
7 December 31, 1999, do not apply to this paragraph with respect to taxable years  
8 beginning after December 31, 1999, and before January 1, 2001, except that changes  
9 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
10 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
11 changes that indirectly affect the provisions applicable to this subchapter made by  
12 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
13 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
14 same time as for federal purposes.

15 **SECTION 180.** 71.22 (4) (p) of the statutes is created to read:

16 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
17 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
18 December 31, 2000, and before January 1, 2002, means the federal Internal Revenue  
19 Code as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.  
20 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
21 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
22 amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and  
23 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
24 P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),  
25 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.

1 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
2 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
3 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
4 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
5 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
6 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
7 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
8 106-554, P.L. 106-573, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
9 107-22. The Internal Revenue Code applies for Wisconsin purposes at the same time  
10 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
11 after December 31, 2000, do not apply to this paragraph with respect to taxable years  
12 beginning after December 31, 2000, and before January 1, 2002, except that changes  
13 to the Internal Revenue Code made by P.L. 107-16, excluding section 431 of P.L.  
14 107-16, and P.L. 107-22, and changes that indirectly affect the provisions applicable  
15 to this subchapter made by P.L. 107-16, excluding section 431 of P.L. 107-16, and  
16 P.L. 107-22, apply for Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 181.** 71.22 (4) (q) of the statutes is created to read:

18 71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
19 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
20 December 31, 2001, means the federal Internal Revenue Code as amended to  
21 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
22 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
23 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,  
24 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
25 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812

1 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
2 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
3 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L.  
9 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431  
10 of P.L. 107-16, and P.L. 107-22. The Internal Revenue Code applies for Wisconsin  
11 purposes at the same time as for federal purposes. Amendments to the federal  
12 Internal Revenue Code enacted after December 31, 2001, do not apply to this  
13 paragraph with respect to taxable years beginning after December 31, 2001.

14 **SECTION 182.** 71.22 (4m) (e) of the statutes is repealed.

15 **SECTION 183.** 71.22 (4m) (f) of the statutes is repealed.

16 **SECTION 184.** 71.22 (4m) (g) of the statutes is amended to read:

17 71.22 (4m) (g) For taxable years that begin after December 31, 1993, and  
18 before January 1, 1995, "Internal Revenue Code", for corporations that are subject  
19 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
20 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,  
21 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203  
22 (d), and 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L.  
23 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
24 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
25 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the provisions

1 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
2 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
3 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
4 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215  
5 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding  
6 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.  
7 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
8 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same  
9 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
10 after December 31, 1993, do not apply to this paragraph with respect to taxable years  
11 beginning after December 31, 1993, and before January 1, 1995, except that  
12 changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L.  
13 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
14 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
15 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the  
16 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.  
17 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
18 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
19 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time  
20 as for federal purposes.

21 **SECTION 185.** 71.22 (4m) (h) of the statutes is amended to read:

22 71.22 (4m) (h) For taxable years that begin after December 31, 1994, and  
23 before January 1, 1996, "Internal Revenue Code", for corporations that are subject  
24 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
25 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,

1 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
2 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding  
3 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
4 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected  
5 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
6 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
7 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
8 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
9 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
10 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
11 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
12 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same  
13 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
14 after December 31, 1994, do not apply to this paragraph with respect to taxable years  
15 beginning after December 31, 1994, and before January 1, 1996, except that  
16 changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding  
17 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
18 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that  
19 indirectly affect the provisions applicable to this subchapter made by P.L. 104-7, P.L.  
20 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
21 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
22 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 186.** 71.22 (4m) (i) of the statutes is amended to read:

24 71.22 (4m) (i) For taxable years that begin after December 31, 1995, and before  
25 January 1, 1997, "Internal Revenue Code", for corporations that are subject to a tax

1 on unrelated business income under s. 71.26 (1) (a), means the federal Internal  
2 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and  
3 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
4 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,  
5 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,  
6 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
7 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
8 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
9 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
12 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
13 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
14 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same  
15 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
16 after December 31, 1995, do not apply to this paragraph with respect to taxable years  
17 beginning after December 31, 1995, and before January 1, 1997, except that  
18 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections  
19 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
20 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes  
21 that indirectly affect the provisions applicable to this subchapter made by P.L.  
22 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
23 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
24 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal  
25 purposes.



1           **SECTION 187.** 71.22 (4m) (j) of the statutes is amended to read:

2           71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before  
3           January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax  
4           on unrelated business income under s. 71.26 (1) (a), means the federal Internal  
5           Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and  
6           110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
7           103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188  
8           and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L.  
9           106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as  
10          indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
11          100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
12          101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
13          102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
14          13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
15          104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)  
16          of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206,  
17          P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431  
18          of P.L. 107-16. The Internal Revenue Code applies for Wisconsin purposes at the  
19          same time as for federal purposes. Amendments to the Internal Revenue Code  
20          enacted after December 31, 1996, do not apply to this paragraph with respect to  
21          taxable years beginning after December 31, 1996, and before January 1, 1998,  
22          except that changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34,  
23          P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,  
24          excluding section 431 of P.L. 107-16, and changes that indirectly affect provisions  
25          applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.

1 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of  
2 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 188.** 71.22 (4m) (k) of the statutes is amended to read:

4 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and  
5 before January 1, 1999, "Internal Revenue Code", for corporations that are subject  
6 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
7 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
9 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
10 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36  
11 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section  
12 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to this  
13 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
14 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
15 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
16 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
17 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
18 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
19 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
20 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
21 107-16. The Internal Revenue Code applies for Wisconsin purposes at the same time  
22 as for federal purposes. Amendments to the Internal Revenue Code enacted after  
23 December 31, 1997, do not apply to this paragraph with respect to taxable years  
24 beginning after December 31, 1997, and before January 1, 1999, except that  
25 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.

1 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
2 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly affect the  
3 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
4 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
5 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
6 same time as for federal purposes.

7 **SECTION 189.** 71.22 (4m) (L) of the statutes is amended to read:

8 71.22 (4m) (L) For taxable years that begin after December 31, 1998, and  
9 before January 1, 2000, "Internal Revenue Code", for corporations that are subject  
10 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
11 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,  
12 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
13 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
14 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L.  
15 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
16 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
17 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
18 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
19 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
20 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
21 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
22 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
23 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
24 P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
25 section 431 of P.L. 107-16. The Internal Revenue Code applies for Wisconsin

1 purposes at the same time as for federal purposes. Amendments to the Internal  
2 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with  
3 respect to taxable years beginning after December 31, 1998, and before  
4 January 1, 2000, except that changes to the Internal Revenue Code made by P.L.  
5 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,  
6 and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly  
7 affect the provisions applicable to this subchapter made by P.L. 106-36 and, P.L.  
8 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16,  
9 excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the same time  
10 as for federal purposes.

11 **SECTION 190.** 71.22 (4m) (m) of the statutes is amended to read:

12 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and  
13 before January 1, 2001, "Internal Revenue Code", for corporations that are subject  
14 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
15 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
16 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
17 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
18 104-188, and as amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
19 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly  
20 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
21 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
22 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
23 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
24 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
25 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

1 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
2 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230,  
3 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
4 P.L. 107-16. The Internal Revenue Code applies for Wisconsin purposes at the same  
5 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
6 after December 31, 1999, do not apply to this paragraph with respect to taxable years  
7 beginning after December 31, 1999, and before January 1, 2001, except that changes  
8 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
9 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
10 changes that indirectly affect the provisions applicable to this subchapter made by  
11 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
12 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
13 same time as for federal purposes.

14 **SECTION 191.** 71.22 (4m) (n) of the statutes is created to read:

15 71.22 (4m) (n) For taxable years that begin after December 31, 2000, and  
16 before January 1, 2002, "Internal Revenue Code," for corporations that are subject  
17 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
18 Internal Revenue Code as amended to December 31, 2000, excluding sections 103,  
19 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
20 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
21 104-188, and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and  
22 P.L. 107-22, and as indirectly affected in the provisions applicable to this subchapter  
23 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
24 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
25 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150

1 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
2 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
3 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
4 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
5 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16,  
6 excluding section 431 of P.L. 107-16, and P.L. 107-22. The Internal Revenue Code  
7 applies for Wisconsin purposes at the same time as for federal purposes.  
8 Amendments to the Internal Revenue Code enacted after December 31, 2000, do not  
9 apply to this paragraph with respect to taxable years beginning after  
10 December 31, 2000, and before January 1, 2002, except that changes to the Internal  
11 Revenue Code made by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
12 107-22, and changes that indirectly affect the provisions applicable to this  
13 subchapter made by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
14 107-22, apply for Wisconsin purposes at the same time as for federal purposes.

15 **SECTION 192.** 71.22 (4m) (o) of the statutes is created to read:

16 71.22 (4m) (o) For taxable years that begin after December 31, 2001, "Internal  
17 Revenue Code," for corporations that are subject to a tax on unrelated business  
18 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended  
19 to December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
20 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
21 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,  
22 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
23 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
24 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
25 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150

1 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
2 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
3 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
4 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
5 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.  
6 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22. The Internal Revenue  
7 Code applies for Wisconsin purposes at the same time as for federal purposes.  
8 Amendments to the Internal Revenue Code enacted after December 31, 2001, do not  
9 apply to this paragraph with respect to taxable years beginning after  
10 December 31, 2001.

11 **SECTION 193.** 71.26 (2) (b) 7. of the statutes is repealed.

12 **SECTION 194.** 71.26 (2) (b) 8. of the statutes is repealed.

13 **SECTION 195.** 71.26 (2) (b) 9. of the statutes is amended to read:

14 71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and  
15 before January 1, 1995, for a corporation, conduit or common law trust which  
16 qualifies as a regulated investment company, real estate mortgage investment  
17 conduit or real estate investment trust under the Internal Revenue Code as amended  
18 to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102-227 and  
19 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, and  
20 as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding  
21 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.  
22 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
23 106-554, and as indirectly affected in the provisions applicable to this subchapter  
24 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
25 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.

1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
2 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,  
3 P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
4 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
5 and, P.L. 105-277, and P.L. 106-554, “net income” means the federal regulated  
6 investment company taxable income, federal real estate mortgage investment  
7 conduit taxable income or federal real estate investment trust taxable income of the  
8 corporation, conduit or trust as determined under the Internal Revenue Code as  
9 amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102-227  
10 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66,  
11 and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding  
12 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.  
13 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
14 106-554, and as indirectly affected in the provisions applicable to this subchapter  
15 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
16 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
17 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
18 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,  
19 P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
20 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
21 and, P.L. 105-277, and P.L. 106-554, except that property that, under s. 71.02 (1) (c)  
22 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986  
23 under the Internal Revenue Code as amended to December 31, 1980, shall continue  
24 to be depreciated under the Internal Revenue Code as amended to  
25 December 31, 1980, and except that the appropriate amount shall be added or



1 subtracted to reflect differences between the depreciation or adjusted basis for  
2 federal income tax purposes and the depreciation or adjusted basis under this  
3 chapter of any property disposed of during the taxable year. The Internal Revenue  
4 Code as amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L.  
5 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L.  
6 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,  
7 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.  
8 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
9 and P.L. 106-554, and as indirectly affected in the provisions applicable to this  
10 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
11 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
12 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
13 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296,  
14 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.  
15 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
16 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, applies for Wisconsin  
17 purposes at the same time as for federal purposes. Amendments to the Internal  
18 Revenue Code enacted after December 31, 1993, do not apply to this subdivision with  
19 respect to taxable years that begin after December 31, 1993, and before  
20 January 1, 1995, except that changes to the Internal Revenue Code made by P.L.  
21 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7,  
22 P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193,  
23 P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that  
24 indirectly affect the provisions applicable to this subchapter made by P.L. 103-296,  
25 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.

1 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
2 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin  
3 purposes at the same time as for federal purposes.

4 **SECTION 196.** 71.26 (2) (b) 10. of the statutes is amended to read:

5 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, and  
6 before January 1, 1996, for a corporation, conduit or common law trust which  
7 qualifies as a regulated investment company, real estate mortgage investment  
8 conduit or real estate investment trust under the Internal Revenue Code as amended  
9 to December 31, 1994, excluding sections 103, 104, and 110 of P.L. 102-227 and  
10 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as  
11 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605  
12 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.  
13 105-277, and P.L. 106-554, and as indirectly affected in the provisions applicable to  
14 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
16 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
18 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
19 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,  
20 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, “net income” means the federal  
21 regulated investment company taxable income, federal real estate mortgage  
22 investment conduit taxable income or federal real estate investment trust taxable  
23 income of the corporation, conduit or trust as determined under the Internal  
24 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and  
25 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)

1 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,  
2 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
3 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
4 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
5 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
6 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
7 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
8 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
9 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
10 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, except that  
11 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
12 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
13 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
14 Code as amended to December 31, 1980, and except that the appropriate amount  
15 shall be added or subtracted to reflect differences between the depreciation or  
16 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
17 under this chapter of any property disposed of during the taxable year. The Internal  
18 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and  
19 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
20 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,  
21 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
22 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
23 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
24 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
25 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.

1 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
3 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
4 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, applies for  
5 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
6 Internal Revenue Code enacted after December 31, 1994, do not apply to this  
7 subdivision with respect to taxable years that begin after December 31, 1994, and  
8 before January 1, 1996, except that changes made by P.L. 104-7, P.L. 104-188,  
9 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
10 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and  
11 changes that indirectly affect the provisions applicable to this subchapter made by  
12 P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.  
13 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
14 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal  
15 purposes.

16 **SECTION 197.** 71.26 (2) (b) 11. of the statutes is amended to read:

17 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and  
18 before January 1, 1997, for a corporation, conduit or common law trust which  
19 qualifies as a regulated investment company, real estate mortgage investment  
20 conduit or real estate investment trust under the Internal Revenue Code as amended  
21 to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102-227 and  
22 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as  
23 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.  
24 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and,  
25 P.L. 105-277, and P.L. 106-554, and as indirectly affected in the provisions

1 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
2 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
3 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
4 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
5 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
6 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
7 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
8 106-554, “net income” means the federal regulated investment company taxable  
9 income, federal real estate mortgage investment conduit taxable income or federal  
10 real estate investment trust taxable income of the corporation, conduit or trust as  
11 determined under the Internal Revenue Code as amended to December 31, 1995,  
12 excluding sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d),  
13 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,  
14 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
15 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
16 106-554, and as indirectly affected in the provisions applicable to this subchapter  
17 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
18 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
19 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
20 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
21 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
22 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
23 105-206 and, P.L. 105-277, and P.L. 106-554, except that property that, under s.  
24 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
25 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall

1 continue to be depreciated under the Internal Revenue Code as amended to  
2 December 31, 1980, and except that the appropriate amount shall be added or  
3 subtracted to reflect differences between the depreciation or adjusted basis for  
4 federal income tax purposes and the depreciation or adjusted basis under this  
5 chapter of any property disposed of during the taxable year. The Internal Revenue  
6 Code as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.  
7 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
8 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,  
9 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
10 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
11 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
12 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
13 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
14 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
16 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
17 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
18 106-554, applies for Wisconsin purposes at the same time as for federal purposes.  
19 Amendments to the Internal Revenue Code enacted after December 31, 1995, do not  
20 apply to this subdivision with respect to taxable years that begin after  
21 December 31, 1995, and before January 1, 1997, except that changes to the Internal  
22 Revenue Code made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
23 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
24 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the  
25 provisions applicable to this subchapter made by P.L. 104-188, excluding sections

1 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
2 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for  
3 Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 198.** 71.26 (2) (b) 12. of the statutes is amended to read:

5 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and  
6 before January 1, 1998, for a corporation, conduit or common law trust which  
7 qualifies as a regulated investment company, real estate mortgage investment  
8 conduit, real estate investment trust or financial asset securitization investment  
9 trust under the Internal Revenue Code as amended to December 31, 1996, excluding  
10 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
11 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
12 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
13 P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431  
14 of P.L. 107-16, and as indirectly affected in the provisions applicable to this  
15 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
16 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
17 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
18 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
19 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
20 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
21 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and  
22 P.L. 107-16, excluding section 431 of P.L. 107-16, “net income” means the federal  
23 regulated investment company taxable income, federal real estate mortgage  
24 investment conduit taxable income, federal real estate investment trust or financial  
25 asset securitization investment trust taxable income of the corporation, conduit or

1 trust as determined under the Internal Revenue Code as amended to  
2 December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
3 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123  
4 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188 and as amended by P.L.  
5 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and  
6 P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected in the  
7 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
8 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
9 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
12 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
13 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and,  
14 P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
15 except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to  
16 be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as  
17 amended to December 31, 1980, shall continue to be depreciated under the Internal  
18 Revenue Code as amended to December 31, 1980, and except that the appropriate  
19 amount shall be added or subtracted to reflect differences between the depreciation  
20 or adjusted basis for federal income tax purposes and the depreciation or adjusted  
21 basis under this chapter of any property disposed of during the taxable year. The  
22 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,  
23 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
24 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
25 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277



1 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L.  
2 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
3 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
4 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
5 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
7 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
8 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
9 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,  
10 excluding section 431 of P.L. 107-16, applies for Wisconsin purposes at the same time  
11 as for federal purposes. Amendments to the Internal Revenue Code enacted after  
12 December 31, 1996, do not apply to this subdivision with respect to taxable years  
13 that begin after December 31, 1996, and before January 1, 1998, except that  
14 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
15 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding  
16 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
17 applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
18 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of  
19 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 199.** 71.26 (2) (b) 13. of the statutes is amended to read:

21 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and  
22 before January 1, 1999, for a corporation, conduit or common law trust which  
23 qualifies as a regulated investment company, real estate mortgage investment  
24 conduit, real estate investment trust or financial asset securitization investment  
25 trust under the Internal Revenue Code as amended to December 31, 1997, excluding

1 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
2 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
3 1605 (d) of P.L. 104-188, and as amendeded by P.L. 105-178, P.L. 105-206, P.L.  
4 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
5 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected in the  
6 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
7 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
8 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
9 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
10 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
11 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
12 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
13 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
14 107-16, excluding section 431 of P.L. 107-16, “net income” means the federal  
15 regulated investment company taxable income, federal real estate mortgage  
16 investment conduit taxable income, federal real estate investment trust or financial  
17 asset securitization investment trust taxable income of the corporation, conduit or  
18 trust as determined under the Internal Revenue Code as amended to December 31,  
19 1997, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d),  
20 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204  
21 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206,  
22 P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
23 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected in the  
24 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
25 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,

1 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
2 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
4 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
5 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
6 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
7 107-16, excluding section 431 of P.L. 107-16, except that property that, under s.  
8 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
9 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall  
10 continue to be depreciated under the Internal Revenue Code as amended to  
11 December 31, 1980, and except that the appropriate amount shall be added or  
12 subtracted to reflect differences between the depreciation or adjusted basis for  
13 federal income tax purposes and the depreciation or adjusted basis under this  
14 chapter of any property disposed of during the taxable year. The Internal Revenue  
15 Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
16 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
17 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
18 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
19 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
20 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
21 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
22 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
23 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
24 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
25 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),

1 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
2 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
3 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
4 applies for Wisconsin purposes at the same time as for federal purposes.  
5 Amendments to the Internal Revenue Code enacted after December 31, 1997, do not  
6 apply to this subdivision with respect to taxable years that begin after  
7 December 31, 1997, and before January 1, 1999, except that changes to the Internal  
8 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,  
9 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
10 P.L. 107-16, and changes that indirectly affect the provisions applicable to this  
11 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and and,  
12 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
13 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

14 **SECTION 200.** 71.26 (2) (b) 14. of the statutes is amended to read:

15 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and  
16 before January 1, 2000, for a corporation, conduit or common law trust which  
17 qualifies as a regulated investment company, real estate mortgage investment  
18 conduit, real estate investment trust or financial asset securitization investment  
19 trust under the Internal Revenue Code as amended to December 31, 1998, excluding  
20 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
21 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
22 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, P.L.  
23 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
24 section 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to  
25 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.

1 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
2 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
3 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
4 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
5 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
6 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
7 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,  
8 and P.L. 107-16, excluding section 431 of P.L. 107-16, “net income” means the federal  
9 regulated investment company taxable income, federal real estate mortgage  
10 investment conduit taxable income, federal real estate investment trust or financial  
11 asset securitization investment trust taxable income of the corporation, conduit or  
12 trust as determined under the Internal Revenue Code as amended to December 31,  
13 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d),  
14 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204  
15 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36 and, P.L.  
16 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16,  
17 excluding section 431 of P.L. 107-16, and as indirectly affected in the provisions  
18 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
19 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
20 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
21 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
22 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
23 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
24 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
25 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554,

1 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, except that  
2 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
3 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
4 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
5 Code as amended to December 31, 1980, and except that the appropriate amount  
6 shall be added or subtracted to reflect differences between the depreciation or  
7 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
8 under this chapter of any property disposed of during the taxable year. The Internal  
9 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and  
10 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
12 and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L.  
13 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
14 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
15 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
16 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
17 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
18 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
19 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
20 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
21 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-230,  
22 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
23 P.L. 107-16, applies for Wisconsin purposes at the same time as for federal purposes.  
24 Amendments to the Internal Revenue Code enacted after December 31, 1998, do not  
25 apply to this subdivision with respect to taxable years that begin after

1 December 31, 1998, and before January 1, 2000, except that changes to the Internal  
2 Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,  
3 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
4 and changes that indirectly affect the provisions applicable to this subchapter made  
5 by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
6 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin  
7 purposes at the same time as for federal purposes.

8 **SECTION 201.** 71.26 (2) (b) 15. of the statutes is amended to read:

9 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and  
10 before January 1, 2001, for a corporation, conduit or common law trust which  
11 qualifies as a regulated investment company, real estate mortgage investment  
12 conduit, real estate investment trust or financial asset securitization investment  
13 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
14 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
15 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
16 1605 (d) of P.L. 104-188, and as amended by P.L. 106-200, P.L. 106-230, P.L.  
17 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
18 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
19 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
20 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
21 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
22 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
23 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
24 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
25 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,

1 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
2 107-16, excluding section 431 of P.L. 107-16, “net income” means the federal  
3 regulated investment company taxable income, federal real estate mortgage  
4 investment conduit taxable income, federal real estate investment trust or financial  
5 asset securitization investment trust taxable income of the corporation, conduit or  
6 trust as determined under the Internal Revenue Code as amended to December 31,  
7 1999, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d),  
8 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204  
9 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 106-200, P.L. 106-230,  
10 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
11 P.L. 107-16, and as indirectly affected in the provisions applicable to this subchapter  
12 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
13 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
14 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
16 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
17 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
18 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
19 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
20 107-16, excluding section 431 of P.L. 107-16, except that property that, under s.  
21 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
22 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall  
23 continue to be depreciated under the Internal Revenue Code as amended to  
24 December 31, 1980, and except that the appropriate amount shall be added or  
25 subtracted to reflect differences between the depreciation or adjusted basis for



1 federal income tax purposes and the depreciation or adjusted basis under this  
2 chapter of any property disposed of during the taxable year. The Internal Revenue  
3 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
4 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
5 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
6 amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,  
7 and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected in  
8 the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
9 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
10 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
11 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
12 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
13 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
14 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
15 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230,  
16 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
17 P.L. 107-16, applies for Wisconsin purposes at the same time as for federal purposes.  
18 Amendments to the Internal Revenue Code enacted after December 31, 1999, do not  
19 apply to this subdivision with respect to taxable years that begin after  
20 December 31, 1999, and before January 1, 2001, except that changes to the Internal  
21 Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
22 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that  
23 indirectly affect the provisions applicable to this subchapter made by P.L. 106-200,  
24 P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding

1 section 431 of P.L. 107-16, apply for Wisconsin purposes at the same time as for  
2 federal purposes.

3 **SECTION 202.** 71.26 (2) (b) 16. of the statutes is created to read:

4 71.26 (2) (b) 16. For taxable years that begin after December 31, 2000, and  
5 before January 1, 2002, for a corporation, conduit, or common law trust which  
6 qualifies as a regulated investment company, real estate mortgage investment  
7 conduit, real estate investment trust, or financial asset securitization investment  
8 trust under the Internal Revenue Code as amended to December 31, 2000, excluding  
9 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
10 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
11 and 1605 (d) of P.L. 104-188, and as amended by P.L. 107-16, excluding section 431  
12 of P.L. 107-16, and P.L. 107-22, and as indirectly affected in the provisions  
13 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
14 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
15 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
16 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
17 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
18 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
19 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
20 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
21 106-554, P.L. 106-573, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
22 107-22, "net income" means the federal regulated investment company taxable  
23 income, federal real estate mortgage investment conduit taxable income, federal real  
24 estate investment trust or financial asset securitization investment trust taxable  
25 income of the corporation, conduit, or trust as determined under the Internal

1 Revenue Code as amended to December 31, 2000, excluding sections 103, 104, and  
2 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
4 and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
5 107-22, and as indirectly affected in the provisions applicable to this subchapter by  
6 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
7 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
8 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
9 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
10 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
11 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
12 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
13 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16,  
14 excluding section 431 of P.L. 107-16, and P.L. 107-22, except that property that,  
15 under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable  
16 years 1983 to 1986 under the Internal Revenue Code as amended to  
17 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
18 Code as amended to December 31, 1980, and except that the appropriate amount  
19 shall be added or subtracted to reflect differences between the depreciation or  
20 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
21 under this chapter of any property disposed of during the taxable year. The Internal  
22 Revenue Code as amended to December 31, 2000, excluding sections 103, 104, and  
23 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
24 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
25 and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.

1 107-22, and as indirectly affected in the provisions applicable to this subchapter by  
2 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
3 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
4 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
5 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
6 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
7 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
8 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
9 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16,  
10 excluding section 431 of P.L. 107-16, and P.L. 107-22, applies for Wisconsin purposes  
11 at the same time as for federal purposes. Amendments to the Internal Revenue Code  
12 enacted after December 31, 2000, do not apply to this subdivision with respect to  
13 taxable years that begin after December 31, 2000, and before January 1, 2002,  
14 except that changes to the Internal Revenue Code made by P.L. 107-16, excluding  
15 section 431 of P.L. 107-16, and P.L. 107-22, and changes that indirectly affect the  
16 provisions applicable to this subchapter made by P.L. 107-16, excluding section 431  
17 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes at the same time as  
18 for federal purposes.

19 **SECTION 203.** 71.26 (2) (b) 17. of the statutes is created to read:

20 71.26 (2) (b) 17. For taxable years that begin after December 31, 2001, for a  
21 corporation, conduit, or common law trust which qualifies as a regulated investment  
22 company, real estate mortgage investment conduit, real estate investment trust, or  
23 financial asset securitization investment trust under the Internal Revenue Code as  
24 amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227,  
25 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections

1 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L.  
2 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
3 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
4 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
5 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
7 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
8 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
9 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
10 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.  
11 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, "net income" means  
12 the federal regulated investment company taxable income, federal real estate  
13 mortgage investment conduit taxable income, federal real estate investment trust  
14 or financial asset securitization investment trust taxable income of the corporation,  
15 conduit, or trust as determined under the Internal Revenue Code as amended to  
16 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
18 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,  
19 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
20 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
21 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

1 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
2 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.  
3 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, except that property  
4 that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for  
5 taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
6 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
7 Code as amended to December 31, 1980, and except that the appropriate amount  
8 shall be added or subtracted to reflect differences between the depreciation or  
9 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
10 under this chapter of any property disposed of during the taxable year. The Internal  
11 Revenue Code as amended to December 31, 2001, excluding sections 103, 104, and  
12 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
13 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and  
14 section 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to  
15 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
16 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
17 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
18 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
19 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
20 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
21 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
22 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
23 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
24 107-22, applies for Wisconsin purposes at the same time as for federal purposes.  
25 Amendments to the Internal Revenue Code enacted after December 31, 2001, do not

1 apply to this subdivision with respect to taxable years that begin after  
2 December 31, 2001.

3 **SECTION 204.** 71.26 (3) (y) of the statutes is renumbered 71.26 (3) (y) 1. and  
4 amended to read:

5 71.26 (3) (y) 1. ~~A~~ For taxable years that begin after December 31, 2000, and  
6 before January 1, 2002, a corporation may compute amortization and depreciation  
7 under either the federal Internal Revenue Code as amended to December 31, 1999  
8 2000, or the federal Internal Revenue Code in effect for the taxable year for which  
9 the return is filed, except that property first placed in service by the taxpayer on or  
10 after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and  
11 (br), 1985 stats., is required to be depreciated under the Internal Revenue Code as  
12 amended to December 31, 1980, and property first placed in service in taxable year  
13 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985  
14 stats., is required to be depreciated under the Internal Revenue Code as amended  
15 to December 31, 1980, shall continue to be depreciated under the Internal Revenue  
16 Code as amended to December 31, 1980.

17 **SECTION 205.** 71.26 (3) (y) 2. of the statutes is created to read:

18 71.26 (3) (y) 2. For taxable years that begin after December 31, 2001, a  
19 corporation may compute amortization and depreciation under either the federal  
20 Internal Revenue Code as amended to December 31, 2001, or the federal Internal  
21 Revenue Code in effect for the taxable year for which the return is filed, except that  
22 property first placed in service by the taxpayer on or after January 1, 1983, but  
23 before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required  
24 to be depreciated under the Internal Revenue Code as amended to  
25 December 31, 1980, and property first placed in service in taxable year 1981 or

1 thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is  
2 required to be depreciated under the Internal Revenue Code as amended to  
3 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
4 Code as amended to December 31, 1980.

5 **SECTION 206.** 71.34 (1g) (g) of the statutes is repealed.

6 **SECTION 207.** 71.34 (1g) (h) of the statutes is repealed.

7 **SECTION 208.** 71.34 (1g) (i) of the statutes is amended to read:

8 71.34 (1g) (i) "Internal Revenue Code" for tax-option corporations, for taxable  
9 years that begin after December 31, 1993, and before January 1, 1995, means the  
10 federal Internal Revenue Code as amended to December 31, 1993, excluding  
11 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
12 13174, 13203 (d), and 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L.  
13 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188,  
14 excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
15 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the  
16 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647  
17 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
18 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
19 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
20 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
21 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296,  
22 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.  
23 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
24 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, except that section 1366  
25 (f) (relating to pass-through of items to shareholders) is modified by substituting the



1 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue  
2 Code applies for Wisconsin purposes at the same time as for federal purposes.  
3 Amendments to the federal Internal Revenue Code enacted after  
4 December 31, 1993, do not apply to this paragraph with respect to taxable years  
5 beginning after December 31, 1993, and before January 1, 1995, except that  
6 changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L.  
7 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
8 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
9 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the  
10 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.  
11 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding  
12 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206  
13 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time  
14 as for federal purposes.

15 **SECTION 209.** 71.34 (1g) (j) of the statutes is amended to read:

16 71.34 (1g) (j) "Internal Revenue Code" for tax-option corporations, for taxable  
17 years that begin after December 31, 1994, and before January 1, 1996, means the  
18 federal Internal Revenue Code as amended to December 31, 1994, excluding  
19 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
20 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188,  
21 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
22 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as  
23 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
24 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
25 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.

1 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
2 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
3 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
4 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
5 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
6 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, except that  
7 section 1366 (f) (relating to pass-through of items to shareholders) is modified by  
8 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The  
9 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
10 purposes. Amendments to the federal Internal Revenue Code enacted after  
11 December 31, 1994, do not apply to this paragraph with respect to taxable years  
12 beginning after December 31, 1994, and before January 1, 1996, except changes to  
13 the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding sections  
14 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,  
15 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect  
16 the provisions applicable to this subchapter made by P.L. 104-7, P.L. 104-188,  
17 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
18 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for  
19 Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 210.** 71.34 (1g) (k) of the statutes is amended to read:

21 71.34 (1g) (k) "Internal Revenue Code" for tax-option corporations, for taxable  
22 years that begin after December 31, 1995, and before January 1, 1997, means the  
23 federal Internal Revenue Code as amended to December 31, 1995, excluding  
24 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
25 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188, excluding

1 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
2 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
3 106-554, and as indirectly affected in the provisions applicable to this subchapter  
4 by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d)  
5 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
6 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
7 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
8 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
9 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
10 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
12 and P.L. 106-554, except that section 1366 (f) (relating to pass-through of items to  
13 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
14 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
15 at the same time as for federal purposes. Amendments to the federal Internal  
16 Revenue Code enacted after December 31, 1995, do not apply to this paragraph with  
17 respect to taxable years beginning after December 31, 1995, and before  
18 January 1, 1997, except that changes to the Internal Revenue Code made by P.L.  
19 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
20 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
21 and P.L. 106-554, and changes that indirectly affect the provisions applicable to this  
22 subchapter made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
23 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
24 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the  
25 same time as for federal purposes.

1           **SECTION 211.** 71.34 (1g) (L) of the statutes is amended to read:

2           71.34 **(1g)** (L) "Internal Revenue Code" for tax-option corporations, for taxable  
3 years that begin after December 31, 1996, and before January 1, 1998, means the  
4 federal Internal Revenue Code as amended to December 31, 1996, excluding  
5 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
6 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
7 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
8 P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431  
9 of P.L. 107-16, and as indirectly affected in the provisions applicable to this  
10 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)  
11 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008  
12 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
13 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
14 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
15 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
16 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
17 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
18 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding  
19 section 431 of P.L. 107-16, except that section 1366 (f) (relating to pass-through of  
20 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes  
21 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin  
22 purposes at the same time as for federal purposes. Amendments to the federal  
23 Internal Revenue Code enacted after December 31, 1996, do not apply to this  
24 paragraph with respect to taxable years beginning after December 31, 1996, and  
25 before January 1, 1998, except that changes to the Internal Revenue Code made by

1 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554,  
2 and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly  
3 affect the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34,  
4 P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,  
5 excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the same time  
6 as for federal purposes.

7 **SECTION 212.** 71.34 (1g) (m) of the statutes is amended to read:

8 71.34 (1g) (m) "Internal Revenue Code" for tax-option corporations, for taxable  
9 years that begin after December 31, 1997, and before January 1, 1999, means the  
10 federal Internal Revenue Code as amended to December 31, 1997, excluding sections  
11 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
12 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
13 of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
14 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
15 section 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to  
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803  
17 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section  
18 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
19 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
20 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
21 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
22 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
23 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
24 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554,  
25 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, except that

1 section 1366 (f) (relating to pass-through of items to shareholders) is modified by  
2 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The  
3 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
4 purposes. Amendments to the federal Internal Revenue Code enacted after  
5 December 31, 1997, do not apply to this paragraph with respect to taxable years  
6 beginning after December 31, 1997, and before January 1, 1999, except that  
7 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.  
8 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
9 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly affect the  
10 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
11 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.  
12 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
13 same time as for federal purposes.

14 **SECTION 213.** 71.34 (1g) (n) of the statutes is amended to read:

15 71.34 (1g) (n) "Internal Revenue Code" for tax-option corporations, for taxable  
16 years that begin after December 31, 1998, and before January 1, 2000, means the  
17 federal Internal Revenue Code as amended to December 31, 1998, excluding sections  
18 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
19 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
20 of P.L. 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L.  
21 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
22 107-16, and as indirectly affected in the provisions applicable to this subchapter by  
23 P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2),  
24 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
25 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

1 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
2 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
3 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
4 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
5 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
6 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,  
7 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
8 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
9 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
10 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
11 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
12 after December 31, 1998, do not apply to this paragraph with respect to taxable years  
13 beginning after December 31, 1998, and before January 1, 2000, except that  
14 changes to the Internal Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L.  
15 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding  
16 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
17 applicable to this subchapter made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230,  
18 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
19 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 214.** 71.34 (1g) (o) of the statutes is amended to read:

21 71.34 (1g) (o) "Internal Revenue Code" for tax-option corporations, for taxable  
22 years that begin after December 31, 1999, and before January 1, 2001, means the  
23 federal Internal Revenue Code as amended to December 31, 1999, excluding sections  
24 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
25 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)

1 of P.L. 104-188, and as amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
2 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
3 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
4 P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),  
5 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.  
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
7 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
12 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519,  
13 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
14 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
15 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
16 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
17 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
18 after December 31, 1999, do not apply to this paragraph with respect to taxable years  
19 beginning after December 31, 1999, and before January 1, 2001, except that changes  
20 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
21 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
22 changes that indirectly affect the provisions applicable to this subchapter made by  
23 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
24 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
25 same time as for federal purposes.



1           **SECTION 215.** 71.34 (1g) (p) of the statutes is created to read:  
2           71.34 (1g) (p) "Internal Revenue Code" for tax-option corporations, for taxable  
3 years that begin after December 31, 2000, and before January 1, 2002, means the  
4 federal Internal Revenue Code as amended to December 31, 2000, excluding sections  
5 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
6 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
7 of P.L. 104-188, and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16,  
8 and P.L. 107-22, and as indirectly affected in the provisions applicable to this  
9 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2)  
10 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008  
11 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
12 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
13 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
14 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
15 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
16 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
17 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L.  
18 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16, excluding section  
19 431 of P.L. 107-16, and P.L. 107-22, except that section 1366 (f) (relating to  
20 pass-through of items to shareholders) is modified by substituting the tax under s.  
21 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
22 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
23 federal Internal Revenue Code enacted after December 31, 2000, do not apply to this  
24 paragraph with respect to taxable years beginning after December 31, 2000, and  
25 before January 1, 2002, except that changes to the Internal Revenue Code made by

1 P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and changes that  
2 indirectly affect the provisions applicable to this subchapter made by P.L. 107-16,  
3 excluding section 431 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes  
4 at the same time as for federal purposes.

5 **SECTION 216.** 71.34 (1g) (q) of the statutes is created to read:

6 71.34 (1g) (q) "Internal Revenue Code" for tax-option corporations, for taxable  
7 years that begin after December 31, 2001, means the federal Internal Revenue Code  
8 as amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L.  
9 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
10 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section  
11 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to this  
12 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2)  
13 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008  
14 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
15 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
16 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
17 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
18 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
19 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
20 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L.  
21 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16,  
22 excluding section 431 of P.L. 107-16, and P.L. 107-22, except that section 1366 (f)  
23 (relating to pass-through of items to shareholders) is modified by substituting the  
24 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue  
25 Code applies for Wisconsin purposes at the same time as for federal purposes.

1 Amendments to the federal Internal Revenue Code enacted after December 31, 2001,  
2 do not apply to this paragraph with respect to taxable years beginning after  
3 December 31, 2001.

4 **SECTION 217.** 71.365 (1m) of the statutes is renumbered 71.365 (1m) (a) and  
5 amended to read:

6 71.365 (1m) (a) ~~A~~ For taxable years that begin after December 31, 2000, and  
7 before January 1, 2002, a tax-option corporation may compute amortization and  
8 depreciation under either the federal Internal Revenue Code as amended to  
9 December 31, 1999 2000, or the federal Internal Revenue Code in effect for the  
10 taxable year for which the return is filed, except that property first placed in service  
11 by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under  
12 s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the Internal  
13 Revenue Code as amended to December 31, 1980, and property first placed in service  
14 in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04  
15 (15) (bm), 1985 stats., is required to be depreciated under the Internal Revenue Code  
16 as amended to December 31, 1980, shall continue to be depreciated under the  
17 Internal Revenue Code as amended to December 31, 1980. Any difference between  
18 the adjusted basis for federal income tax purposes and the adjusted basis under this  
19 chapter shall be taken into account in determining net income or loss in the year or  
20 years for which the gain or loss is reportable under this chapter. If that property was  
21 placed in service by the taxpayer during taxable year 1986 and thereafter but before  
22 the property is used in the production of income subject to taxation under this  
23 chapter, the property's adjusted basis and the depreciation or other deduction  
24 schedule are not required to be changed from the amount allowable on the owner's  
25 federal income tax returns for any year because the property is used in the

1 production of income subject to taxation under this chapter. If that property was  
2 acquired in a transaction in taxable year 1986 or thereafter in which the adjusted  
3 basis of the property in the hands of the transferee is the same as the adjusted basis  
4 of the property in the hands of the transferor, the Wisconsin adjusted basis of that  
5 property on the date of transfer is the adjusted basis allowable under the Internal  
6 Revenue Code as defined for Wisconsin purposes for the property in the hands of the  
7 transferor.

8 **SECTION 218.** 71.365 (1m) (b) of the statutes is created to read:

9 71.365 (1m) (b) For taxable years that begin after December 31, 2001, a  
10 tax-option corporation may compute amortization and depreciation under either the  
11 federal Internal Revenue Code as amended to December 31, 2001, or the federal  
12 Internal Revenue Code in effect for the taxable year for which the return is filed,  
13 except that property first placed in service by the taxpayer on or after  
14 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),  
15 1985 stats., is required to be depreciated under the Internal Revenue Code as  
16 amended to December 31, 1980, and property first placed in service in taxable year  
17 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985  
18 stats., is required to be depreciated under the Internal Revenue Code as amended  
19 to December 31, 1980, shall continue to be depreciated under the Internal Revenue  
20 Code as amended to December 31, 1980. Any difference between the adjusted basis  
21 for federal income tax purposes and the adjusted basis under this chapter shall be  
22 taken into account in determining net income or loss in the year or years for which  
23 the gain or loss is reportable under this chapter. If that property was placed in  
24 service by the taxpayer during taxable year 1986 and thereafter but before the  
25 property is used in the production of income subject to taxation under this chapter,

1 the property's adjusted basis and the depreciation or other deduction schedule are  
2 not required to be changed from the amount allowable on the owner's federal income  
3 tax returns for any year because the property is used in the production of income  
4 subject to taxation under this chapter. If that property was acquired in a transaction  
5 in taxable year 1986 or thereafter in which the adjusted basis of the property in the  
6 hands of the transferee is the same as the adjusted basis of the property in the hands  
7 of the transferor, the Wisconsin adjusted basis of that property on the date of transfer  
8 is the adjusted basis allowable under the Internal Revenue Code as defined for  
9 Wisconsin purposes for the property in the hands of the transferor.

10 **SECTION 219.** 71.42 (2) (f) of the statutes is repealed.

11 **SECTION 220.** 71.42 (2) (g) of the statutes is repealed.

12 **SECTION 221.** 71.42 (2) (h) of the statutes is amended to read:

13 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before  
14 January 1, 1995, "Internal Revenue Code" means the federal Internal Revenue Code  
15 as amended to December 31, 1993 excluding sections 103, 104, and 110 of P.L.  
16 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L.  
17 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,  
18 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.  
19 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
20 and P.L. 106-554, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L.  
21 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
22 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
23 102-486 and P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174,  
24 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
25 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.

1 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
2 and P.L. 106-554, except that “Internal Revenue Code” does not include section 847  
3 of the federal Internal Revenue Code. The Internal Revenue Code applies for  
4 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
5 federal Internal Revenue Code enacted after December 31, 1993, do not apply to this  
6 paragraph with respect to taxable years beginning after December 31, 1993, and  
7 before January 1, 1995, except that changes to the Internal Revenue Code made by  
8 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.  
9 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.  
10 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and  
11 changes that indirectly affect the provisions applicable to this subchapter made by  
12 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.  
13 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.  
14 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for  
15 Wisconsin purposes at the same time as for federal purposes.

16 **SECTION 222.** 71.42 (2) (i) of the statutes is amended to read:

17 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before  
18 January 1, 1996, “Internal Revenue Code” means the federal Internal Revenue Code  
19 as amended to December 31, 1994, excluding sections 103, 104, and 110 of P.L.  
20 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
21 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,  
22 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
23 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L.  
24 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
25 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.

1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
3 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of  
4 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.  
5 105-277, and P.L. 106-554, except that "Internal Revenue Code" does not include  
6 section 847 of the federal Internal Revenue Code. The Internal Revenue Code  
7 applies for Wisconsin purposes at the same time as for federal purposes.  
8 Amendments to the federal Internal Revenue Code enacted after  
9 December 31, 1994, do not apply to this paragraph with respect to taxable years  
10 beginning after December 31, 1994, and before January 1, 1996, except that  
11 changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding  
12 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
13 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that  
14 indirectly affect the provisions applicable to this subchapter made by P.L. 104-7, P.L.  
15 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
16 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.  
17 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 223.** 71.42 (2) (j) of the statutes is amended to read:

19 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before  
20 January 1, 1997, "Internal Revenue Code" means the federal Internal Revenue Code  
21 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.  
22 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
23 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,  
24 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
25 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L.

1 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
2 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
3 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
4 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
5 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
6 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
7 105-206 and, P.L. 105-277, and P.L. 106-554, except that “Internal Revenue Code”  
8 does not include section 847 of the federal Internal Revenue Code. The Internal  
9 Revenue Code applies for Wisconsin purposes at the same time as for federal  
10 purposes. Amendments to the federal Internal Revenue Code enacted after  
11 December 31, 1995, do not apply to this paragraph with respect to taxable years  
12 beginning after December 31, 1995, and before January 1, 1997, except that  
13 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections  
14 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
15 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes  
16 that indirectly affect the provisions applicable to this subchapter made by P.L.  
17 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,  
19 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal  
20 purposes.

21 **SECTION 224.** 71.42 (2) (k) of the statutes is amended to read:

22 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before  
23 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code  
24 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.  
25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66



1 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
2 amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36,  
3 P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly  
4 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
5 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
6 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
8 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
9 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
10 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and  
11 P.L. 107-16, excluding section 431 of P.L. 107-16, except that “Internal Revenue  
12 Code” does not include section 847 of the federal Internal Revenue Code. The  
13 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
14 purposes. Amendments to the federal Internal Revenue Code enacted after  
15 December 31, 1996, do not apply to this paragraph with respect to taxable years  
16 beginning after December 31, 1996, and before January 1, 1998, except that  
17 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
18 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding  
19 section 431 of P.L. 107-16, and changes that indirectly affect the provisions  
20 applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
21 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of  
22 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 225.** 71.42 (2) (L) of the statutes is amended to read:

24 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before  
25 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code

1 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
2 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
3 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
4 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
5 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
6 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,  
7 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding  
8 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,  
9 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
10 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding  
11 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,  
12 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,  
13 P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16,  
14 excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not  
15 include section 847 of the federal Internal Revenue Code. The Internal Revenue  
16 Code applies for Wisconsin purposes at the same time as for federal purposes.  
17 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,  
18 do not apply to this paragraph with respect to taxable years beginning after  
19 December 31, 1997, and before January 1, 1999, except that changes to the Internal  
20 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,  
21 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of  
22 P.L. 107-16, and changes that indirectly affect the provisions applicable to this  
23 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
24 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.  
25 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

1           **SECTION 226.** 71.42 (2) (m) of the statutes is amended to read:

2           71.42 (2) (m) For taxable years that begin after December 31, 1998, and before  
3           January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code  
4           as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.  
5           102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
6           and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
7           amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
8           P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly  
9           affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
10          101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
11          110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
12          13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
13          103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
14          (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
15          105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.  
16          106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16,  
17          excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not  
18          include section 847 of the federal Internal Revenue Code. The Internal Revenue  
19          Code applies for Wisconsin purposes at the same time as for federal purposes.  
20          Amendments to the federal Internal Revenue Code enacted after December 31, 1998,  
21          do not apply to this paragraph with respect to taxable years beginning after  
22          December 31, 1998, and before January 1, 2000, except that changes to the Internal  
23          Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,  
24          P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,  
25          and changes that indirectly affect the provisions applicable to this subchapter made

1 by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
2 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin  
3 purposes at the same time as for federal purposes.

4 **SECTION 227.** 71.42 (2) (n) of the statutes is amended to read:

5 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before  
6 January 1, 2001, "Internal Revenue Code" means the federal Internal Revenue Code  
7 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
10 amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,  
11 and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected by  
12 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
13 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
14 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
16 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
17 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
18 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,  
19 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
20 107-16, excluding section 431 of P.L. 107-16, except that "Internal Revenue Code"  
21 does not include section 847 of the federal Internal Revenue Code. The Internal  
22 Revenue Code applies for Wisconsin purposes at the same time as for federal  
23 purposes. Amendments to the federal Internal Revenue Code enacted after  
24 December 31, 1999, do not apply to this paragraph with respect to taxable years  
25 beginning after December 31, 1999, and before January 1, 2001, except that changes

1 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
2 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and  
3 changes that indirectly affect the provisions applicable to this subchapter made by  
4 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.  
5 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the  
6 same time as for federal purposes.

7 **SECTION 228.** 71.42 (2) (o) of the statutes is created to read:

8 71.42 (2) (o) For taxable years that begin after December 31, 2000, and before  
9 January 1, 2002, "Internal Revenue Code" means the federal Internal Revenue Code  
10 as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.  
11 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
13 amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and  
14 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
16 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
18 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
20 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
21 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.  
22 106-573, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, except  
23 that "Internal Revenue Code" does not include section 847 of the federal Internal  
24 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the  
25 same time as for federal purposes. Amendments to the federal Internal Revenue

1 Code enacted after December 31, 2000, do not apply to this paragraph with respect  
2 to taxable years beginning after December 31, 2000, and before January 1, 2002,  
3 except that changes to the Internal Revenue Code made by P.L. 107-16, excluding  
4 section 431 of P.L. 107-16, and P.L. 107-22, and changes that indirectly affect the  
5 provisions applicable to this subchapter made by P.L. 107-16, excluding section 431  
6 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes at the same time as  
7 for federal purposes.

8 **SECTION 229.** 71.42 (2) (p) of the statutes is created to read:

9 71.42 (2) (p) For taxable years that begin after December 31, 2001, "Internal  
10 Revenue Code" means the federal Internal Revenue Code as amended to  
11 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
13 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,  
14 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,  
15 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding  
16 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,  
17 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
18 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding  
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,  
20 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,  
21 P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,  
22 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.  
23 107-22, except that "Internal Revenue Code" does not include section 847 of the  
24 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin  
25 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 2001, do not apply to this  
2 paragraph with respect to taxable years beginning after December 31, 2001.

3 **SECTION 230.** 71.45 (2) (a) 13. of the statutes is renumbered 71.45 (2) (a) 13. a.  
4 and amended to read:

5 71.45 (2) (a) 13. a. By For taxable years that begin after December 31, 2000,  
6 and before January 1, 2002, by adding or subtracting, as appropriate, the difference  
7 between the depreciation deduction under the federal Internal Revenue Code as  
8 amended to December 31, ~~1999~~ 2000, and the depreciation deduction under the  
9 federal Internal Revenue Code in effect for the taxable year for which the return is  
10 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,  
11 except that property first placed in service by the taxpayer on or after  
12 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),  
13 1985 stats., is required to be depreciated under the Internal Revenue Code as  
14 amended to December 31, 1980, and property first placed in service in taxable year  
15 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985  
16 stats., is required to be depreciated under the Internal Revenue Code as amended  
17 to December 31, 1980, shall continue to be depreciated under the Internal Revenue  
18 Code as amended to December 31, 1980.

19 **SECTION 231.** 71.45 (2) (a) 13. b. of the statutes is created to read:

20 71.45 (2) (a) 13. b. For taxable years that begin after December 31, 2001, by  
21 adding or subtracting, as appropriate, the difference between the depreciation  
22 deduction under the federal Internal Revenue Code as amended to December 31,  
23 2001, and the depreciation deduction under the federal Internal Revenue Code in  
24 effect for the taxable year for which the return is filed, so as to reflect the fact that  
25 the insurer may choose between these 2 deductions, except that property first placed

1 in service by the taxpayer on or after January 1, 1983, but before January 1, 1987,  
2 that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under  
3 the Internal Revenue Code as amended to December 31, 1980, and property first  
4 placed in service in taxable year 1981 or thereafter but before January 1, 1987, that,  
5 under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the Internal  
6 Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
7 under the Internal Revenue Code as amended to December 31, 1980.

8 **SECTION 232.** 71.83 (2) (b) of the statutes is amended to read:

9 71.83 (2) (b) *Felony*. 1. 'False income tax return; fraud.' Any person, other than  
10 a corporation or limited liability company, who renders a false or fraudulent income  
11 tax return with intent to defeat or evade any assessment required by this chapter  
12 shall be ~~is~~ guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~  
13 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
14 the cost of prosecution. In this subdivision, "return" includes a separate return filed  
15 by a spouse with respect to a taxable year for which a joint return is filed under s.  
16 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
17 the spouses with respect to a taxable year for which a separate return is filed under  
18 s. 71.03 (2) (m) after the filing of that joint return.

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



1           3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,  
2           depositing or concealing any property upon which a levy is authorized with intent  
3           to evade or defeat the assessment or collection of any tax administered by the  
4           department is guilty of a Class I felony and may be fined ~~not more than \$5,000 or~~  
5           imprisoned for ~~not more than 4 years and 6 months or both, together with assessed~~  
6           the costs cost of prosecution.

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

15           **SECTION 233.** 73.0305 of the statutes, as affected by 2001 Wisconsin Act 16, is  
16          amended to read:

17           **73.0305 Revenue limits and intradistrict transfer aid calculations levy**  
18          **limit.** The Annually by the 4th Monday in June, the department of revenue shall  
19          ~~annually~~ determine and certify to the state superintendent of public instruction, ~~no~~  
20          ~~later than the 4th Monday in June,~~ the allowable rate of increase under subch. VII  
21          of ch. 121, and shall determine and certify to each technical college district board the  
22          allowable rate of increase under s. 38.16 (1) (b) 1. The allowable rate of increase is  
23          the percentage change in the consumer price index for all urban consumers, U.S. city  
24          average, between the preceding March 31 and the 2nd preceding March 31, as  
25          computed by the federal department of labor.

1           **SECTION 234.** 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
2 is amended to read:

3           79.01 (1) There is established an account in the general fund entitled the  
4 “Expenditure Restraint Program Account.” There shall be appropriated to that  
5 account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000  
6 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and  
7 in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003 ~~and in each year~~  
8 ~~thereafter, less reductions under s. 79.085.~~

9           **SECTION 235.** 79.02 (1) of the statutes is amended to read:

10          79.02 (1) The department of administration, upon certification by the  
11 department of revenue, shall distribute shared revenue payments to each  
12 municipality and county on the 4th Monday in July and the 3rd Monday in  
13 November, except that in 2003, shared revenue payments shall be distributed on  
14 June 30 and on the 3rd Monday in November.

15          **SECTION 236.** 79.02 (2) (b) of the statutes is amended to read:

16          79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the  
17 municipality’s or county’s estimated payments under ss. 79.03, 79.04, 79.058, and  
18 79.06 and 100% of the municipality’s estimated payments under s. 79.05, except that  
19 in July 2002, each county and municipality shall receive payments equal to the  
20 amount determined under s. 79.085 (1) (b) and (2), multiplied by the July 2002  
21 payment factor. In this paragraph, “July 2002 payment factor” means the amount  
22 that is equal to \$580,000,000, less any amount expended from the appropriation  
23 account under s. 20.855 (4) (rm) during the 2001-02 fiscal year, divided by  
24 \$679,415,800. Payments in July 2002 shall be made from the appropriation account  
25 under s. 20.855 (4) (rb).

1           **SECTION 237.** 79.02 (2) (c) of the statutes is created to read:

2           79.02 (2) (c) Subject to s. 59.605 (4), on June 30, 2003, each county and  
3           municipality shall receive payments equal to the amount determined under s. 79.085  
4           (1) (b) and (2), multiplied by the June 2003 payment factor. In this paragraph, "June  
5           2003 payment factor" means the amount that is equal to the moneys available, as  
6           determined by the department of administration, from the appropriation account  
7           under s. 20.855 (4) (rb), divided by \$679,415,800. Payments in June 2003 shall be  
8           made from the appropriation account under s. 20.855 (4) (rb).

9           **SECTION 238.** 79.02 (3) of the statutes is amended to read:

10          79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in  
11          November shall equal that municipality's or county's entitlement to shared revenues  
12          under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the  
13          amount distributed to the municipality or county in July or, for distributions in 2003,  
14          on June 30, 2003. The total amount of the payments in July and November 2002  
15          shall be \$679,415,800. The total amount of the payments in June and November  
16          2003 shall be \$679,415,800.

17          **SECTION 239.** 79.03 (1) of the statutes is amended to read:

18          79.03 (1) ~~Each~~ Ending with the distributions in 2003, each municipality and  
19          county is entitled to shared revenue, consisting of an amount determined on the basis  
20          of population under sub. (2), plus an amount determined under sub. (3).

21          **SECTION 240.** 79.03 (3c) (b) (intro.) of the statutes is amended to read:

22          79.03 (3c) (b) *Eligibility.* (intro.) ~~A~~ Ending with the distributions in 2003, a  
23          municipality is eligible for a payment under this subsection if all of the following  
24          conditions are met:

1           **SECTION 241.** 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           79.03 **(3c)** (f) *Distribution amount.* If the total amounts calculated under pars.  
4 (c) to (e) exceed the total amount to be distributed under this subsection, the amount  
5 paid to each eligible municipality shall be paid on a prorated basis. The total amount  
6 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning  
7 in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001;  
8 \$11,110,000 in 2002; and ~~\$11,221,100 in 2003 and in each year thereafter, less~~  
9 reductions under s. 79.085.

10           **SECTION 242.** 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
11 is amended to read:

12           79.03 **(4)** In 1991, the total amount to be distributed under ss. 79.03, 79.04, and  
13 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be  
14 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.  
15 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.  
16 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this  
17 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to  
18 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,  
19 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835  
20 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the  
21 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ~~ss.~~ 20.835  
22 (1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less reductions under  
23 s. 79.085, and \$170,671,600 to counties, less reductions under s. 79.085. In 2003 and  
24 subsequent years, the total amounts to be distributed under ss. 79.03, 79.04, and  
25 79.06 from s. ~~ss.~~ 20.835 (1) (d) and 20.855 (4) (rb) are ~~\$776,783,700~~ \$769,092,800 to

1 municipalities and ~~\$172,378,300~~ \$170,671,600 to counties, less reductions under s.  
2 79.085.

3 **SECTION 243.** 79.03 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
4 is amended to read:

5 79.03 (5) (a) In 2002 ~~and 2003~~, each municipality shall receive a shared  
6 revenue payment that is equal to the amount of the payment it received in the  
7 previous year, multiplied by 101% and less reductions under s. 79.085.

8 **SECTION 244.** 79.03 (6) of the statutes is created to read:

9 79.03 (6) Beginning in 2004, no municipality or county may receive payments  
10 under subs. (2) and (3) and no municipality may receive a payment under sub. (3c).

11 **SECTION 245.** 79.04 (1) (intro.) of the statutes, as affected by 2001 Wisconsin  
12 Act 16, is amended to read:

13 79.04 (1) (intro.) Annually, ending with the distributions in 2003, the  
14 department of administration, upon certification by the department of revenue, shall  
15 distribute to a municipality having within its boundaries a production plant or a  
16 general structure, including production plants and general structures under  
17 construction, used by a light, heat, or power company assessed under s. 76.28 (2) or  
18 76.29 (2), except property described in s. 66.0813 unless the production plant is  
19 owned or operated by a local governmental unit located outside of the municipality,  
20 or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by  
21 a municipal electric company under s. 66.0825 the amount determined as follows:

22 **SECTION 246.** 79.04 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
23 is amended to read:

24 79.04 (2) (a) Annually, ending with the distributions in 2003, the department  
25 of administration, upon certification by the department of revenue, shall distribute

1 from the shared revenue account to any county having within its boundaries a  
2 production plant or a general structure, including production plants and general  
3 structures under construction, used by a light, heat, or power company assessed  
4 under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the  
5 production plant is owned or operated by a local governmental unit that is located  
6 outside of the municipality in which the production plant is located, or by an electric  
7 cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal  
8 electric company under s. 66.0825 an amount determined by multiplying by 6 mills  
9 in the case of property in a town and by 3 mills in the case of property in a city or  
10 village the first \$125,000,000 of the amount shown in the account, plus leased  
11 property, of each public utility except qualified wholesale electric companies, as  
12 defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either  
13 “production plant, exclusive of land” and “general structures”, or “work in progress”  
14 for production plants and general structures under construction, in the case of light,  
15 heat, and power companies, electric cooperatives, or municipal electric companies,  
16 for all property within the municipality in accordance with the system of accounts  
17 established by the public service commission or rural electrification administration,  
18 less depreciation thereon as determined by the department of revenue and less the  
19 value of treatment plant and pollution abatement equipment, as defined under s.  
20 70.11 (21) (a), as determined by the department of revenue plus an amount from the  
21 shared revenue account determined by multiplying by 6 mills in the case of property  
22 in a town, and 3 mills in the case of property in a city or village, of the total original  
23 cost of production plant, general structures, and work-in-progress less depreciation,  
24 land, and approved waste treatment facilities of each qualified wholesale electric  
25 company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of

1 all property within the municipality. The total of amounts, as depreciated, from the  
2 accounts of all public utilities for the same production plant is also limited to not  
3 more than \$125,000,000. The amount distributable to a county in any year shall not  
4 exceed \$100 times the population of the county.

5 **SECTION 247.** 79.04 (4) (a) of the statutes is amended to read:

6 79.04 (4) (a) Annually, ending with the distributions in 2003, in addition to the  
7 amount distributed under sub. (1), the department of administration shall distribute  
8 \$50,000 to a municipality if spent nuclear fuel is stored within the municipality on  
9 December 31 of the preceding year. If a spent nuclear fuel storage facility is located  
10 within one mile of a municipality, that municipality shall receive \$10,000 annually  
11 and the municipality where that storage facility is located shall receive \$40,000  
12 annually.

13 **SECTION 248.** 79.04 (4) (b) of the statutes is amended to read:

14 79.04 (4) (b) Annually, ending with the distributions in 2003, in addition to the  
15 amount distributed under sub. (2), the department of administration shall distribute  
16 \$50,000 to a county if spent nuclear fuel is stored within the county on December 31  
17 of the preceding year. If a spent nuclear fuel storage facility is located at a production  
18 plant located in more than one county, the payment shall be apportioned according  
19 to the formula under sub. (1) (c) 2., except that the formula, as it applies to  
20 municipalities in that subdivision, applies to counties in this paragraph. The  
21 payment under this paragraph may not be less than \$10,000 annually.

22 **SECTION 249.** 79.04 (5) of the statutes is created to read:

23 79.04 (5) Beginning in 2004, no municipality or county may receive a payment  
24 under this section.

25 **SECTION 250.** 79.05 (2) (intro.) of the statutes is amended to read:

1           79.05 (2) (intro.) ~~A~~ Ending with the distributions in 2003, a municipality is  
2 eligible for a payment under sub. (3) if it fulfills all of the following requirements:

3           **SECTION 251.** 79.05 (7) of the statutes is created to read:

4           79.05 (7) Beginning in 2004, no municipality may receive a payment under this  
5 section.

6           **SECTION 252.** 79.058 (1) of the statutes is amended to read:

7           79.058 (1) ~~Each~~ Ending with the distributions in 2003, each county is entitled  
8 to a mandate relief payment equal to the per person distribution under sub. (2) times  
9 the county's population for the year in which the statement under s. 79.015 is  
10 provided as determined under s. 16.96 (2).

11           **SECTION 253.** 79.058 (3) (d) of the statutes, as created by 2001 Wisconsin Act  
12 16, is amended to read:

13           79.058 (3) (d) In 2002, \$20,971,400, less reductions under s. 79.085.

14           **SECTION 254.** 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act  
15 16, is amended to read:

16           79.058 (3) (e) In 2003 ~~and subsequent years \$21,181,100, \$20,971,400, less~~  
17 reductions under s. 79.085.

18           **SECTION 255.** 79.058 (4) of the statutes is created to read:

19           79.058 (4) Beginning in 2004, no county may receive a payment under this  
20 section.

21           **SECTION 256.** 79.06 (1) (b) of the statutes is amended to read:

22           79.06 (1) (b) If the payments to any municipality or county under s. 79.03,  
23 excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except after  
24 the reductions under s. 79.085 in 2002, are less than 95% of the combined payments  
25 to the municipality or county under this section and s. 79.03, excluding payments



1 under s. 79.03 (3c), for the previous year, the municipality or county has an aids  
2 deficiency. The amount of the aids deficiency is the amount by which 95% of the  
3 combined payments to the municipality or county under this section and s. 79.03,  
4 excluding payments under s. 79.03 (3c), in the previous year exceeds the payments  
5 to the municipality or county under s. 79.03, excluding payments under s. 79.03 (3c),  
6 in the current year.

7 **SECTION 257.** 79.06 (3) of the statutes is created to read:

8 79.06 (3) SUNSET. Beginning in 2004, no municipality or county may receive  
9 a payment under this section.

10 **SECTION 258.** 79.085 of the statutes is created to read:

11 **79.085 Reductions. (1) CALCULATION.** (a) The department of revenue shall  
12 determine the amount of the payments under ss. 79.03 (2), (3), (3c), and (5) (a), 79.04,  
13 79.05, and 79.06 to be distributed to each municipality in 2002 and the amount of the  
14 payments under ss. 79.03 (2) and (3), 79.04, 79.058, and 79.06 to be distributed to  
15 each county in 2002.

16 (b) The department of revenue shall reduce the amount of the payments to be  
17 distributed to each municipality and county, as determined under par. (a), by  
18 subtracting from such payments an amount based on population, as determined by  
19 the department, so that the total amount of the reduction to all such payments in  
20 2002 is \$350,000,000, except that the reduction applied to any county's or  
21 municipality's payment shall not exceed the amount determined under par. (a) to be  
22 distributed to the municipality or county in 2002. Notwithstanding s. 79.005 (2), to  
23 calculate reductions under this paragraph, the department shall estimate  
24 population by using the 2000 federal decennial census.

1 (c) The amount of the payments under ss. 79.03 (2), (3), and (3c), 79.04, 79.05,  
2 and 79.06 to be distributed to each municipality in 2003 and the amount of the  
3 payments under ss. 79.03 (2) and (3), 79.04, 79.058, and 79.06 to be distributed to  
4 each county in 2003 shall be equal to the amount of such payments distributed to the  
5 municipality or county in 2002 as calculated under par. (b).

6 **(2) REDUCTION PRIORITY.** (a) For payments to counties in 2002 and 2003, after  
7 the department of revenue calculates the total reduction of payments to counties  
8 under sub. (1) (b), the department shall reduce the following payments, consistent  
9 with the calculation under par. (b), in the following order:

10 1. Payments from the appropriation account under s. 20.835 (1) (f).

11 2. Payments from the appropriation account under s. 20.835 (1) (d).

12 (b) For payments to municipalities in 2002 and 2003, after the department of  
13 revenue calculates the total reduction of payments to municipalities under sub. (1)  
14 (b), the department shall reduce the following payments, consistent with the  
15 calculation under par. (b), in the following order:

16 1. Payments from the appropriation account under s. 20.835 (1) (d).

17 2. Payments from the appropriation account under s. 20.835 (1) (b).

18 3. Payments from the appropriation account under s. 20.835 (1) (c).

19 **SECTION 259.** 86.192 (4) of the statutes is amended to read:

20 86.192 (4) Any person who violates this section ~~shall be fined not more than~~  
21 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
22 if the injury, defacement or removal causes the death of a person.

23 **SECTION 260.** 93.29 of the statutes is repealed.

24 **SECTION 261.** 97.43 (4) of the statutes is amended to read:

1           97.43 (4) ~~Whoever violates this section may be fined not less than \$500 nor~~  
2 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~  
3 ~~guilty of a Class H felony.~~

4           **SECTION 262.** 97.45 (2) of the statutes is amended to read:

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

8           **SECTION 263.** 100.171 (7) (b) of the statutes is amended to read:

9           100.171 (7) (b) ~~Whoever intentionally violates this section may be fined not~~  
10 ~~more than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class~~  
11 ~~I felony.~~ A person intentionally violates this section if the violation occurs after the  
12 department or a district attorney has notified the person by certified mail that the  
13 person is in violation of this section.

14           **SECTION 264.** 100.2095 (6) (d) of the statutes is amended to read:

15           100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less  
16 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~  
17 9 months or both. Each day of violation constitutes a separate offense.

18           **SECTION 265.** 100.26 (2) of the statutes is amended to read:

19           100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~  
20 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~  
21 ~~6 months or both is guilty of a Class I felony.~~

22           **SECTION 266.** 100.26 (5) of the statutes, as affected by 2001 Wisconsin Act 16,  
23 is amended to read:

1           100.26 (5) Any person violating s. 100.18 (9) shall may be fined not less than  
2           \$100 ~~nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months  
3           or both. Each day of violation constitutes a separate offense.

4           **SECTION 267.** 100.26 (7) of the statutes is amended to read:

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

10          **SECTION 268.** 101.10 (4) (b) of the statutes, as created by 2001 Wisconsin Act  
11          3, is amended to read:

12          101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)  
13          ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~  
14          ~~months, or both, for each violation~~ is guilty of a Class I felony. Notwithstanding s.  
15          101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

16          **SECTION 269.** 101.143 (10) (b) of the statutes is amended to read:

17          101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
18          or service provider who intentionally destroys a document that is relevant to a claim  
19          for reimbursement under this section ~~may be fined not more than \$10,000 or~~  
20          ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

21          **SECTION 270.** 101.9204 (2) of the statutes is amended to read:

22          101.9204 (2) Any person who knowingly makes a false statement in an  
23          application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
24          ~~for not more than 5 years or both~~ is guilty of a Class H felony.

25          **SECTION 271.** 101.94 (8) (b) of the statutes is amended to read:

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

5           **SECTION 272.** 102.835 (11) of the statutes is amended to read:

6           102.835 (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 273.** 102.835 (18) of the statutes is amended to read:

13           102.835 (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 274.** 102.85 (3) of the statutes is amended to read:

20           102.85 (3) An employer who violates an order to cease operations under s.  
21 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~  
22 ~~years or both~~ is guilty of a Class I felony.

23           **SECTION 275.** 108.225 (11) of the statutes is amended to read:

24           108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in  
25 removing, depositing or concealing any property upon which a levy is authorized

1 under this section with intent to evade or defeat the assessment or collection of any  
2 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
3 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the  
4 costs of prosecution.

5 **SECTION 276.** 108.225 (18) of the statutes is amended to read:

6 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
7 employer may discharge or otherwise discriminate with respect to the terms and  
8 conditions of employment against any employee by reason of the fact that his or her  
9 earnings have been subject to levy for any one levy or because of compliance with any  
10 provision of this section. Whoever wilfully violates this subsection may be fined not  
11 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

12 **SECTION 277.** 110.07 (5) (a) of the statutes is amended to read:

13 110.07 (5) (a) In this subsection, "bulletproof garment" ~~has the meaning given~~  
14 ~~in s. 939.64 (1)~~ means a vest or other garment designed, redesigned, or adapted to  
15 prevent bullets from penetrating through the garment.

16 **SECTION 278.** 114.20 (18) (c) of the statutes is amended to read:

17 114.20 (18) (c) Any person who knowingly makes a false statement in any  
18 application or in any other document required to be filed with the department, or who  
19 knowingly foregoes the submission of any application, document, or any registration  
20 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
21 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

22 **SECTION 279.** 115.28 (40) of the statutes is repealed.

23 **SECTION 280.** 115.31 (2g) of the statutes is amended to read:

24 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall  
25 revoke a license granted by the state superintendent, without a hearing, if the

1 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.  
2 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any  
3 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a  
4 violation that occurs on or after the effective date of this subsection .... [revisor inserts  
5 date].

6 **SECTION 281.** 118.19 (4) (a) of the statutes is amended to read:

7 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent  
8 may not grant a license, for 6 years following the date of the conviction, to any person  
9 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except  
10 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a  
11 violation that occurs on or after September 12, 1991, for 6 years following the date  
12 of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except  
13 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this  
14 paragraph .... [revisor inserts date]. The state superintendent may grant the license  
15 only if the person establishes by clear and convincing evidence that he or she is  
16 entitled to the license.

17 **SECTION 282.** 118.30 (1m) (d) of the statutes is amended to read:

18 118.30 (1m) (d) If the school board operates high school grades, beginning in  
19 the ~~2002-03~~ 2004-05 school year administer the high school graduation  
20 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in  
21 the school district, including pupils enrolled in charter schools located in the school  
22 district, in the 11th and 12th grades. The school board shall administer the  
23 examination at least twice each school year and may administer the examination  
24 only to pupils enrolled in the 11th and 12th grades.

25 **SECTION 283.** 118.30 (1r) (d) of the statutes is amended to read:

1           118.30 (1r) (d) If the charter school operates high school grades, beginning in  
2 the ~~2002-03~~ 2004-05 school year, administer the high school graduation  
3 examination adopted by the operator of the charter school under sub. (1g) (b) to all  
4 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the  
5 charter school shall administer the examination at least twice each school year and  
6 may administer the examination only to pupils enrolled in the 11th and 12th grades.

7           **SECTION 284.** 118.33 (1) (f) of the statutes is amended to read:

8           118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high  
9 school grades shall develop a written policy specifying criteria for granting a high  
10 school diploma that are in addition to the requirements under par. (a). The criteria  
11 shall include the pupil's score on the examination administered under s. 118.30 (1m)  
12 (d), the pupil's academic performance, and the recommendations of teachers. Except  
13 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located  
14 in the school district.

15           2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40  
16 (2r) that operates high school grades shall develop a policy specifying criteria for  
17 granting a high school diploma. The criteria shall include the pupil's score on the  
18 examination administered under s. 118.30 (1r) (d), the pupil's academic  
19 performance, and the recommendations of teachers.

20           3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an  
21 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
22 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
23 charter school's policy under subd. 1. or 2.

24           **SECTION 285.** 121.07 (7) (a) of the statutes is amended to read:



1           121.07 (7) (a) The “primary guaranteed valuation per member” is \$2,000,000  
2           \$1,930,000.

3           **SECTION 286.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin  
4           Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

5           121.15 (3m) (a) 1. (intro.) “Partial school revenues” means the sum of state  
6           school aids, other than the amounts appropriated under s. 20.255 (2) ~~and~~ (cv),  
7           property taxes levied for school districts and aid paid to school districts under s.  
8           79.095 (4), ~~less the~~ all of the following:

9           a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a  
10           school board’s increasing the services that it provides by adding responsibility for  
11           providing a service transferred to it from another school board, ~~less the~~.

12           b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3., ~~less the~~

13           c. The amount of any revenue limit increase under s. 121.91 (4) (j), ~~less the~~.

14           d. The amount of any revenue limit increase under s. 121.91 (4) (h), ~~less the~~.

15           e. The amount of any property taxes levied for the purpose of s. 120.13 (19), ~~and~~  
16           ~~less an~~.

17           f. An amount equal to 45% of the amount estimated to be paid under s. 119.23  
18           (4) and (4m).

19           **SECTION 287.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

20           121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service  
21           on debt that has been approved by a referendum exceeds \$490,000,000.

22           **SECTION 288.** 121.15 (3m) (c) of the statutes is amended to read:

23           121.15 (3m) (c) By June 30, ~~1999~~ 2004, and ~~annually~~ biennially by June 30  
24           thereafter, the joint committee on finance shall determine the amount appropriated  
25           under s. 20.255 (2) (ac) in the following school year.

1           **SECTION 289.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and  
2 amended to read:

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

6           **SECTION 290.** 125.075 (2) (b) of the statutes is created to read:

7           125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the  
8 underage person dies.

9           **SECTION 291.** 125.085 (3) (a) 2. of the statutes is amended to read:

10           125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
11 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~  
12 ~~3 years or both~~ is guilty of a Class I felony.

13           **SECTION 292.** 125.105 (2) (b) of the statutes is amended to read:

14           125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,  
15 a crime ~~may 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 293.** 125.66 (3) of the statutes is amended to read:

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

23           **SECTION 294.** 125.68 (12) (b) of the statutes is amended to read:

1           225.68 (12) (b) Whoever violates par. (a) shall be fined not less than \$1,000 nor  
2           more than \$5,000 or imprisoned for not less than one year nor more than 15 years  
3           or both is guilty of a Class F felony.

4           **SECTION 295.** 125.68 (12) (c) of the statutes is amended to read:

5           225.68 (12) (c) Any person causing the death of another human being through  
6           the selling or otherwise disposing of, for beverage purposes, either denatured alcohol  
7           or alcohol or alcoholic liquid redistilled from denatured alcohol, shall be imprisoned  
8           for not more than 15 years is guilty of a Class E felony.

9           **SECTION 296.** 132.20 (2) of the statutes is amended to read:

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

17          **SECTION 297.** 133.03 (1) of the statutes is amended to read:

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

25          **SECTION 298.** 133.03 (2) of the statutes is amended to read:

1           133.03 (2) Every person who monopolizes, or attempts to monopolize, or  
2 combines or conspires with any other person or persons to monopolize any part of  
3 trade or commerce is guilty of a Class H felony, except that, notwithstanding the  
4 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than  
5 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000  
6 or imprisoned for ~~not more than 7 years and 6 months or both.~~

7           **SECTION 299.** 134.05 (4) of the statutes is amended to read:

8           134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~  
9 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~  
10 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than  
11 9 months or both.

12           **SECTION 300.** 134.16 of the statutes is amended to read:

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

25           **SECTION 301.** 134.20 (1) (intro.) of the statutes is amended to read:



1                                    OF DEEDS; ELECTRONIC AND  
2                                    NONELECTRONIC NOTARIZATION AND  
3                                    ACKNOWLEDGEMENT

4            **SECTION 306.** 137.01 (3) (a) of the statutes is amended to read:

5            137.01 (3) (a) Every Except as authorized in sub. (4) (a) and s. 137.19, every  
6            notary public shall provide an engraved official seal which makes a distinct and  
7            legible impression or official rubber stamp which makes a distinct and legible  
8            imprint on paper. The impression of the seal or the imprint of the rubber stamp shall  
9            state only the following: "Notary Public," "State of Wisconsin" and the name of the  
10           notary. But any notarial seal in use on August 1, 1959, shall be considered in  
11           compliance.

12           **SECTION 307.** 137.01 (4) (a) of the statutes is amended to read:

13           137.01 (4) (a) Every official act of a notary public shall be attested by the notary  
14           public's written signature or electronic signature, as defined in s. ~~137.04 (2)~~ 137.11  
15           (8). The department of electronic government and the secretary of state shall jointly  
16           promulgate rules prescribing a method for attaching or associating an electronic  
17           signature and other required information with a signature or record under s. 137.19.  
18           The department of electronic government and the secretary of state shall jointly  
19           promulgate rules establishing requirements that a notary public must satisfy in  
20           order to use an electronic signature for any attestation other than an attestation  
21           under s. 137.19. All joint rules promulgated under this paragraph shall be numbered  
22           as rules of each agency in the Wisconsin Administrative Code.

23           **SECTION 308.** 137.01 (4) (b) of the statutes is amended to read:

24           137.01 (4) (b) All Except as authorized par. (a) and in s. 137.19, all certificates  
25           of acknowledgments of deeds and other conveyances, or any written instrument

1 required or authorized by law to be acknowledged or sworn to before any notary  
2 public, within this state, shall be attested by a clear impression of the official seal or  
3 imprint of the rubber stamp of said officer, and in addition thereto shall be written  
4 or stamped either the day, month and year when the commission of said notary public  
5 will expire, or that such commission is permanent.

6 **SECTION 309.** Subchapter II (title) of chapter 137 [precedes 137.04] of the  
7 statutes is amended to read:

8 **CHAPTER 137**

9 **SUBCHAPTER II**

10 **ELECTRONIC SIGNATURES**

11 **TRANSACTIONS AND RECORDS;**

12 **ELECTRONIC NOTARIZATION**

13 **AND ACKNOWLEDGEMENT**

14 **SECTION 310.** 137.04 of the statutes is repealed.

15 **SECTION 311.** 137.05 (title) of the statutes is renumbered 137.25 (title) and  
16 amended to read:

17 **137.25 (title) Submission of written documents records to**  
18 **governmental units; interoperability.**

19 **SECTION 312.** 137.05 of the statutes is renumbered 137.25 (1) and amended to  
20 read:

21 137.25 (1) Unless otherwise prohibited provided by law, with the consent of a  
22 governmental unit of this state that is to receive a record, any document record that  
23 is required by law to be submitted in writing to a that governmental unit and that  
24 requires a written signature may be submitted by transforming the document into  
25 as an electronic format, ~~but only with the consent of the governmental unit that is~~

1 ~~to receive the document~~ record, and if submitted as an electronic record may  
2 incorporate an electronic signature.

3 **SECTION 313.** 137.06 of the statutes is repealed.

4 **SECTION 314.** 137.11 to 137.24 of the statutes are created to read:

5 **137.11 Definitions.** In this subchapter:

6 (1) "Agreement" means the bargain of the parties in fact, as found in their  
7 language or inferred from other circumstances and from rules, regulations, and  
8 procedures given the effect of agreements under laws otherwise applicable to a  
9 particular transaction.

10 (2) "Automated transaction" means a transaction conducted or performed, in  
11 whole or in part, by electronic means or by the use of electronic records, in which the  
12 acts or records of one or both parties are not reviewed by an individual in the ordinary  
13 course in forming a contract, performing under an existing contract, or fulfilling an  
14 obligation required by the transaction.

15 (3) "Computer program" means a set of statements or instructions to be used  
16 directly or indirectly in an information processing system in order to bring about a  
17 certain result.

18 (4) "Contract" means the total legal obligation resulting from the parties'  
19 agreement as affected by this subchapter and other applicable law.

20 (5) "Electronic" means relating to technology having electrical, digital,  
21 magnetic, wireless, optical, electromagnetic, or similar capabilities.

22 (6) "Electronic agent" means a computer program or an electronic or other  
23 automated means used independently to initiate an action or respond to electronic  
24 records or performances in whole or in part, without review or action by an  
25 individual.



1           **(7)** “Electronic record” means a record that is created, generated, sent,  
2           communicated, received, or stored by electronic means.

3           **(8)** “Electronic signature” means an electronic sound, symbol, or process  
4           attached to or logically associated with a record and executed or adopted by a person  
5           with the intent to sign the record.

6           **(9)** “Governmental unit” means:

7           (a) An agency, department, board, commission, office, authority, institution, or  
8           instrumentality of the federal government or of a state or of a political subdivision  
9           of a state or special purpose district within a state, regardless of the branch or  
10          branches of government in which it is located.

11          (b) A political subdivision of a state or special purpose district within a state.

12          (c) An association or society to which appropriations are made by law.

13          (d) Any body within one or more of the entities specified in pars. (a) to (c) that  
14          is created or authorized to be created by the constitution, by law, or by action of one  
15          or more of the entities specified in pars. (a) to (c).

16          (e) Any combination of any of the entities specified in pars. (a) to (d).

17          **(10)** “Information” means data, text, images, sounds, codes, computer  
18          programs, software, databases, or the like.

19          **(11)** “Information processing system” means an electronic system for creating,  
20          generating, sending, receiving, storing, displaying, or processing information.

21          **(12)** “Record” means information that is inscribed on a tangible medium or that  
22          is stored in an electronic or other medium and is retrievable in perceivable form.

23          **(13)** “Security procedure” means a procedure employed for the purpose of  
24          verifying that an electronic signature, record, or performance is that of a specific  
25          person or for detecting changes or errors in the information in an electronic record.

1 The term includes a procedure that requires the use of algorithms or other codes,  
2 identifying words or numbers, encryption, callback, or other acknowledgment  
3 procedures.

4 (14) "State" means a state of the United States, the District of Columbia,  
5 Puerto Rico, the U.S. Virgin Islands, or any territory or insular possession subject  
6 to the jurisdiction of the United States. The term includes an Indian tribe or band,  
7 or Alaskan native village, which is recognized by federal law or formally  
8 acknowledged by a state.

9 (15) "Transaction" means an action or set of actions occurring between 2 or  
10 more persons relating to the conduct of business, commercial, or governmental  
11 affairs.

12 **137.115 Relation to federal law.** For the purpose of satisfying 15 USC 7002  
13 (a) (2) (B) as that statute relates to this subchapter, this state acknowledges the  
14 existence of the Electronic Signatures in Global and National Commerce Act, 15 USC  
15 7001 to 7031.

16 **137.12 Application.** (1) Except as otherwise provided in subs. (2) and (2m)  
17 and except in s. 137.25, this subchapter applies to electronic records and electronic  
18 signatures relating to a transaction.

19 (2) Except as otherwise provided in sub. (3), this subchapter does not apply to  
20 a transaction to the extent it is governed by:

21 (a) Any law governing the execution of wills or the creation of testamentary  
22 trusts; or

23 (b) Chapters 401 and 403 to 410, other than ss. 401.107 and 401.206.

24 (2m) This subchapter does not apply to any of the following records or any  
25 transaction evidenced by any of the following records:

1 (a) Deeds.

2 (b) Records governed by any law relating to adoption, divorce, or other matters  
3 of family law.

4 (c) Notices provided by a court.

5 (d) Court orders or judgements.

6 (e) Official court documents, including, but not limited to, briefs, pleadings,  
7 affidavits, memorandum decisions, and other writings, required to be executed in  
8 connection with court proceedings.

9 (f) Records required by law to accompany any transportation or handling of  
10 hazardous materials, pesticides, or other toxic or dangerous materials.

11 (g) Notices of cancelation or termination of utility services, including heat,  
12 water, basic local telecommunications services, and power.

13 (h) Notices of default, acceleration, repossession, foreclosure, or eviction, or the  
14 right to cure, under a credit agreement secured by, or a rental agreement for, a  
15 primary residence of an individual.

16 (i) Notices of the cancellation or termination of health insurance or benefits or  
17 life insurance benefits other than annuities.

18 (j) Notices of the recall of a product, or the material failure of a product, that  
19 risks endangering health or safety.

20 **(3)** This subchapter applies to an electronic record or electronic signature  
21 otherwise excluded from the application of this subchapter under sub. (2) to the  
22 extent it is governed by a law other than those specified in sub. (2).

23 **(4)** A transaction subject to this subchapter is also subject to other applicable  
24 substantive law.

1           (5) This subchapter applies to the state of Wisconsin, unless otherwise  
2 expressly provided.

3           **137.13 Use of electronic records and electronic signatures; variation**  
4 **by agreement.** (1) This subchapter does not require a record or signature to be  
5 created, generated, sent, communicated, received, stored, or otherwise processed or  
6 used by electronic means or in electronic form.

7           (2) This subchapter applies only to transactions between parties each of which  
8 has agreed to conduct transactions by electronic means. Whether the parties agree  
9 to conduct a transaction by electronic means is determined from the context and  
10 surrounding circumstances, including the parties' conduct.

11           (3) A party that agrees to conduct a transaction by electronic means may refuse  
12 to conduct other transactions by electronic means. The right granted by this  
13 subsection may not be waived by agreement.

14           (4) Except as otherwise provided in this subchapter, the effect of any provision  
15 of this subchapter may be varied by agreement. Use of the words "unless otherwise  
16 agreed," or words of similar import, in this subchapter shall not be interpreted to  
17 preclude other provisions of this subchapter from being varied by agreement.

18           (5) Whether an electronic record or electronic signature has legal consequences  
19 is determined by this subchapter and other applicable law.

20           **137.14 Construction.** This subchapter shall be construed and applied:

21           (1) To facilitate electronic transactions consistent with other applicable law;

22           (2) To be consistent with reasonable practices concerning electronic  
23 transactions and with the continued expansion of those practices; and

24           (3) To effectuate its general purpose to make uniform the law with respect to  
25 the subject of this subchapter among states enacting laws substantially similar to

1 the Uniform Electronic Transactions Act as approved and recommended by the  
2 National Conference of Commissioners on Uniform State Laws in 1999.

3 **137.15 Legal recognition of electronic records, electronic signatures,**  
4 **and electronic contracts. (1)** A record or signature may not be denied legal effect  
5 or enforceability solely because it is in electronic form.

6 (2) A contract may not be denied legal effect or enforceability solely because an  
7 electronic record was used in its formation.

8 (3) If a law requires a record to be in writing, an electronic record satisfies that  
9 requirement in that law.

10 (4) If a law requires a signature, an electronic signature satisfies that  
11 requirement in that law.

12 **137.16 Provision of information in writing; presentation of records.**

13 (1) If parties have agreed to conduct a transaction by electronic means and a law  
14 requires a person to provide, send, or deliver information in writing to another  
15 person, a party may satisfy the requirement with respect to that transaction if the  
16 information is provided, sent, or delivered, as the case may be, in an electronic record  
17 capable of retention by the recipient at the time of receipt. An electronic record is not  
18 capable of retention by the recipient if the sender or its information processing  
19 system inhibits the ability of the recipient to print or store the electronic record.

20 (2) If a law other than this subchapter requires a record to be posted or  
21 displayed in a certain manner, to be sent, communicated, or transmitted by a  
22 specified method, or to contain information that is formatted in a certain manner,  
23 then:

24 (a) The record shall be posted or displayed in the manner specified in the other  
25 law.

1 (b) Except as otherwise provided in sub. (4) (b), the record shall be sent,  
2 communicated, or transmitted by the method specified in the other law.

3 (c) The record shall contain the information formatted in the manner specified  
4 in the other law.

5 **(3)** If a sender inhibits the ability of a recipient to store or print an electronic  
6 record, the electronic record is not enforceable against the recipient.

7 **(4)** The requirements of this section may not be varied by agreement, but:

8 (a) To the extent a law other than this subchapter requires information to be  
9 provided, sent, or delivered in writing but permits that requirement to be varied by  
10 agreement, the requirement under sub. (1) that the information be in the form of an  
11 electronic record capable of retention may also be varied by agreement; and

12 (b) A requirement under a law other than this subchapter to send,  
13 communicate, or transmit a record by 1st-class or regular mail or with postage  
14 prepaid may be varied by agreement to the extent permitted by the other law.

15 **137.17 Attribution and effect of electronic records and electronic**  
16 **signatures.** (1) An electronic record or electronic signature is attributable to a  
17 person if the electronic record or electronic signature was created by the act of the  
18 person. The act of the person may be shown in any manner, including a showing of  
19 the efficacy of any security procedure applied to determine the person to which the  
20 electronic record or electronic signature was attributable.

21 **(2)** The effect of an electronic record or electronic signature that is attributed  
22 to a person under sub. (1) is determined from the context and surrounding  
23 circumstances at the time of its creation, execution, or adoption, including the  
24 parties' agreement, if any, and otherwise as provided by law.

1           **137.18 Effect of change or error. (1)** If a change or error in an electronic  
2 record occurs in a transmission between parties to a transaction, then:

3           (a) If the parties have agreed to use a security procedure to detect changes or  
4 errors and one party has conformed to the procedure, but the other party has not, and  
5 the nonconforming party would have detected the change or error had that party also  
6 conformed, the conforming party may avoid the effect of the changed or erroneous  
7 electronic record.

8           (b) In an automated transaction involving an individual, the individual may  
9 avoid the effect of an electronic record that resulted from an error made by the  
10 individual in dealing with the electronic agent of another person if the electronic  
11 agent did not provide an opportunity for the prevention or correction of the error and,  
12 at the time the individual learns of the error, the individual:

13           1. Promptly notifies the other person of the error and that the individual did  
14 not intend to be bound by the electronic record received by the other person;

15           2. Takes reasonable steps, including steps that conform to the other person's  
16 reasonable instructions, to return to the other person or, if instructed by the other  
17 person, to destroy the consideration received, if any, as a result of the erroneous  
18 electronic record; and

19           3. Has not used or received any benefit or value from the consideration, if any,  
20 received from the other person.

21           **(2)** If neither sub. (1) (a) nor (b) applies, the change or error has the effect  
22 provided by other law, including the law of mistake, and the parties' contract, if any.

23           **(3)** Subsections (1) (b) and (2) may not be varied by agreement.

24           **137.19 Notarization and acknowledgement.** If a law requires a signature  
25 or record to be notarized, acknowledged, verified, or made under oath, the

1 requirement is satisfied if, consistent with any applicable rules promulgated under  
2 s. 137.01 (4) (a), the electronic signature of the person authorized to administer the  
3 oath or to make the notarization, acknowledgment, or verification, together with all  
4 other information required to be included by other applicable law, is attached to or  
5 logically associated with the signature or record.

6 **137.20 Retention of electronic records; originals.** (1) Except as provided  
7 in sub. (6), if a law requires that a record be retained, the requirement is satisfied  
8 by retaining the information set forth in the record as an electronic record which:

9 (a) Accurately reflects the information set forth in the record after it was first  
10 generated in its final form as an electronic record or otherwise; and

11 (b) Remains accessible for later reference.

12 (2) A requirement to retain a record in accordance with sub. (1) does not apply  
13 to any information the sole purpose of which is to enable the record to be sent,  
14 communicated, or received.

15 (3) A person may comply with sub. (1) by using the services of another person  
16 if the requirements of that subsection are satisfied.

17 (4) Except as provided in sub. (6), if a law requires a record to be presented or  
18 retained in its original form, or provides consequences if the record is not presented  
19 or retained in its original form, a person may comply with that law by using an  
20 electronic record that is retained in accordance with sub. (1).

21 (5) Except as provided in sub. (6), if a law requires retention of a check, that  
22 requirement is satisfied by retention of an electronic record containing the  
23 information on the front and back of the check in accordance with sub. (1).

24 (6) (a) Except as provided in par. (b), a record retained as an electronic record  
25 in accordance with sub. (1) satisfies a law requiring a person to retain a record for



1 evidentiary, audit, or like purposes, unless a law enacted after the effective date of  
2 this paragraph .... [revisor inserts date], specifically prohibits the use of an electronic  
3 record for the specified purpose.

4 (b) A governmental unit that has custody of a record is also further subject to  
5 the retention requirements for public records of state agencies and the records of the  
6 University of Wisconsin Hospitals and Clinics Authority established under ss. 16.61  
7 and 16.611 and the retention requirements for documents of local governmental  
8 units established under s. 16.612.

9 (7) The public records board may promulgate rules prescribing standards  
10 consistent with this subchapter for retention of records by state agencies, the  
11 University of Wisconsin Hospitals and Clinics Authority and local governmental  
12 units.

13 (8) This section does not preclude the public records board, the department of  
14 electronic government, or any other governmental unit of this state from specifying  
15 additional requirements for the retention of any record of another governmental unit  
16 subject to its jurisdiction.

17 **137.21 Admissibility in evidence.** In a proceeding, a record or signature  
18 may not be excluded as evidence solely because it is in electronic form.

19 **137.22 Automated transactions.** In an automated transaction:

20 (1) A contract may be formed by the interaction of electronic agents of the  
21 parties, even if no individual was aware of or reviewed the electronic agent's actions  
22 or the resulting terms and agreements.

23 (2) A contract may be formed by the interaction of an electronic agent and an  
24 individual, acting on the individual's own behalf or for another person, including by  
25 an interaction in which the individual performs actions that the individual is free to

1 refuse to perform and which the individual knows or has reason to know will cause  
2 the electronic agent to complete the transaction or performance.

3 (3) The terms of a contract under sub. (1) or (2) are governed by the substantive  
4 law applicable to the contract.

5 **137.23 Time and place of sending and receipt.** (1) Unless otherwise  
6 agreed between the sender and the recipient, an electronic record is sent when it:

7 (a) Is addressed properly or otherwise directed properly to an information  
8 processing system that the recipient has designated or uses for the purpose of  
9 receiving electronic records or information of the type sent and from which the  
10 recipient is able to retrieve the electronic record;

11 (b) Is in a form capable of being processed by that system; and

12 (c) Enters an information processing system outside the control of the sender  
13 or of a person that sent the electronic record on behalf of the sender or enters a region  
14 of the information processing system designated or used by the recipient which is  
15 under the control of the recipient.

16 (2) Unless otherwise agreed between a sender and the recipient, an electronic  
17 record is received when:

18 (a) It enters an information processing system that the recipient has  
19 designated or uses for the purpose of receiving electronic records or information of  
20 the type sent and from which the recipient is able to retrieve the electronic record;  
21 and

22 (b) It is in a form capable of being processed by that system.

23 (3) Subsection (2) applies even if the place where the information processing  
24 system is located is different from the place where the electronic record is deemed  
25 to be received under sub. (4).

1           (4) Unless otherwise expressly provided in the electronic record or agreed  
2 between the sender and the recipient, an electronic record is deemed to be sent from  
3 the sender's place of business and to be received at the recipient's place of business.  
4 For purposes of this subsection:

5           (a) If the sender or recipient has more than one place of business, the place of  
6 business of that person is the place having the closest relationship to the underlying  
7 transaction.

8           (b) If the sender or the recipient does not have a place of business, the place of  
9 business is the sender's or recipient's residence, as the case may be.

10          (5) An electronic record is received under sub. (2) even if no individual is aware  
11 of its receipt.

12          (6) Receipt of an electronic acknowledgment from an information processing  
13 system described in sub. (2) establishes that a record was received but, by itself, does  
14 not establish that the content sent corresponds to the content received.

15          (7) If a person is aware that an electronic record purportedly sent under sub.  
16 (1), or purportedly received under sub. (2), was not actually sent or received, the legal  
17 effect of the sending or receipt is determined by other applicable law. Except to the  
18 extent permitted by the other law, the requirements of this subsection may not be  
19 varied by agreement.

20          **137.24 Transferable records.** (1) In this section, "transferable record"  
21 means an electronic record that would be a note under ch. 403 or a document under  
22 ch. 407 if the electronic record were in writing.

23          **(1m)** An electronic record qualifies as a transferable record under this section  
24 only if the issuer of the electronic record expressly has agreed that the electronic  
25 record is a transferable record.

1           **(2)** A person has control of a transferable record if a system employed for  
2           evidencing the transfer of interests in the transferable record reliably establishes  
3           that person as the person to which the transferable record was issued or transferred.

4           **(3)** A system satisfies the requirements of sub. (2), and a person is deemed to  
5           have control of a transferable record, if the transferable record is created, stored, and  
6           assigned in such a manner that:

7           (a) A single authoritative copy of the transferable record exists which is unique,  
8           identifiable, and, except as otherwise provided in pars. (d) to (f), unalterable;

9           (b) The authoritative copy identifies the person asserting control as the person  
10          to which the transferable record was issued or, if the authoritative copy indicates  
11          that the transferable record has been transferred, the person to which the  
12          transferable record was most recently transferred;

13          (c) The authoritative copy is communicated to and maintained by the person  
14          asserting control or its designated custodian;

15          (d) Copies or revisions that add or change an identified assignee of the  
16          authoritative copy can be made only with the consent of the person asserting control;

17          (e) Each copy of the authoritative copy and any copy of a copy is readily  
18          identifiable as a copy that is not the authoritative copy; and

19          (f) Any revision of the authoritative copy is readily identifiable as authorized  
20          or unauthorized.

21          **(4)** Except as otherwise agreed, a person having control of a transferable record  
22          is the holder, as defined in s. 401.201 (20), of the transferable record and has the same  
23          rights and defenses as a holder of an equivalent record or writing under chs. 401 to  
24          411, including, if the applicable statutory requirements under s. 403.302 (1),  
25          407.501, or 409.308 are satisfied, the rights and defenses of a holder in due course,

1 a holder to which a negotiable record of title has been duly negotiated, or a purchaser,  
2 respectively. Delivery, possession, and endorsement are not required to obtain or  
3 exercise any of the rights under this subsection.

4 (5) Except as otherwise agreed, an obligor under a transferable record has the  
5 same rights and defenses as an equivalent obligor under equivalent records or  
6 writings under chs. 401 to 411.

7 (6) If requested by a person against which enforcement is sought, the person  
8 seeking to enforce the transferable record shall provide reasonable proof that the  
9 person is in control of the transferable record. Proof may include access to the  
10 authoritative copy of the transferable record and related business records sufficient  
11 to review the terms of the transferable record and to establish the identity of the  
12 person having control of the transferable record.

13 **SECTION 315.** 137.25 (2) of the statutes is created to read:

14 137.25 (2) The department of electronic government shall promulgate rules  
15 concerning the use of electronic records and electronic signatures by governmental  
16 units, which shall govern the use of electronic records or signatures by governmental  
17 units, unless otherwise provided by law. The rules shall include standards regarding  
18 the receipt of electronic records or electronic signatures that promote consistency  
19 and interoperability with other standards adopted by other governmental units of  
20 this state and other states and the federal government and nongovernmental  
21 persons interacting with governmental units of this state. The standards may  
22 include alternative provisions if warranted to meet particular applications.

23 **SECTION 316.** 139.44 (1) of the statutes is amended to read:

24 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits  
25 any stamp or procures or causes the same to be done, or who knowingly utters,

1 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who  
2 affixes the same to any package or container of cigarettes, or who possesses with the  
3 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps  
4 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~  
5 years is guilty of a Class G felony.

6 **SECTION 317.** 139.44 (1m) of the statutes is amended to read:

7 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
8 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~  
9 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

10 **SECTION 318.** 139.44 (2) of the statutes is amended to read:

11 139.44 (2) Any person who makes or signs any false or fraudulent report or who  
12 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
13 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor  
14 more than \$5,000 \$10,000 or imprisoned for not less than 90 days nor more than 2  
15 years 9 months or both.

16 **SECTION 319.** 139.44 (8) (c) of the statutes is amended to read:

17 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~  
18 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a  
19 Class I felony.

20 **SECTION 320.** 139.85 (1) of the statutes is amended to read:

21 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
22 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may  
23 be fined not less than \$1,000 nor more than \$5,000 \$10,000 or imprisoned for not less  
24 than 90 days nor more than one year 9 months or both.

25 **SECTION 321.** 139.95 (2) of the statutes is amended to read:



1           **(1s)** “Electronic chain letter” means an electronic mail message that is sent to  
2 more than one recipient with a request that each recipient send copies of the message  
3 to other recipients.

4           **(2)** “Electronic mail service provider” means any person that is an intermediary  
5 in sending or receiving electronic mail and that provides to Internet users the ability  
6 to send or receive electronic mail.

7           **(3)** “Electronic mail solicitation” means an electronic mail message that a  
8 person sends for personal gain or compensation, or in the expectation of personal  
9 gain or compensation, to encourage another person to purchase property, goods or  
10 services or to visit a Web site.

11           **(4)** “Home page” means the first page of a Web site that is displayed when a  
12 person visits the computer address of the Web site.

13           **(5)** “Internet domain name” means a name identifying the Internet address of  
14 a person on the Internet that the person has registered with an organization that  
15 assigns and maintains names for Internet addresses, including the Internet  
16 Network Information Center, the U.S. Domain Name Registration Services, or any  
17 successor organization.

18           **(6)** “Internet user” means a person that maintains an electronic mail address  
19 with an electronic mail service provider.

20           **(7)** “Public Web site” means a Web site that is accessible at no charge to a person  
21 who visits the Web site.

22           **(8)** “Resident” means an individual who is a resident of this state.

23           **(9)** “Send” means to initiate the transmission of an electronic mail message, but  
24 does not include any transmission of the message by an electronic mail service  
25 provider.



1           **(10)** “Solicitation or chain letter policy” means the policy of an electronic mail  
2 service provider regarding the sending of electronic mail solicitations or electronic  
3 chain letters by or to the provider’s Internet users.

4           **(11)** “Web site” means a collection of related computer files on the Internet that  
5 is located at an Internet address.

6           **141.02 Electronic mail. (1) SOLICITATION OR CHAIN LETTER POLICY VIOLATIONS.**

7           (a) Subject to par. (b):

8           1. No Internet user of an electronic mail service provider may send an electronic  
9 mail solicitation or electronic chain letter that uses the equipment of the provider in  
10 a manner that violates the provider’s solicitation or chain letter policy.

11           2. No person may send an electronic mail solicitation or electronic chain letter  
12 to an Internet user that uses the equipment of the Internet user’s electronic mail  
13 service provider in a manner that violates the provider’s solicitation or chain letter  
14 policy.

15           (b) The prohibitions under par. (a) apply only to a solicitation or chain letter  
16 policy that an electronic mail service provider displays on the home page of the  
17 provider’s Web site and makes available in printed form at no charge upon request.

18           (c) An electronic mail service provider who is injured by a violation of par. (a)  
19 that occurs more than 30 days after the solicitation or chain letter policy is displayed  
20 on the provider’s home page may bring an action against the person who violated par.

21           (a) and is entitled to each of the following:

22           1. The greater of the amount of actual damages, \$15,000 or an amount equal  
23 to \$50 for each electronic mail solicitation or electronic chain letter that uses the  
24 provider’s equipment in a manner that violates the provider’s solicitation or chain  
25 letter policy.

1           2. Notwithstanding s. 814.04, costs, disbursements, and reasonable attorney  
2 fees.

3           **(1m) ELECTRONIC MAIL SOLICITATIONS.** (a) No person may send an electronic mail  
4 solicitation unless the person includes with the solicitation a return electronic mail  
5 address or notice of a toll-free telephone number that the recipient of the solicitation  
6 may use to notify the person that the recipient does not want to receive electronic  
7 mail solicitations.

8           (b) If a recipient of an electronic mail solicitation uses a return electronic mail  
9 address or toll-free telephone number specified in par. (a) to notify the person that  
10 sent the electronic mail solicitation that the recipient does not want to receive an  
11 electronic mail solicitation, the person may not send another electronic mail  
12 solicitation to the recipient. A recipient who receives an electronic mail solicitation  
13 that violates this paragraph may complain to the department.

14           (c) The department shall investigate each complaint concerning a violation of  
15 par. (b). The department or any district attorney may on behalf of the state bring an  
16 action for temporary or permanent injunctive or other relief for any violation of par.  
17 (b), or for the penalties specified in par. (d), or for both.

18           (d) Any person who violates par. (b) may be required to forfeit not more than  
19 \$10 for each electronic mail solicitation that violates par. (b), subject to a maximum  
20 forfeiture of \$1,000 for each day in which a violation occurs.

21           **(2) PROHIBITED REPRESENTATIONS.** (a) No person may knowingly send an  
22 electronic mail message that represents the message is from another person without  
23 the consent of that person, or that represents the message is from an Internet domain  
24 name without the consent of the person who has registered the name.

25           (b) 1. Whoever violates par. (a) is guilty of a Class I felony.

1           2. Whoever violates par. (a) after having been convicted under this subsection  
2 is guilty of a Class H Felony.

3           **141.03 Internet privacy. (1) CONSENT REQUIRED.** (a) A person that maintains  
4 a Web site for the purpose of doing business in this state may not disclose to another  
5 person, for money or anything else of value, any information about a resident that  
6 is obtained from the resident's use of the Internet, including from an electronic mail  
7 message sent by the resident, without the consent of the resident.

8           (b) A person that maintains a Web site for the purpose of doing business in this  
9 state may not request a child to provide information through the Internet to the  
10 person that includes personal information about the child without making a  
11 reasonable effort to obtain the consent of the child's parent or legal guardian. For  
12 purposes of this paragraph, a "reasonable effort to obtain consent" includes requiring  
13 a child's parent or guardian to mail or send a facsimile consent form to the person,  
14 provide a credit card number to the person, or provide an electronic signature, as  
15 defined in s. 137.11 (8), to the person.

16           (c) A person who violates par. (a) or (b) may be required to forfeit not more than  
17 \$10,000 for each violation. Each disclosure of or request for information about one  
18 resident or child constitutes a separate violation.

19           (d) The department of justice may commence an action in circuit court in the  
20 name of the state to restrain by temporary or permanent injunction any act or  
21 practice constituting a violation of par. (a) or (b).

22           **(2) WEB SITE ACCESS.** (a) A person that maintains a Web site for the purpose  
23 of doing business in this state shall do each of the following:

24           1. Display a notice on the home page of the Web site that states whether the  
25 person collects any information about visitors to the Web site and that describes any

1 information that is collected and the purposes for which it is collected, including a  
2 description of any information that is sold or provided to 3rd parties. A notice  
3 required under this paragraph shall be in an easily comprehensible format.

4 2. If the person sells or provides information about visitors to the Web site to  
5 3rd parties, allow a visitor to notify the person, at the time that the visitor visits the  
6 Web site, whether or not the visitor consents to the sale or provision of such  
7 information.

8 (b) If a visitor notifies a person under par. (a) that the visitor does not consent  
9 to the sale or provision of information specified in par. (a), the person may not sell  
10 or provide the information to 3rd parties.

11 (c) For purposes of par. (a), a person does not maintain a Web site for the  
12 purpose of doing business in this state if the person's involvement with the Web site  
13 is limited only to providing access to the Internet for another person that maintains  
14 the Web site for the purpose of doing business in this state.

15 (d) A person who violates par. (a) or (b) may be required to forfeit not more than  
16 \$10,000 for each violation.

17 **SECTION 324.** 146.345 (3) of the statutes is amended to read:

18 146.345 (3) Any person who violates this section is guilty of a Class H felony,  
19 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the  
20 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~  
21 ~~and 6 months or both.~~

22 **SECTION 325.** 146.35 (5) of the statutes is amended to read:

23 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~  
24 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
25 felony.

1           **SECTION 326.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

2           **SECTION 327.** 146.50 (1) (ag) of the statutes is created to read:

3           146.50 (1) (ag) "Act of terrorism" means a felony under ch. 939 to 951 that is  
4 committed with intent to terrorize and is committed under any of the following  
5 circumstances:

6           1. The person committing the felony causes bodily harm, great bodily harm, or  
7 death to another.

8           2. The person committing the felony causes damage to the property of another  
9 and the total property damaged is reduced in value by \$25,000 or more. For purposes  
10 of this subdivision, property is reduced in value by the amount that it would cost  
11 either to repair or replace it, whichever is less.

12           3. The person committing the felony uses force or violence or the threat of force  
13 or violence.

14           **SECTION 328.** 146.50 (1) (hr) of the statutes is created to read:

15           146.50 (1) (hr) "Governmental unit" means the United States; the state; any  
16 county, city, village, or town; or any political subdivision, department, division,  
17 board, or agency of the United States, the state, or any county, city, village, or town.

18           **SECTION 329.** 146.50 (1) (ig) of the statutes is created to read:

19           146.50 (1) (ig) "Intent to terrorize" means intent to influence the policy of a  
20 governmental unit by intimidation or coercion, to punish a governmental unit for a  
21 prior policy decision, to affect the conduct of a governmental unit by homicide or  
22 kidnapping, or to intimidate or coerce a civilian population.

23           **SECTION 330.** 146.50 (6) (a) 2. of the statutes is amended to read:

24           146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and  
25 training, including training for response to acts of terrorism, prescribed by the

1 department or have presented evidence satisfactory to the department of sufficient  
2 education and training in the field of emergency care.

3 **SECTION 331.** 146.50 (6) (b) 2. of the statutes is amended to read:

4 146.50 (6) (b) 2. The department, in conjunction with the technical college  
5 system board, shall promulgate rules specifying training, education, or examination  
6 requirements, including requirements for training for response to acts of terrorism,  
7 for license renewals for emergency medical technicians.

8 **SECTION 332.** 146.50 (8) (b) 3. of the statutes is amended to read:

9 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course  
10 that meets or exceeds the guidelines issued by the National Highway Traffic Safety  
11 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to  
12 acts of terrorism, and that is approved by the department.

13 **SECTION 333.** 146.50 (8) (c) of the statutes is amended to read:

14 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,  
15 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall  
16 satisfactorily complete a first responder refresher course that meets or exceeds the  
17 guidelines issued by the National Highway Traffic Safety Administration under 23  
18 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that  
19 is approved by the department.

20 **SECTION 334.** 146.55 (1) (a) of the statutes is amended to read:

21 146.55 (1) (a) "Ambulance service" means the business of transporting sick,  
22 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (~~a~~) (am), to  
23 or from facilities or institutions providing health services.

24 **SECTION 335.** 146.60 (9) (am) of the statutes is amended to read:

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

4           **SECTION 336.** 146.70 (10) (a) of the statutes is amended to read:

5           146.70 (10) (a) Any person who intentionally dials the telephone number "911"  
6     to report an emergency, knowing that the fact situation which he or she reports does  
7     not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
8     than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~  
9     ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
10    felony for any other offense committed within 4 years after the first offense.

11          **SECTION 337.** 154.15 (2) of the statutes is amended to read:

12          154.15 (2) Any person who, with the intent to cause a withholding or  
13     withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
14     the declarant, illegally falsifies or forges the declaration of another or conceals a  
15     declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally  
16     withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~  
17     ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
18     felony.

19          **SECTION 338.** 154.29 (2) of the statutes is amended to read:

20          154.29 (2) Any person who, with the intent to cause the withholding or  
21     withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
22     transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
23     under s. 154.21 of a do-not-resuscitate order or any responsible person who  
24     withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~

1 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
2 felony.

3 **SECTION 339.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law  
6 enforcement officer, except on a temporary or probationary basis, unless the person  
7 has satisfactorily completed a preparatory program of law enforcement training  
8 approved by the board and has been certified by the board as being qualified to be  
9 a law enforcement or tribal law enforcement officer. The program shall include 400  
10 hours of training, except the program for law enforcement officers who serve as  
11 rangers for the department of natural resources includes 240 hours of training. The  
12 board shall promulgate a rule under ch. 227 providing a specific curriculum for a  
13 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~  
14 ~~ensure that there is an adequate amount of training for each program to enable the~~  
15 ~~person to deal effectively with domestic abuse incidents, including training that~~  
16 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~  
17 ~~The training under this subdivision shall include training on emergency detention~~  
18 ~~standards and procedures under s. 51.15, emergency protective placement~~  
19 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~  
20 ~~developmental disabilities agencies and other resources that may be available to~~  
21 ~~assist the officer in interpreting the emergency detention and emergency protective~~  
22 ~~placement standards, making emergency detentions and emergency protective~~  
23 ~~placements and locating appropriate facilities for the emergency detentions and~~  
24 ~~emergency protective placements of persons. The training under this subdivision~~  
25 ~~shall include at least one hour of instruction on recognizing the symptoms of~~



1 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~  
2 ~~persons who have Alzheimer's disease or other related dementias. The training~~  
3 ~~under this subdivision shall include training on police pursuit standards, guidelines~~  
4 ~~and driving techniques established under par. (em) 2. b.~~ The period of temporary or  
5 probationary employment established at the time of initial employment shall not be  
6 extended by more than one year for an officer lacking the training qualifications  
7 required by the board. The total period during which a person may serve as a law  
8 enforcement and tribal law enforcement officer on a temporary or probationary basis  
9 without completing a preparatory program of law enforcement training approved by  
10 the board shall not exceed 2 years, except that the board shall permit part-time law  
11 enforcement and tribal law enforcement officers to serve on a temporary or  
12 probationary basis without completing a program of law enforcement training  
13 approved by the board to a period not exceeding 3 years. For purposes of this section,  
14 a part-time law enforcement or tribal law enforcement officer is a law enforcement  
15 or tribal law enforcement officer who routinely works not more than one-half the  
16 normal annual work hours of a full-time employee of the employing agency or unit  
17 of government. Law enforcement training programs including municipal, county  
18 and state programs meeting standards of the board are acceptable as meeting these  
19 training requirements.

20 **SECTION 340.** 165.85 (4) (b) 1d. of the statutes is created to read:

21 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include  
22 all of the following:

23 a. An adequate amount of training to enable the person being trained to deal  
24 effectively with domestic abuse incidents, including training that addresses the  
25 emotional and psychological effect that domestic abuse has on victims.

1           b. Training on emergency detention standards and procedures under s. 51.15,  
2 emergency protective placement standards and procedures under s. 55.06 (11), and  
3 information on mental health and developmental disabilities agencies and other  
4 resources that may be available to assist the officer in interpreting the emergency  
5 detention and emergency protective placement standards, making emergency  
6 detentions and emergency protective placements, and locating appropriate facilities  
7 for the emergency detentions and emergency protective placements of persons.

8           c. At least one hour of instruction on recognizing the symptoms of Alzheimer's  
9 disease or other related dementias and interacting with and assisting persons who  
10 have Alzheimer's disease or other related dementias.

11           d. Training on police pursuit standards, guidelines, and driving techniques  
12 established under par. (cm) 2. b.

13           e. Training on responding to an act of terrorism, as defined in s. 146.50 (1) (ag).

14           **SECTION 341.** 166.20 (11) (b) of the statutes is amended to read:

15           166.20 (11) (b) Any person who knowingly and wilfully fails to report the  
16 release of a hazardous substance covered under 42 USC 11004 as required under sub.  
17 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following  
18 penalties:

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

23           2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,  
24 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the

1 ~~person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not~~  
2 ~~more than 3 years or both.~~

3 **SECTION 342.** 167.10 (9) (g) of the statutes is amended to read:

4 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
5 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~  
6 ~~than 15 years or both~~ is guilty of a Class G felony.

7 **SECTION 343.** 175.20 (3) of the statutes is amended to read:

8 175.20 (3) Any person who violates any of the provisions of this section shall  
9 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be  
10 imprisoned for not less than 30 days nor more than 2 years 9 months or both. In  
11 addition, the court may revoke the license or licenses of the person or persons  
12 convicted.

13 **SECTION 344.** 180.0129 (2) of the statutes is amended to read:

14 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~  
15 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

16 **SECTION 345.** 181.0129 (2) of the statutes is amended to read:

17 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~  
18 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
19 felony.

20 **SECTION 346.** 185.825 of the statutes is amended to read:

21 **185.825 Penalty for false document.** Whoever causes a document to be  
22 filed, knowing it to be false in any material respect, ~~may be fined not more than~~  
23 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a  
24 Class I felony.

25 **SECTION 347.** 201.09 (2) of the statutes is amended to read:

1           201.09 (2) Every director, president, secretary or other official or agent of any  
2 public service corporation, who shall practice fraud or knowingly make any false  
3 statement to secure a certificate of authority to issue any security, or issue under a  
4 certificate so obtained and with knowledge of such fraud, or false statement, or  
5 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall  
6 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~  
7 ~~15 years or both~~ is guilty of a Class I felony.

8           **SECTION 348.** 214.93 of the statutes is amended to read:

9           **214.93 False statements.** A person may not knowingly make, cause, or allow  
10 another person to make or cause to be made, a false statement, under oath if required  
11 by this chapter or on any report or statement required by the division or by this  
12 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
13 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

14           **SECTION 349.** 215.02 (6) (b) of the statutes is amended to read:

15           215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
16 debtor of any association or any information about the private account or  
17 transactions of such association, discloses any fact obtained in the course of any  
18 examination of any association, or discloses examination or other confidential  
19 information obtained from any state or federal regulatory authority, including an  
20 authority of this state or another state, for financial institutions, mortgage bankers,  
21 insurance or securities, except as provided in par. (a), he or she is guilty of a Class  
22 I felony and shall forfeit his or her office or position ~~and may be fined not less than~~  
23 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~  
24 ~~3 years or both.~~

25           **SECTION 350.** 215.12 of the statutes is amended to read:

1           **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
2 director, employee or agent of any association who steals, abstracts, or wilfully  
3 misapplies any property of the association, whether owned by it or held in trust, or  
4 who, without authority, issues or puts forth any certificate of savings accounts,  
5 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
6 in any book, record, report or statement of the association with intent to injure or  
7 defraud the association or any person or corporation, or to deceive any officer or  
8 director of the association, or any other person, or any agent appointed to examine  
9 the affairs of such association, or any person who, with like intent, aids or abets any  
10 officer, director, employee or agent in the violation of this section, ~~shall be imprisoned~~  
11 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

12           **SECTION 351.** 215.21 (21) of the statutes is amended to read:

13           **215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS.** Every officer,  
14 director, employee or agent of any association, or any appraiser making appraisals  
15 for any association, who accepts or receives, or offers or agrees to accept or receive  
16 anything of value in consideration of its loaning any money to any person; or any  
17 person who offers, gives, presents or agrees to give or present anything of value to  
18 any officer, director, employee or agent of any association or to any appraiser making  
19 appraisals for any association in consideration of its loaning money to the person,  
20 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~  
21 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this  
22 subsection prohibits an association from employing an officer, employee or agent to  
23 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

24           **SECTION 352.** 218.21 (7) of the statutes is amended to read:

1           218.21 (7) Any person who knowingly makes a false statement in an  
2 application for a motor vehicle salvage dealer license ~~may be fined not more than~~  
3 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
4 Class H felony.

5           **SECTION 353.** 220.06 (2) of the statutes is amended to read:

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

14           **SECTION 354.** 221.0625 (2) (intro.) of the statutes is amended to read:

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

18           **SECTION 355.** 221.0636 (2) of the statutes is amended to read:

19           221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~  
20 ~~not more than 30 years~~ is guilty of a Class H felony.

21           **SECTION 356.** 221.0637 (2) of the statutes is amended to read:

22           221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~  
23 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
24 felony.

25           **SECTION 357.** 221.1004 (2) of the statutes is amended to read:

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

4           **SECTION 358.** 224.30 (2) of the statutes is repealed.

5           **SECTION 359.** 227.01 (13) (sm) of the statutes is created to read:

6           227.01 **(13)** (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

7           **SECTION 360.** 227.118 of the statutes is created to read:

8           **227.118 Economic impact of administrative rules. (1)** When an agency  
9           proposes a rule that may have an economic impact on a private person or a political  
10          subdivision of the state, the department of administration shall prepare an economic  
11          impact assessment of the proposed rule before the rule is submitted to the legislative  
12          council staff under s. 227.15. The economic impact assessment shall evaluate the  
13          costs and benefits of complying with the proposed rule and the potential impact of  
14          the proposed rule on the policy decisions of private persons and political subdivisions  
15          of the state. The economic impact assessment shall describe alternatives to the  
16          proposed rule that will reduce any negative impact on private persons and political  
17          subdivisions of the state. The preparation of an economic impact assessment under  
18          this section does not eliminate the responsibility to comply with other sections of this  
19          chapter, including ss. 227.114 and 227.115.

20          **(2)** The department of administration shall submit a copy of any economic  
21          impact assessment prepared under sub. (1) to the agency that prepared the proposed  
22          rule and to the legislative council staff at the same time that the agency submits the  
23          proposed rule to the legislative council staff under s. 227.15.

24          **SECTION 361.** 227.19 (3) (intro.) of the statutes is amended to read:

1           227.19 (3) FORM OF REPORT. (intro.) The report required under sub. (2) shall be  
2 in writing and shall include the proposed rule in the form specified in s. 227.14 (1),  
3 the material specified in s. 227.14 (2) to (4), a copy of the economic impact assessment  
4 received under s. 227.118 (2), a copy of any recommendations of the legislative  
5 council staff and an analysis. The analysis shall include:

6           **SECTION 362.** 227.19 (3) (f) of the statutes is created to read:

7           227.19 (3) (f) If an economic impact assessment regarding the proposed rule  
8 was submitted with the report, an explanation of what changes, if any, that were  
9 made in the proposed rule in response to that assessment.

10          **SECTION 363.** 230.08 (2) (L) 6. of the statutes is created to read:

11          230.08 (2) (L) 6. Sentencing commission.

12          **SECTION 364.** 230.08 (2) (of) of the statutes is created to read:

13          230.08 (2) (of) The executive director of the sentencing commission.

14          **SECTION 365.** 230.08 (2) (qm) of the statutes is created to read:

15          230.08 (2) (qm) The grants management specialist in the department of  
16 commerce.

17          **SECTION 366.** 234.165 (2) (c) (intro.) of the statutes is amended to read:

18          234.165 (2) (c) (intro.) Surplus Except as provided in sub. (3), surplus may be  
19 expended or encumbered only in accordance with the plan approved under par. (b),  
20 except that the authority may transfer from one plan category to another:

21          **SECTION 367.** 234.165 (3) of the statutes is created to read:

22          234.165 (3) For the purpose of housing grants and loans under s. 16.33 and  
23 housing organization grants under s. 16.336, in fiscal year 2001-02 the authority  
24 shall transfer to the department of administration \$1,500,000 of its surplus and in  
25 fiscal year 2002-03 and every fiscal year thereafter the authority shall transfer to



1 the department of administration \$3,300,300 of its surplus. The department of  
2 administration shall credit all moneys transferred under this subsection to the  
3 appropriation account under s. 20.505 (7) (j).

4 **SECTION 368.** 250.15 of the statutes is repealed.

5 **SECTION 369.** 253.06 (4) (b) of the statutes is amended to read:

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

11 **SECTION 370.** 285.87 (2) (b) of the statutes is amended to read:

12 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after  
13 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except  
14 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may  
15 ~~be fined not more than \$50,000 per day of violation or imprisoned for not more than~~  
16 ~~3 years or both.~~

17 **SECTION 371.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

18 291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~  
19 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
20 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 ~~nor more than~~  
21 ~~\$100,000 or imprisoned for not more than 7 years and 6 months or both:~~

22 **SECTION 372.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

23 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person ~~shall~~  
24 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified

1 ~~in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000~~  
2 ~~or imprisoned for not more than 2 years or both.~~

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

7 **SECTION 373.** 299.53 (4) (c) 2. of the statutes is amended to read:

8 299.53 (4) (c) 2. Any person who intentionally makes any false statement or  
9 representation in complying with sub. (2) (a) shall be fined not more than \$25,000  
10 or imprisoned for not more than one year in the county jail or both. For a 2nd or  
11 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,  
12 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
13 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

14 **SECTION 374.** 301.03 (11) of the statutes is repealed.

15 **SECTION 375.** 301.035 (2) of the statutes is amended to read:

16 301.035 (2) Assign hearing examiners from the division to preside over  
17 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10  
18 (2) and ch. 304.

19 **SECTION 376.** 301.035 (4) of the statutes is amended to read:

20 301.035 (4) Supervise employees in the conduct of the activities of the division  
21 and be the administrative reviewing authority for decisions of the division under ss.  
22 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and  
23 ch. 304.

24 **SECTION 377.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

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

10           **SECTION 378.** 301.26 (4) (cm) 1. of the statutes is amended to read:

11           301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall  
12 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations  
13 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured  
14 correctional facilities, secured child caring institutions, alternate care providers,  
15 aftercare supervision providers and corrective sanctions supervision providers for  
16 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age  
17 or over who has been placed in a secured correctional facility based on a delinquent  
18 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or  
19 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,  
20 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),  
21 948.02 (1), 948.025, (1), or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any  
22 juvenile 10 years of age or over who has been placed in a secured correctional facility  
23 or secured child caring institution for attempting or committing a violation of s.  
24 940.01 or for committing a violation of s. 940.02 or 940.05.

25           **SECTION 379.** 301.45 (6) (a) 2. of the statutes is amended to read:

1           301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~  
2 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class  
3 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense  
4 if, prior to committing the offense, the person has at any time been convicted of  
5 knowingly failing to comply with any requirement to provide information under  
6 subs. (2) to (4).

7           **SECTION 380.** 302.045 (3) of the statutes is amended to read:

8           302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department  
9 determines that an inmate serving a sentence other than one imposed under s.  
10 973.01 has successfully completed the challenge incarceration program, the parole  
11 commission shall parole the inmate for that sentence under s. 304.06, regardless of  
12 the time the inmate has served, ~~unless the person is serving a sentence imposed~~  
13 ~~under s. 973.01~~. When the parole commission grants parole under this subsection,  
14 it must require the parolee to participate in an intensive supervision program for  
15 drug abusers as a condition of parole.

16           **SECTION 381.** 302.095 (2) of the statutes is amended to read:

17           302.095 (2) Any officer or other person who delivers or procures to be delivered  
18 or has in his or her possession with intent to deliver to any inmate confined in a jail  
19 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts  
20 of a jail or prison, or in any vehicle going into the premises belonging to a jail or  
21 prison, any article or thing whatever, with intent that any inmate confined in the jail  
22 or prison shall obtain or receive the same, or who receives from any inmate any  
23 article or thing whatever with intent to convey the same out of a jail or prison,  
24 contrary to the rules or regulations and without the knowledge or permission of the  
25 sheriff or other keeper of the jail, in the case of a jail, or of the warden or

1 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~  
2 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

3 **SECTION 382.** 302.11 (1g) (a) 2. of the statutes is amended to read:

4 302.11 **(1g)** (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),  
5 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,  
6 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),  
7 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) ~~or (1m)~~, 943.32 (2),  
8 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,  
9 948.08, ~~or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.~~

10 **SECTION 383.** 302.11 (1g) (b) 2. of the statutes, as affected by 2001 Wisconsin  
11 Act 16, is amended to read:

12 302.11 **(1g)** (b) 2. Refusal by the inmate to participate in counseling or  
13 treatment that the social service and clinical staff of the institution determines is  
14 necessary for the inmate, ~~including pharmacological treatment using an~~  
15 ~~antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious~~  
16 ~~child sex offender as defined in s. 304.06 (1q) (a).~~ The parole commission may not  
17 deny presumptive mandatory release to an inmate because of the inmate's refusal  
18 to participate in a rehabilitation program under s. 301.047.

19 **SECTION 384.** 302.11 (1p) of the statutes is amended to read:

20 302.11 **(1p)** An inmate serving a term subject to s. 961.49 (2), 1999 stats., for  
21 a crime committed before December 31, 1999, is entitled to mandatory release,  
22 except the inmate may not be released before he or she has complied with s. 961.49  
23 (2), 1999 stats.

24 **SECTION 385.** 302.11 (1z) of the statutes is amended to read:

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

5           **SECTION 386.** 302.11 (3) of the statutes is amended to read:

6           302.11 (3) All consecutive sentences imposed for crimes committed before  
7 December 31, 1999, shall be computed as one continuous sentence.

8           **SECTION 387.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and  
9 amended to read:

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

18           **SECTION 388.** 302.11 (7) (ag) of the statutes is created to read:

19           302.11 (7) (ag) In this subsection “reviewing authority” means the division of  
20 hearings and appeals in the department of administration, upon proper notice and  
21 hearing, or the department of corrections, if the parolee waives a hearing.

22           **SECTION 389.** 302.11 (7) (b) of the statutes is amended to read:

23           302.11 (7) (b) A parolee returned to prison for violation of the conditions of  
24 parole shall be incarcerated for the entire period of time determined by the  
25 ~~department of corrections in the case of a waiver or the division of hearings and~~

1 ~~appeals in the department of administration in the case of a hearing under par. (a),~~  
2 reviewing authority unless paroled earlier under par. (c). The parolee is not subject  
3 to mandatory release under sub. (1) or presumptive mandatory release under sub.  
4 (1g). The period of time determined under par. ~~(a)~~ (am) may be extended in  
5 accordance with subs. (1q) and (2).

6 **SECTION 390.** 302.11 (7) (d) of the statutes is amended to read:

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

13 **SECTION 391.** 302.11 (7) (e) of the statutes is created to read:

14 302.11 (7) (e) A reviewing authority may consolidate proceedings before it  
15 under par. (am) with other proceedings before that reviewing authority under par.  
16 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the  
17 parole or extended supervision of the same person.

18 **SECTION 392.** 302.113 (2) of the statutes is amended to read:

19 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this  
20 section is entitled to release to extended supervision after he or she has served the  
21 term of confinement in prison portion of the sentence imposed under s. 973.01, as  
22 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if  
23 applicable.

24 **SECTION 393.** 302.113 (4) of the statutes is amended to read:

1           302.113 (4) All consecutive sentences imposed for crimes committed on or after  
2 December 31, 1999, shall be computed as one continuous sentence. The person shall  
3 serve any term of extended supervision after serving all terms of confinement in  
4 prison.

5           **SECTION 394.** 302.113 (7) of the statutes, as affected by 2001 Wisconsin Act 16,  
6 is amended to read:

7           302.113 (7) Any inmate 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 required under s. 302.116, if applicable, or set by the court under sub.  
12 (7m) or s. 973.01 (5) if the conditions set by the department do not conflict with the  
13 court's conditions.

14           **SECTION 395.** 302.113 (7m) of the statutes is created to read:

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

18           (b) If the department files a petition under this subsection, it shall serve a copy  
19 of the petition on the person who is the subject of the petition and, if the person is  
20 represented by an attorney, on the person's attorney. If a person who is subject to this  
21 section or his or her attorney files a petition under this subsection, the person or his  
22 or her attorney shall serve a copy of the petition on the department. The court shall  
23 serve a copy of a petition filed under this section on the district attorney. The court  
24 may direct the clerk of the court to provide notice of the petition to a victim of a crime  
25 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 396.** 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 397.** 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 398.** 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 399.** 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 400.** 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 401.** 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 402.** 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 403.** 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 404.** 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 405.** 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 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 406.** 302.113 (9g) of the statutes is created to read:

11 302.113 (9g) (a) In this subsection:

12 1. "Program review committee" means the committee at a correctional  
13 institution that reviews the security classifications, institution assignments, and  
14 correctional programming assignments of inmates confined in the institution.

15 2. "Terminal condition" means an incurable condition afflicting a person,  
16 caused by injury, disease, or illness, as a result of which the person has a medical  
17 prognosis that his or her life expectancy is 6 months or less, even with available  
18 life-sustaining treatment provided in accordance with the prevailing standard of  
19 medical care.

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

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

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

3           3. The inmate has a terminal condition.

4           (c) An inmate who meets the criteria under par. (b) may submit a petition to  
5 the program review committee at the correctional institution in which the inmate is  
6 confined requesting a modification of the inmate's bifurcated sentence in the manner  
7 specified in par. (f). If the inmate alleges in the petition that he or she has a terminal  
8 condition, the inmate shall attach to the petition affidavits from 2 physicians setting  
9 forth a diagnosis that the inmate has a terminal condition.

10          (cm) If, after receiving the petition under par. (c), the program review  
11 committee determines that the public interest would be served by a modification of  
12 the inmate's bifurcated sentence in the manner provided under par. (f), the  
13 committee shall approve the petition for referral to the sentencing court and notify  
14 the department of its approval. The department shall then refer the inmate's  
15 petition to the sentencing court and request the court to conduct a hearing on the  
16 petition. If the program review committee determines that the public interest would  
17 not be served by a modification of the inmate's bifurcated sentence in the manner  
18 specified in par. (f), the committee shall deny the inmate's petition.

19          (d) When a court is notified by the department that it is referring to the court  
20 an inmate's petition for modification of the inmate's bifurcated sentence, the court  
21 shall set a hearing to determine whether the public interest would be served by a  
22 modification of the inmate's bifurcated sentence in the manner specified in par. (f).  
23 The inmate and the district attorney have the right to be present at the hearing, and  
24 any victim of the inmate's crime has the right to be present at the hearing and to  
25 provide a statement concerning the modification of the inmate's bifurcated sentence.

1 The court shall order such notice of the hearing date as it considers adequate to be  
2 given to the department, the inmate, the attorney representing the inmate, if  
3 applicable, and the district attorney. Victim notification shall be provided as  
4 specified under par. (g).

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

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

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

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

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

23 2. When a court sets a hearing date under par. (d), the clerk of the circuit court  
24 shall send a notice of hearing to the victim of the crime committed by the inmate, if  
25 the victim has submitted a card under subd. 3. requesting notification. The notice

1 shall inform the victim that he or she may appear at the hearing scheduled under  
2 par. (d) and shall inform the victim of the manner in which he or she may provide a  
3 statement concerning the modification of the inmate's bifurcated sentence in the  
4 manner provided in par. (f). The clerk of the circuit court shall make a reasonable  
5 attempt to send the notice of hearing to the last-known address of the inmate's  
6 victim, postmarked at least 10 days before the date of the hearing.

7 3. The director of state courts shall design and prepare cards for a victim to send  
8 to the clerk of the circuit court for the county in which the inmate was convicted and  
9 sentenced. The cards shall have space for a victim to provide his or her name and  
10 address, the name of the applicable inmate, and any other information that the  
11 director of state courts determines is necessary. The director of state courts shall  
12 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court  
13 shall provide the cards, without charge, to victims. Victims may send completed  
14 cards to the clerk of the circuit court for the county in which the inmate was convicted  
15 and sentenced. All court records or portions of records that relate to mailing  
16 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

17 (h) An inmate may appeal a court's decision to deny the inmate's petition for  
18 modification of his or her bifurcated sentence. The state may appeal a court's  
19 decision to grant an inmate's petition for a modification of the inmate's bifurcated  
20 sentence. In an appeal under this paragraph, the appellate court may reverse a  
21 decision granting or denying a petition for modification of a bifurcated sentence only  
22 if it determines that the sentencing court erroneously exercised its discretion in  
23 granting or denying the petition.

24 (i) If the program review committee denies an inmate's petition under par. (cm),  
25 the inmate may not file another petition within one year after the date of the program



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

5 (j) An inmate eligible to seek modification of his or her bifurcated sentence  
6 under this subsection has a right to be represented by counsel in proceedings under  
7 this subsection. An inmate, or the department on the inmate's behalf, may apply to  
8 the state public defender for determination of indigency and appointment of counsel  
9 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review  
10 committee under par. (c). If an inmate whose petition has been referred to the court  
11 under par. (cm) is without counsel, the court shall refer the matter to the state public  
12 defender for determination of indigency and appointment of counsel under s. 977.05  
13 (4) (jm).

14 **SECTION 407.** 302.114 (4) of the statutes is amended to read:

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

19 **SECTION 408.** 302.114 (5) (f) of the statutes is amended to read:

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

25 **SECTION 409.** 302.114 (6) (b) of the statutes is amended to read:

1           302.114 **(6)** (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for  
2 release to extended supervision under this section, the clerk of the circuit court in  
3 which the petition is filed shall send a copy of the petition and, if a hearing is  
4 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if  
5 the victim has submitted a card under par. (e) requesting notification.

6           **SECTION 410.** 302.114 (6) (c) of the statutes is amended to read:

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

11           **SECTION 411.** 302.114 (8m) of the statutes is created to read:

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

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

1           **SECTION 412.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and  
2 amended to read:

3           302.114 (9) (am) If a person released to extended supervision under this section  
4 violates a condition of extended supervision, ~~the division of hearings and appeals in~~  
5 ~~the department of administration, upon proper notice and hearing, or the~~  
6 ~~department of corrections, if the person on extended supervision waives a hearing,~~  
7 reviewing authority may revoke the extended supervision of the person and return  
8 ~~the person to prison. If the extended supervision of the person is revoked, the person~~  
9 shall be returned to the circuit court for the county in which the person was convicted  
10 of the offense for which he or she was on extended supervision, and the court shall  
11 order the person to be returned to prison, he or she shall be returned to prison for a  
12 specified period of time, as provided under par. (b) before he or she is eligible for being  
13 released again to extended supervision. The period of time specified under this  
14 paragraph may not be less than 5 years and may be extended in accordance with sub.  
15 (3).

16           **SECTION 413.** 302.114 (9) (ag) of the statutes is created to read:

17           302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given  
18 in s. 302.113 (9) (ag).

19           **SECTION 414.** 302.114 (9) (b) of the statutes is amended to read:

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

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

4 **SECTION 415.** 302.114 (9) (bm) of the statutes is amended to read:

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

16 **SECTION 416.** 302.114 (9) (c) of the statutes is amended to read:

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

20 **SECTION 417.** 302.114 (9) (d) of the statutes is created to read:

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

25 **SECTION 418.** 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 419.** 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 420.** 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 421.** 303.063 of the statutes is repealed.

22          **SECTION 422.** 303.065 (1) (b) 1. of the statutes is amended to read:

23          303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
24          specified in subd. 2., may be considered for work release only after he or she has  
25          reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever

1 is applicable, or he or she has reached his or her extended supervision eligibility date  
2 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

3 **SECTION 423.** 303.08 (1) (intro.) of the statutes is amended to read:

4 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment  
5 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under  
6 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during  
7 necessary and reasonable hours for any of the following purposes:

8 **SECTION 424.** 303.08 (2) of the statutes is amended to read:

9 303.08 (2) Unless such privilege is expressly granted by the court or, in the case  
10 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),  
11 the department, the prisoner person is sentenced to ordinary confinement. The A  
12 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)  
13 or 302.114 (8m), may petition the court for such privilege at the time of sentence or  
14 thereafter, and in the discretion of the court may renew the prisoner's petition. The  
15 court may withdraw the privilege at any time by order entered with or without notice.

16 **SECTION 425.** 303.08 (5) (intro.) of the statutes is amended to read:

17 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement  
18 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the  
19 wages, salary and unemployment insurance and employment training benefits  
20 received by prisoners shall be disbursed by the sheriff for the following purposes, in  
21 the order stated:

22 **SECTION 426.** 303.08 (6) of the statutes is amended to read:

23 303.08 (6) The department, for a person subject to a confinement sanction  
24 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may  
25 authorize the sheriff to whom the prisoner is committed to arrange with another

1 sheriff for the employment or employment training of the prisoner in the other's  
2 county, and while so employed or trained to be in the other's custody but in other  
3 respects to be and continue subject to the commitment.

4 **SECTION 427.** 303.08 (12) of the statutes is amended to read:

5 303.08 (12) In counties having a house of correction, any person violating the  
6 privilege granted under sub. (1) may be transferred by the county jailer to the house  
7 of correction for the remainder of the term of the person's sentence or, if applicable,  
8 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114  
9 (8m).

10 **SECTION 428.** 303.21 (1) (b) of the statutes is amended to read:

11 303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
12 a structured work program away from the institution grounds under s. 302.15 ~~or a~~  
13 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if  
14 they are employed in a prison industry under s. 303.06 (2), participating in a work  
15 release program under s. 303.065 (2), participating in employment with a private  
16 business under s. 303.01 (2) (em) or participating in the transitional employment  
17 program, but they are eligible for worker's compensation benefits under ch. 102.  
18 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are  
19 eligible for worker's compensation benefits under ch. 102.

20 **SECTION 429.** 304.06 (1) (b) of the statutes is amended to read:

21 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
22 302.045 (3), ~~961.49 (2),~~ 973.01 (6) or 973.0135, the parole commission may parole an  
23 inmate of the Wisconsin state prisons or any felon or any person serving at least one  
24 year or more in a county house of correction or a county reforestation camp organized  
25 under s. 303.07, when he or she has served 25% of the sentence imposed for the

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

11 **SECTION 430.** 304.06 (1q) of the statutes is repealed.

12 **SECTION 431.** 304.071 (2) of the statutes is amended to read:

13 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,  
14 or s. 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he  
15 or she is not eligible for parole under this section.

16 **SECTION 432.** 304.11 (3) of the statutes is amended to read:

17 304.11 (3) If upon inquiry it further appears to the governor that the convicted  
18 person has violated or failed to comply with any of those conditions, the governor may  
19 issue his or her warrant remanding the person to the institution from which  
20 discharged, and the person shall be confined and treated as though no pardon had  
21 been granted, except that the person loses any applicable good time which he or she  
22 had earned. If the person is returned to prison, the person is subject to the same  
23 limitations as a revoked parolee under s. 302.11 (7). The department shall determine  
24 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines



1 the person has not violated or failed to comply with the conditions, the person shall  
2 be discharged subject to the conditional pardon.

3 **SECTION 433.** 341.605 (3) of the statutes is amended to read:

4 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~  
5 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~  
6 guilty of a Class H felony.

7 **SECTION 434.** 342.06 (2) of the statutes is amended to read:

8 342.06 (2) Any person who knowingly makes a false statement in an  
9 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
10 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

11 **SECTION 435.** 342.065 (4) (b) of the statutes is amended to read:

12 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~  
13 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
14 ~~or both is guilty of a Class H felony.~~

15 **SECTION 436.** 342.155 (4) (b) of the statutes is amended to read:

16 342.155 (4) (b) Any person who violates this section with intent to defraud may  
17 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months  
18 or both is guilty of Class H felony.

19 **SECTION 437.** 342.156 (6) (b) of the statutes is amended to read:

20 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~  
21 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~  
22 ~~or both is guilty of a Class H felony.~~

23 **SECTION 438.** 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 439.** 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 440.** 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 441.** 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 442.** 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 443.** 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 444.** 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 445.** 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 446.** 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 447.** 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 448.** 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 449.** 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 450.** 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 451.** 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 452.** 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 453.** 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 454.** 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 455.** 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 456.** 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 457.** 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 458.** 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 459.** 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 460.** 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 461.** 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 462.** 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 463.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

23           **SECTION 464.** 351.07 (2) (b) of the statutes is repealed.

24           **SECTION 465.** 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 466.** 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 467.** 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 468.** 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 469.** 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 470.** 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 471.** 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 472.** 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 473.** 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 474.** 560.01 (4) of the statutes is created to read:

8           560.01 (4) GRANTS MANAGEMENT OFFICE. (a) The department shall establish and  
9 operate a grants management office for all of the following purposes:

10           1. To identify public and private sources of grants.

11           2. To serve as a clearinghouse for federal and state grants and privately funded  
12 grants.

13           3. To offer to governmental agencies, nonprofit organizations, school boards,  
14 operators of charter schools, and governing bodies of private schools training and  
15 assistance in pursuing grants.

16           (b) The grants management office shall be staffed by a grants management  
17 specialist.

18           **SECTION 475.** 560.17 (5c) (a) 3. of the statutes is amended to read:

19           560.17 (5c) (a) 3. The grant proceeds will be used to pay for services related to  
20 the start-up, modernization, or expansion of the dairy farm or other agricultural  
21 business, or for management assistance, ~~as defined in s. 560.20 (1) (cf),~~ continuing  
22 after the completion of the start-up, modernization, or expansion of the dairy farm  
23 or other agricultural business.

24           **SECTION 476.** 560.18 (1) of the statutes is renumbered 560.18 (1m) and  
25 amended to read:

1           560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department  
2 may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d)~~, to  
3 develop forestry educational programs and instructional materials for use in the  
4 public schools. The department may not award a grant unless it enters into a  
5 memorandum of understanding with the grant recipient and the director of the  
6 timber management program at the University of Wisconsin-Stevens Point  
7 regarding the use of the funds.

8           **SECTION 477.** 560.18 (1c) of the statutes is created to read:

9           560.18 (1c) In this section, “nonprofit organization” means a nonprofit  
10 corporation, as defined in s. 181.0103 (17), and any organization described in section  
11 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under  
12 section 501 (a) of the Internal Revenue Code.

13           **SECTION 478.** 560.18 (2) of the statutes is amended to read:

14           560.18 (2) The recipient of a grant under sub. ~~(1)~~ (1m) shall submit the  
15 programs and materials developed with the funds to the department and the director  
16 of the timber management program at the University of Wisconsin-Stevens Point  
17 College of Natural Resources for approval. Upon request, the grant recipient shall  
18 provide approved programs and materials to school districts free of charge.

19           **SECTION 479.** 560.20 (title) of the statutes is repealed.

20           **SECTION 480.** 560.20 (1) (intro.) of the statutes is repealed.

21           **SECTION 481.** 560.20 (1) (a) of the statutes is renumbered 560.21 (1) (a).

22           **SECTION 482.** 560.20 (1) (b) of the statutes is renumbered 560.21 (1) (b).

23           **SECTION 483.** 560.20 (1) (c) of the statutes is repealed.

24           **SECTION 484.** 560.20 (1) (cf) of the statutes is renumbered 560.17 (1) (br).

25           **SECTION 485.** 560.20 (1) (cm) of the statutes is repealed.

1           **SECTION 486.** 560.20 (1) (d) of the statutes is repealed.

2           **SECTION 487.** 560.20 (1) (e) of the statutes is repealed.

3           **SECTION 488.** 560.20 (1) (f) of the statutes is repealed.

4           **SECTION 489.** 560.20 (1) (g) of the statutes is repealed.

5           **SECTION 490.** 560.20 (1m) of the statutes is repealed.

6           **SECTION 491.** 560.20 (2) of the statutes is repealed.

7           **SECTION 492.** 560.20 (3) (a) of the statutes is repealed.

8           **SECTION 493.** 560.20 (3) (b) of the statutes is repealed.

9           **SECTION 494.** 560.20 (3) (c) of the statutes is repealed.

10          **SECTION 495.** 560.20 (3) (cm) of the statutes is repealed.

11          **SECTION 496.** 560.20 (3) (d) of the statutes is repealed.

12          **SECTION 497.** 560.20 (3) (e) of the statutes is repealed.

13          **SECTION 498.** 560.20 (3) (f) (intro.) and 4. of the statutes are consolidated,  
14          renumbered 560.21 (2) and amended to read:

15                 560.21 (2) The department shall do all of the following: 4. Deposit deposit in  
16          the appropriation account under s. 20.143 (1) (in) general fund all interest and  
17          principal received in repayment of loans under ~~this subsection~~ s. 560.20 (3), 1999  
18          stats., any proceeds from equity investments made by the community development  
19          finance company under s. 234.965, 1991 stats., that are received by the department  
20          or the community development finance company, and any unencumbered grant  
21          funds returned to the department under 1993 Wisconsin Act 437, section 9115 (1t).

22          **SECTION 499.** 560.20 (3) (f) 1. of the statutes is repealed.

23          **SECTION 500.** 560.20 (3) (f) 2. of the statutes is repealed.

24          **SECTION 501.** 560.20 (3) (f) 3. of the statutes is repealed.

25          **SECTION 502.** 560.20 (3) (g) of the statutes is repealed.

1           **SECTION 503.** 560.20 (3) (h) of the statutes is renumbered 560.21 (3).

2           **SECTION 504.** 560.21 of the statutes is created to read:

3           **560.21 General fund deposit. (1)** In this section:

4           **SECTION 505.** 562.13 (3) of the statutes is amended to read:

5           562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~  
6           ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

7           **SECTION 506.** 562.13 (4) of the statutes is amended to read:

8           562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~  
9           ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
10          ~~or both~~ is guilty of a Class H felony.

11          **SECTION 507.** 565.50 (2) of the statutes is amended to read:

12          565.50 (2) Any person who alters or forges a lottery ticket or share or  
13          intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~  
14          ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
15          ~~or both~~ is guilty of a Class I felony.

16          **SECTION 508.** 565.50 (3) of the statutes is amended to read:

17          565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
18          with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
19          more than ~~3 years~~ 9 months or both.

20          **SECTION 509.** 601.64 (4) of the statutes is amended to read:

21          601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally  
22          permits any person over whom he or she has authority to violate or intentionally aids  
23          any person in violating any insurance statute or rule of this state, s. 149.13 or  
24          149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I  
25          felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~

1 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~  
2 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both. Intent has the~~  
3 ~~meaning expressed under s. 939.23.~~

4 **SECTION 510.** 641.19 (4) (a) of the statutes is amended to read:

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

12 **SECTION 511.** 641.19 (4) (b) of the statutes is amended to read:

13 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully  
14 abstracts or converts to his or her own use or to the use of another, any of the moneys,  
15 funds, securities, premiums, credits, property, or other assets of any employee  
16 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~  
17 ~~\$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
18 Class H felony.

19 **SECTION 512.** 753.061 (2m) of the statutes is amended to read:

20 753.061 (2m) The chief judge of the 1st judicial administrative district is  
21 authorized to designate 4 circuit court branches to primarily handle violent crime  
22 cases that involve a violation of s. 939.63, if a felony is committed while armed, and  
23 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32  
24 (2). If the circuit court branches are designated under this subsection, 2 shall begin

1 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to  
2 primarily handle violent crime cases on August 1, 1992.

3 **SECTION 513.** 765.30 (1) (intro.) of the statutes is amended to read:

4 765.30 (1) (intro.) The following shall may be fined not less than ~~\$200 nor~~ more  
5 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both:

6 **SECTION 514.** 765.30 (2) (intro.) of the statutes is amended to read:

7 765.30 (2) (intro.) The following shall may be fined not less than ~~\$100 nor~~ more  
8 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both:

9 **SECTION 515.** 767.242 (8) of the statutes is amended to read:

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

13 **SECTION 516.** 768.07 of the statutes is amended to read:

14 **768.07 Penalty.** Any person who violates any provision of this chapter may  
15 be fined not less than ~~\$100 nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more  
16 than ~~2-years~~ 9 months or both.

17 **SECTION 517.** 783.07 of the statutes is amended to read:

18 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be  
19 is directed to any public officer, body, board or person, commanding the performance  
20 of any duty specially enjoined by law, ~~if it shall appear to the court that such~~ and the  
21 officer or person or any member of such the body or board has, without just excuse,  
22 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~  
23 ~~exceeding \$5,000, upon every such,~~ the officer, person or member of such the body or  
24 board, ~~or sentence the officer, person or member to imprisonment for not more than~~  
25 ~~7-years and 6-months~~ is guilty of a Class H felony.

1           **SECTION 518.** 801.50 (5) of the statutes is amended to read:

2           801.50 **(5)** Venue of an action for certiorari to review a probation, extended  
3 supervision or parole revocation, a denial by a program review committee under s.  
4 302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of  
5 parole ~~by certiorari~~ shall be the county in which the relator was last convicted of an  
6 offense for which the relator was on probation, extended supervision or parole or for  
7 which the relator is currently incarcerated.

8           **SECTION 519.** 801.50 (5c) of the statutes is created to read:

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

14           **SECTION 520.** 814.634 (1) (a) of the statutes is amended to read:

15           814.634 **(1)** (a) Except for an action for a safety belt use violation under s.  
16 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 ~~\$52~~ court support  
17 services fee from any person, including any governmental unit as defined in s. 108.02  
18 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

19           **SECTION 521.** 814.634 (1) (b) of the statutes is amended to read:

20           814.634 **(1)** (b) Notwithstanding par. (a), the clerk of circuit court shall charge  
21 and collect a \$100 ~~\$130~~ court support services fee from any person, including any  
22 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or  
23 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and  
24 the amount claimed exceeds the amount under s. 799.01 (1) (d).

25           **SECTION 522.** 814.634 (1) (c) of the statutes is amended to read:

1           814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge  
2 and collect a ~~\$30~~ \$39 court support services fee from any person, including any  
3 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or  
4 (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying  
5 the fee seeks the recovery of money and the amount claimed is equal to or less than  
6 the amount under s. 799.01 (1) (d).

7           **SECTION 523.** 889.29 (1) of the statutes is amended to read:

8           889.29 (1) If any business, institution or member of a profession or calling in  
9 the regular course of business or activity has kept or recorded any memorandum,  
10 writing, entry, print, representation or combination thereof, of any act, transaction,  
11 occurrence or event, and in the regular course of business has caused any or all of the  
12 same to be recorded, copied or reproduced by any photographic, photostatic,  
13 microfilm, microcard, miniature photographic, or other process which accurately  
14 reproduces or forms a durable medium for so reproducing the original, or to be  
15 recorded on an optical disk or in electronic format, the original may be destroyed in  
16 the regular course of business, unless its preservation is required by law. Such  
17 reproduction or optical disk record, when reduced to comprehensible format and  
18 when satisfactorily identified, is as admissible in evidence as the original itself in any  
19 judicial or administrative proceeding whether the original is in existence or not and  
20 an enlargement or facsimile of such reproduction of a record or an enlarged copy of  
21 a record generated from an original record stored in optical disk or electronic format  
22 is likewise admissible in evidence if the original reproduction is in existence and  
23 available for inspection under direction of court. The introduction of a reproduced  
24 record, enlargement or facsimile, does not preclude admission of the original. This  
25 subsection does not apply to records governed by s. 137.20.



1           **SECTION 524.** 908.08 (1) of the statutes is amended to read:

2           908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under  
3 s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),  
4 304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the  
5 videotaped oral statement of a child who is available to testify, as provided in this  
6 section.

7           **SECTION 525.** 910.01 (1) of the statutes is amended to read:

8           910.01 (1) WRITINGS AND RECORDINGS. “Writings” and “recordings” consist of  
9 letters, words or numbers, or their equivalent, set down by handwriting, typewriting,  
10 printing, photostating, photographing, magnetic impulse, mechanical or electronic  
11 recording, or other form of data compilation or recording.

12           **SECTION 526.** 910.02 of the statutes is amended to read:

13           **910.02 Requirement of original.** To prove the content of a writing, recording  
14 or photograph, the original writing, recording or photograph is required, except as  
15 otherwise provided in chs. 901 to 911, s. 137.21, or by other statute.

16           **SECTION 527.** 910.03 of the statutes is amended to read:

17           **910.03 Admissibility of duplicates.** A duplicate is admissible to the same  
18 extent as an original unless (1) a genuine question is raised as to the authenticity of  
19 the original or (2) in the circumstances it would be unfair to admit the duplicate in  
20 lieu of the original. This section does not apply to records of transactions governed  
21 by s. 137.21.

22           **SECTION 528.** 911.01 (4) (c) of the statutes is amended to read:

23           911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
24 rendition; sentencing, ~~or~~ granting or revoking probation, modification of a bifurcated  
25 sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and

1 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to  
2 pretrial release under ch. 969 except where habeas corpus is utilized with respect to  
3 release on bail or as otherwise provided in ch. 969.

4 **SECTION 529.** 938.208 (1) (a) of the statutes is amended to read:

5 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed  
6 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,  
7 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~  
8 ~~or (1r)~~, 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if  
9 committed by an adult.

10 **SECTION 530.** 938.34 (4h) (a) of the statutes is amended to read:

11 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated  
12 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,  
13 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~  
14 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1), or 948.30 (2), ~~948.35 (1) (b) or 948.36~~ or  
15 the juvenile is 10 years of age or over and has been adjudicated delinquent for  
16 attempting or committing a violation of s. 940.01 or for committing a violation of  
17 940.02 or 940.05.

18 **SECTION 531.** 938.34 (4m) (b) 1. of the statutes is amended to read:

19 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be  
20 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),  
21 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)  
22 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

23 **SECTION 532.** 938.355 (2d) (b) 3. of the statutes is amended to read:

24 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
25 1999 stats., or s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025

1 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,  
2 if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2),  
3 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that  
4 the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in  
5 substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child  
6 of the parent.

7 **SECTION 533.** 938.355 (4) (b) of the statutes is amended to read:

8 938.355 (4) (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile  
9 has been adjudicated delinquent is subject to par. (a), except that the judge may make  
10 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th  
11 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)  
12 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation  
13 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C  
14 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the  
15 juvenile is adjudicated delinquent for committing an act that would be punishable  
16 as a Class A felony if committed by an adult.

17 **SECTION 534.** 938.78 (3) of the statutes is amended to read:

18 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
19 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
20 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
21 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,  
22 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,  
23 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r),~~ 943.32 (2), 948.02,  
24 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in  
25 ch. 940 has escaped from a secured correctional facility, child caring institution,

1 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention  
2 facility or juvenile portion of a county jail, or from the custody of a peace officer or  
3 a guard of such a facility, institution or jail, or has been allowed to leave a secured  
4 correctional facility, child caring institution, secured group home, inpatient facility,  
5 secure detention facility or juvenile portion of a county jail for a specified time period  
6 and is absent from the facility, institution, home or jail for more than 12 hours after  
7 the expiration of the specified period, the department or county department having  
8 supervision over the juvenile may release the juvenile's name and any information  
9 about the juvenile that is necessary for the protection of the public or to secure the  
10 juvenile's return to the facility, institution, home or jail. The department of  
11 corrections shall promulgate rules establishing guidelines for the release of the  
12 juvenile's name or information about the juvenile to the public.

13 **SECTION 535.** 939.22 (21) (d) of the statutes is amended to read:

14 939.22 (21) (d) Battery, ~~substantial battery or aggravated battery~~, as  
15 prohibited in s. 940.19 or 940.195.

16 **SECTION 536.** 939.30 (1) of the statutes is amended to read:

17 939.30 (1) Except as provided in sub. (2) and ~~ss. 948.35 and s. 961.455~~, whoever,  
18 with intent that a felony be committed, advises another to commit that crime under  
19 circumstances that indicate unequivocally that he or she has the intent is guilty of  
20 a Class ~~D~~ H felony.

21 **SECTION 537.** 939.30 (2) of the statutes is amended to read:

22 939.30 (2) For a solicitation to commit a crime for which the penalty is life  
23 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit  
24 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

25 **SECTION 538.** 939.32 (1) (intro.) of the statutes is amended to read:

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

5           **SECTION 539.** 939.32 (1) (b) of the statutes is repealed.

6           **SECTION 540.** 939.32 (1) (bm) of the statutes is created to read:

7           939.32 (1) (bm) Whoever attempts to commit a Class I felony, other than one  
8 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being  
9 applied, is guilty of a Class A misdemeanor.

10          **SECTION 541.** 939.32 (1g) of the statutes is created to read:

11          939.32 (1g) **MAXIMUM PENALTY.** The maximum penalty for an attempt to commit  
12 a crime that is punishable under sub. (1) (intro.) is as follows:

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

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

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

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

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

24          **SECTION 542.** 939.32 (1m) of the statutes is created to read:

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

4           (a) *Maximum term of confinement for attempt to commit classified felony.* 1.  
5 Subject to the minimum term of extended supervision required under s. 973.01 (2)  
6 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being  
7 applied, the maximum term of confinement in prison is one-half of the maximum  
8 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any  
9 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified  
10 felony.

11           2. Subject to the minimum term of extended supervision required under s.  
12 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is  
13 being applied, the court shall determine the maximum term of confinement in prison  
14 by the following method:

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

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

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

23           (c) *Maximum term of confinement for attempt to commit unclassified felony or*  
24 *misdemeanor.* The court shall determine the maximum term of confinement in  
25 prison for an attempt to commit a crime other than a classified felony by applying

1 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)  
2 (b).

3 **SECTION 543.** 939.32 (2) (title) of the statutes is created to read:

4 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

5 **SECTION 544.** 939.32 (3) (title) of the statutes is created to read:

6 939.32 (3) (title) REQUIREMENTS.

7 **SECTION 545.** 939.50 (1) (intro.) of the statutes is amended to read:

8 939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~  
9 ~~felonies~~ Felonies in chs. 939 to 951 the statutes are classified as follows:

10 **SECTION 546.** 939.50 (1) (bc) of the statutes is repealed.

11 **SECTION 547.** 939.50 (1) (f) of the statutes is created to read:

12 939.50 (1) (f) Class F felony.

13 **SECTION 548.** 939.50 (1) (g) of the statutes is created to read:

14 939.50 (1) (g) Class G felony.

15 **SECTION 549.** 939.50 (1) (h) of the statutes is created to read:

16 939.50 (1) (h) Class H felony.

17 **SECTION 550.** 939.50 (1) (i) of the statutes is created to read:

18 939.50 (1) (i) Class I felony.

19 **SECTION 551.** 939.50 (2) of the statutes is amended to read:

20 939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~, E, F, G, H, or I felony when it  
21 is so specified in ~~chs. 939 to 951~~ the statutes.

22 **SECTION 552.** 939.50 (3) (bc) of the statutes is repealed.

23 **SECTION 553.** 939.50 (3) (c) of the statutes is amended to read:

24 939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 \$100,000 or  
25 imprisonment not to exceed ~~15~~ 40 years, or both.

1           **SECTION 554.** 939.50 (3) (d) of the statutes is amended to read:

2           939.50 (3) (d) For a Class D felony, a fine not to exceed ~~\$10,000~~ \$100,000 or  
3 imprisonment not to exceed ~~10~~ 25 years, or both.

4           **SECTION 555.** 939.50 (3) (e) of the statutes is amended to read:

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

7           **SECTION 556.** 939.50 (3) (f) of the statutes is created to read:

8           939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment  
9 not to exceed 12 years and 6 months, or both.

10          **SECTION 557.** 939.50 (3) (g) of the statutes is created to read:

11          939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment  
12 not to exceed 10 years, or both.

13          **SECTION 558.** 939.50 (3) (h) of the statutes is created to read:

14          939.50 (3) (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment  
15 not to exceed 6 years, or both.

16          **SECTION 559.** 939.50 (3) (i) of the statutes is created to read:

17          939.50 (3) (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment  
18 not to exceed 3 years and 6 months, or both.

19          **SECTION 560.** 939.615 (7) (b) 2. of the statutes is amended to read:

20          939.615 (7) (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the  
21 same conduct that violates par. (a) also constitutes a crime that is a felony.

22          **SECTION 561.** 939.615 (7) (c) of the statutes is repealed.

23          **SECTION 562.** 939.62 (1) (a) of the statutes is amended to read:

24          939.62 (1) (a) A maximum term of imprisonment of one year or less may be  
25 increased to not more than ~~3~~ 2 years.



1           **SECTION 563.** 939.62 (1) (b) of the statutes is amended to read:

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

6           **SECTION 564.** 939.62 (1) (c) of the statutes is amended to read:

7           939.62 (1) (c) A maximum term of imprisonment of more than 10 years may be  
8 increased by not more than 2 years if the prior convictions were for misdemeanors  
9 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

10          **SECTION 565.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

11          939.62 (2m) (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) ~~if the felony~~  
12 ~~is that is a Class A, B, or C felony or, if the felony was committed before the effective~~  
13 ~~date of this subd. 2m. a. .... [revisor inserts date], that is or was~~ punishable by a  
14 maximum prison term of 30 years or more.

15          **SECTION 566.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

16          939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
17 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.  
18 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
19 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
20 ~~(1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),~~  
21 948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (e) or 948.36.

22          **SECTION 567.** 939.622 of the statutes is repealed.

23          **SECTION 568.** 939.623 (2) of the statutes is amended to read:

24          939.623 (2) If a person has one or more prior convictions for a serious sex crime  
25 and subsequently commits a serious sex crime, the court shall impose a bifurcated

1 sentence ~~the person to~~ under s. 973.01. The term of confinement in prison portion  
2 of a bifurcated sentence imposed under this subsection may not be less than 5 years'  
3 imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply,  
4 subject to any applicable penalty enhancement. The court ~~shall~~ may not place the  
5 defendant on probation.

6 **SECTION 569.** 939.624 (2) of the statutes is amended to read:

7 939.624 (2) If a person has one or more prior convictions for a serious violent  
8 crime or a crime punishable by life imprisonment and subsequently commits a  
9 serious violent crime, the court shall impose a bifurcated sentence ~~the person to~~  
10 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence  
11 imposed under this subsection may not be less than 5 years' imprisonment 3 years  
12 and 6 months, but otherwise the penalties for the crime apply, subject to any  
13 applicable penalty enhancement. The court ~~shall~~ may not place the defendant on  
14 probation.

15 **SECTION 570.** 939.625 of the statutes is repealed.

16 **SECTION 571.** 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 572.** 939.63 (2) of the statutes is repealed.

1           **SECTION 573.** 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 574.** 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 575.** 939.635 of the statutes is repealed.

16           **SECTION 576.** 939.64 of the statutes is repealed.

17           **SECTION 577.** 939.641 of the statutes is repealed.

18           **SECTION 578.** 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 579.** 939.646 of the statutes is repealed.

8 **SECTION 580.** 939.647 of the statutes is repealed.

9 **SECTION 581.** 939.648 of the statutes is repealed.

10 **SECTION 582.** 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 583.** 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 584.** 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 585.** 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 586.** 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 587.** 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 588.** 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 589.** 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 590.** 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 591.** 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 592.** 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 593.** 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 594.** 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 595.** 940.09 (1b) of the statutes is repealed.

13          **SECTION 596.** 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 597.** 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 598.** 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 599.** 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 600.** 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 601.** 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 602.** 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 603.** 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 604.** 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 605.** 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 606.** 940.19 (3) of the statutes is repealed.

6           **SECTION 607.** 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 608.** 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 609.** 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 610.** 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 611.** 940.195 (3) of the statutes is repealed.

23          **SECTION 612.** 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 613.** 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 614.** 940.195 (6) of the statutes is amended to read:

10          940.195 (6) Whoever intentionally causes bodily harm to an unborn child by  
11 conduct that creates a substantial risk of great bodily harm is guilty of a Class D H  
12 felony.

13          **SECTION 615.** 940.20 (1) of the statutes is amended to read:

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

18          **SECTION 616.** 940.20 (1m) of the statutes is amended to read:

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

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

4 **SECTION 617.** 940.20 (2) of the statutes is amended to read:

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

11 **SECTION 618.** 940.20 (2m) (b) of the statutes is amended to read:

12 940.20 (2m) (b) Whoever intentionally causes bodily harm to a probation,  
13 extended supervision and parole agent or an aftercare agent, acting in an official  
14 capacity and the person knows or has reason to know that the victim is a probation,  
15 extended supervision and parole agent or an aftercare agent, by an act done without  
16 the consent of the person so injured, is guilty of a Class D H felony.

17 **SECTION 619.** 940.20 (3) of the statutes is amended to read:

18 940.20 (3) BATTERY TO JURORS. Whoever intentionally causes bodily harm to a  
19 person who he or she knows or has reason to know is or was a grand or petit juror,  
20 and by reason of any verdict or indictment assented to by the person, without the  
21 consent of the person injured, is guilty of a Class D H felony.

22 **SECTION 620.** 940.20 (4) of the statutes is amended to read:

23 940.20 (4) BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily  
24 harm to a public officer in order to influence the action of such officer or as a result

1 of any action taken within an official capacity, without the consent of the person  
2 injured, is guilty of a Class E I felony.

3 **SECTION 621.** 940.20 (5) (b) of the statutes is amended to read:

4 940.20 (5) (b) Whoever intentionally causes bodily harm to a technical college  
5 district or school district officer or employee acting in that capacity, and the person  
6 knows or has reason to know that the victim is a technical college district or school  
7 district officer or employee, without the consent of the person so injured, is guilty of  
8 a Class E I felony.

9 **SECTION 622.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

10 940.20 (6) (b) (intro.) Whoever intentionally causes bodily harm to another  
11 under any of the following circumstances is guilty of a Class E I felony:

12 **SECTION 623.** 940.20 (7) (a) 1e. of the statutes is amended to read:

13 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) (a) (am).

14 **SECTION 624.** 940.20 (7) (b) of the statutes is amended to read:

15 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency  
16 department worker, an emergency medical technician, a first responder or an  
17 ambulance driver who is acting in an official capacity and who the person knows or  
18 has reason to know is an emergency department worker, an emergency medical  
19 technician, a first responder or an ambulance driver, by an act done without the  
20 consent of the person so injured, is guilty of a Class D H felony.

21 **SECTION 625.** 940.201 (2) (intro.) of the statutes is amended to read:

22 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H  
23 felony:

24 **SECTION 626.** 940.203 (2) (intro.) of the statutes is amended to read:

1           940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
2           cause bodily harm to the person or family member of any judge under all of the  
3           following circumstances is guilty of a Class D H felony:

4           **SECTION 627.** 940.205 (2) (intro.) of the statutes is amended to read:

5           940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
6           cause bodily harm to the person or family member of any department of revenue  
7           official, employee or agent under all of the following circumstances is guilty of a Class  
8           D H felony:

9           **SECTION 628.** 940.207 (2) (intro.) of the statutes is amended to read:

10          940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
11          cause bodily harm to the person or family member of any department of commerce  
12          or department of workforce development official, employee or agent under all of the  
13          following circumstances is guilty of a Class D H felony:

14          **SECTION 629.** 940.21 of the statutes is amended to read:

15          **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or  
16          mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is  
17          guilty of a Class B C felony.

18          **SECTION 630.** 940.22 (2) of the statutes is amended to read:

19          940.22 (2) **SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself  
20          or herself out to be a therapist and who intentionally has sexual contact with a  
21          patient or client during any ongoing therapist-patient or therapist-client  
22          relationship, regardless of whether it occurs during any treatment, consultation,  
23          interview or examination, is guilty of a Class C F felony. Consent is not an issue in  
24          an action under this subsection.

25          **SECTION 631.** 940.225 (2) (intro.) of the statutes is amended to read:

1           940.225 (2) SECOND DEGREE SEXUAL ASSAULT. (intro.) Whoever does any of the  
2 following is guilty of a Class ~~B~~ C felony:

3           **SECTION 632.** 940.225 (3) of the statutes is amended to read:

4           940.225 (3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse  
5 with a person without the consent of that person is guilty of a Class ~~D~~ G felony.  
6 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person  
7 without the consent of that person is guilty of a Class ~~D~~ G felony.

8           **SECTION 633.** 940.23 (1) (a) of the statutes is amended to read:

9           940.23 (1) (a) Whoever recklessly causes great bodily harm to another human  
10 being under circumstances which show utter disregard for human life is guilty of a  
11 Class ~~C~~ D felony.

12           **SECTION 634.** 940.23 (1) (b) of the statutes is amended to read:

13           940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child  
14 under circumstances that show utter disregard for the life of that unborn child, the  
15 woman who is pregnant with that unborn child or another is guilty of a Class ~~C~~ D  
16 felony.

17           **SECTION 635.** 940.23 (2) (a) of the statutes is amended to read:

18           940.23 (2) (a) Whoever recklessly causes great bodily harm to another human  
19 being is guilty of a Class ~~D~~ F felony.

20           **SECTION 636.** 940.23 (2) (b) of the statutes is amended to read:

21           940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child  
22 is guilty of a Class ~~D~~ F felony.

23           **SECTION 637.** 940.24 (1) of the statutes is amended to read:

24           940.24 (1) Whoever causes bodily harm to another by the negligent operation  
25 or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~ I felony.

1           **SECTION 638.** 940.24 (2) of the statutes is amended to read:

2           940.24 (2) Whoever causes bodily harm to an unborn child by the negligent  
3 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class ~~E~~  
4 I felony.

5           **SECTION 639.** 940.25 (1) (intro.) of the statutes is amended to read:

6           940.25 (1) (intro.) Any person who does any of the following is guilty of a Class  
7 ~~D F~~ felony:

8           **SECTION 640.** 940.25 (1b) of the statutes is repealed.

9           **SECTION 641.** 940.285 (2) (b) 1g. of the statutes is amended to read:

10          940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
11 that cause death is guilty of a Class ~~B C~~ D felony. Any person violating par. (a) 3. under  
12 circumstances that cause death is guilty of a Class D felony.

13          **SECTION 642.** 940.285 (2) (b) 1m. of the statutes is amended to read:

14          940.285 (2) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm is guilty of a Class ~~C F~~ E felony.

16          **SECTION 643.** 940.285 (2) (b) 1r. of the statutes is amended to read:

17          940.285 (2) (b) 1r. Any person violating par. (a) 1. under circumstances that are  
18 likely to cause great bodily harm is guilty of a Class ~~D G~~ H felony. Any person violating  
19 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is  
20 guilty of a Class I felony.

21          **SECTION 644.** 940.285 (2) (b) 2. of the statutes is amended to read:

22          940.285 (2) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E H~~ I felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

1           **SECTION 645.** 940.285 (2) (b) 3. of the statutes is repealed.

2           **SECTION 646.** 940.29 of the statutes is amended to read:

3           **940.29 Abuse of residents of penal facilities.** Any person in charge of or  
4 employed in a penal or correctional institution or other place of confinement who  
5 abuses, neglects or ill-treats any person confined in or a resident of any such  
6 institution or place or who knowingly permits another person to do so is guilty of a  
7 Class ~~E~~ I felony.

8           **SECTION 647.** 940.295 (3) (b) 1g. of the statutes is amended to read:

9           940.295 (3) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances  
10 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person  
11 violating par. (a) 3. under circumstances that cause death to a vulnerable person is  
12 guilty of a Class D felony.

13           **SECTION 648.** 940.295 (3) (b) 1m. of the statutes is amended to read:

14           940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that  
15 cause great bodily harm to a vulnerable person is guilty of a Class ~~C~~ E felony.

16           **SECTION 649.** 940.295 (3) (b) 1r. of the statutes is amended to read:

17           940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.  
18 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty  
19 of a Class ~~D~~ F felony. Any person violating par. (a) 1. under circumstances that are  
20 likely to cause great bodily harm is guilty of a Class G felony.

21           **SECTION 650.** 940.295 (3) (b) 2. of the statutes is amended to read:

22           940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that  
23 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person  
24 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty  
25 of a Class I felony.

1           **SECTION 651.** 940.295 (3) (b) 3. of the statutes is amended to read:

2           940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)  
3           2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is  
4           guilty of a Class ~~E~~ H felony. Any person violating par. (a) 2. or 3. under circumstances  
5           that are likely to cause great bodily harm is guilty of a Class I felony.

6           **SECTION 652.** 940.30 of the statutes is amended to read:

7           **940.30 False imprisonment.** Whoever intentionally confines or restrains  
8           another without the person's consent and with knowledge that he or she has no  
9           lawful authority to do so is guilty of a Class ~~E~~ H felony.

10          **SECTION 653.** 940.305 (1) of the statutes is amended to read:

11          940.305 (1) Except as provided in sub. (2), whoever by force or threat of  
12          imminent force seizes, confines or restrains a person without the person's consent  
13          and with the intent to use the person as a hostage in order to influence a person to  
14          perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~  
15          B felony.

16          **SECTION 654.** 940.305 (2) of the statutes is amended to read:

17          940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of  
18          a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as  
19          a hostage is released without bodily harm.

20          **SECTION 655.** 940.31 (1) (intro.) of the statutes is amended to read:

21          940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C  
22          felony:

23          **SECTION 656.** 940.31 (2) (a) of the statutes is amended to read:



1           940.31 **(2)** (a) Except as provided in par. (b), whoever violates sub. (1) with  
2           intent to cause another to transfer property in order to obtain the release of the victim  
3           is guilty of a Class ~~A~~ B felony.

4           **SECTION 657.** 940.31 (2) (b) of the statutes is amended to read:

5           940.31 **(2)** (b) Whoever violates sub. (1) with intent to cause another to transfer  
6           property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if  
7           the victim is released without permanent physical injury prior to the time the first  
8           witness is sworn at the trial.

9           **SECTION 658.** 940.32 (2) (intro.) of the statutes is amended to read:

10          940.32 **(2)** (intro.) Whoever meets all of the following criteria is guilty of a Class  
11          ~~A misdemeanor~~ I felony:

12          **SECTION 659.** 940.32 (2m) of the statutes is amended to read:

13          940.32 **(2m)** Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she  
14          intentionally gains access to a record in electronic format that contains personally  
15          identifiable information regarding the victim in order to facilitate the violation  
16          under sub. (2).

17          **SECTION 660.** 940.32 (3) (intro.) of the statutes is amended to read:

18          940.32 **(3)** (intro.) Whoever violates sub. (2) under any of the following  
19          circumstances is guilty of a Class ~~E~~ H felony:

20          **SECTION 661.** 940.32 (3m) (intro.) of the statutes is amended to read:

21          940.32 **(3m)** (intro.) Whoever violates sub. (3) under all of the following  
22          circumstances is guilty of a Class ~~D~~ G felony:

23          **SECTION 662.** 940.43 (intro.) of the statutes is amended to read:

24          **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.  
25          940.42 under any of the following circumstances is guilty of a Class ~~D~~ G felony:

1           **SECTION 663.** 940.45 (intro.) of the statutes is amended to read:

2           **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44  
3 under any of the following circumstances is guilty of a Class D G felony:

4           **SECTION 664.** 941.11 (intro.) of the statutes is amended to read:

5           **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the  
6 following is guilty of a Class D H felony:

7           **SECTION 665.** 941.12 (1) of the statutes is amended to read:

8           **941.12 (1)** Whoever intentionally interferes with the proper functioning of a  
9 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of  
10 a Class E I felony.

11           **SECTION 666.** 941.20 (2) (intro.) of the statutes is amended to read:

12           **941.20 (2)** (intro.) Whoever does any of the following is guilty of a Class E G  
13 felony:

14           **SECTION 667.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

15           **941.20 (3) (a)** (intro.) Whoever intentionally discharges a firearm from a  
16 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot  
17 that is open to the public under any of the following circumstances is guilty of a Class  
18 C F felony:

19           **SECTION 668.** 941.21 of the statutes is amended to read:

20           **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
21 officer who is acting in his or her official capacity by taking a dangerous weapon or  
22 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
23 without his or her consent is guilty of a Class E H felony. This section applies to any  
24 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)

1 (a) that the officer is carrying or that is in an area within the officer's immediate  
2 presence.

3 **SECTION 669.** 941.235 (1) of the statutes is amended to read:

4 941.235 (1) Any person who goes armed with a firearm in any building owned  
5 or leased by the state or any political subdivision of the state is guilty of a Class ~~B~~  
6 A misdemeanor.

7 **SECTION 670.** 941.26 (2) (a) of the statutes is amended to read:

8 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class ~~E~~ H felony.

9 **SECTION 671.** 941.26 (2) (b) of the statutes is amended to read:

10 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class ~~C~~ F felony.

11 **SECTION 672.** 941.26 (2) (e) of the statutes is amended to read:

12 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or  
13 commercial transportation of the bomb, grenade, projectile, shell or container under  
14 sub. (1) (b) is guilty of a Class ~~E~~ H felony.

15 **SECTION 673.** 941.26 (2) (f) of the statutes is amended to read:

16 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,  
17 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily  
18 discomfort to a person who the actor knows, or has reason to know, is a peace officer  
19 who is acting in an official capacity is guilty of a Class ~~D~~ H felony.

20 **SECTION 674.** 941.26 (2) (g) of the statutes is amended to read:

21 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,  
22 grenade, projectile, shell or container under sub. (1) (b) during his or her commission  
23 of another crime to cause bodily harm or bodily discomfort to another or who  
24 threatens to use the bomb, grenade, projectile, shell or container during his or her

1 commission of another crime to incapacitate another person is guilty of a Class ~~E~~ H  
2 felony.

3 **SECTION 675.** 941.26 (4) (d) of the statutes is amended to read:

4 941.26 (4) (d) Whoever intentionally uses a device or container described under  
5 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,  
6 or has reason to know, is a peace officer who is acting in an official capacity is guilty  
7 of a Class ~~D~~ H felony.

8 **SECTION 676.** 941.26 (4) (e) of the statutes is amended to read:

9 941.26 (4) (e) Whoever uses a device or container described under par. (a)  
10 during his or her commission of another crime to cause bodily harm or bodily  
11 discomfort to another or who threatens to use the device or container during his or  
12 her commission of another crime to incapacitate another person is guilty of a Class  
13 ~~E~~ H felony.

14 **SECTION 677.** 941.28 (3) of the statutes is amended to read:

15 941.28 (3) Any person violating this section is guilty of a Class ~~E~~ H felony.

16 **SECTION 678.** 941.29 (2) (intro.) of the statutes is amended to read:

17 941.29 (2) (intro.) A person specified in sub. (1) is guilty of a Class ~~E~~ G felony  
18 if he or she possesses a firearm under any of the following circumstances:

19 **SECTION 679.** 941.29 (2m) of the statutes is repealed.

20 **SECTION 680.** 941.295 (1) of the statutes is amended to read:

21 941.295 (1) Whoever sells, transports, manufactures, possesses or goes armed  
22 with any electric weapon is guilty of a Class ~~E~~ H felony.

23 **SECTION 681.** 941.296 (2) (intro.) of the statutes is amended to read:

1           941.296 (2) (intro.) Whoever uses or possesses a handgun during the  
2 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony  
3 under any of the following circumstances.

4           **SECTION 682.** 941.296 (3) of the statutes is repealed.

5           **SECTION 683.** 941.298 (2) of the statutes is amended to read:

6           941.298 (2) Whoever sells, delivers or possesses a firearm silencer is guilty of  
7 a Class E H felony.

8           **SECTION 684.** 941.30 (1) of the statutes is amended to read:

9           941.30 (1) **FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever recklessly  
10 endangers another's safety under circumstances which show utter disregard for  
11 human life is guilty of a Class D F felony.

12          **SECTION 685.** 941.30 (2) of the statutes is amended to read:

13          941.30 (2) **SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY.** Whoever  
14 recklessly endangers another's safety is guilty of a Class E G felony.

15          **SECTION 686.** 941.31 (1) of the statutes is amended to read:

16          941.31 (1) Whoever makes, buys, transports, possesses, or transfers any  
17 explosive compound or offers to do the same, either with intent to use such explosive  
18 to commit a crime or knowing that another intends to use it to commit a crime, is  
19 guilty of a Class C F felony.

20          **SECTION 687.** 941.31 (2) (b) of the statutes is amended to read:

21          941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or  
22 transfers any improvised explosive device, or possesses materials or components  
23 with intent to assemble any improvised explosive device, is guilty of a Class E H  
24 felony.

25          **SECTION 688.** 941.315 (3) (intro.) of the statutes is amended to read:

1           941.315 **(3)** (intro.) Whoever does any of the following is guilty of a Class ~~D~~ H  
2 felony:

3           **SECTION 689.** 941.32 of the statutes is amended to read:

4           **941.32 Administering dangerous or stupefying drug.** Whoever  
5 administers to another or causes another to take any poisonous, stupefying,  
6 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the  
7 commission of a crime is guilty of a Class ~~C~~ F felony.

8           **SECTION 690.** 941.325 of the statutes is amended to read:

9           **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs  
10 or other substances in candy or other liquid or solid edibles with the intent to cause  
11 bodily harm to another person is guilty of a Class ~~E~~ I felony.

12           **SECTION 691.** 941.327 (2) (b) 1. of the statutes is amended to read:

13           941.327 **(2)** (b) 1. Except as provided in subds. 2. to 4., a person violating par.  
14 (a) is guilty of a Class ~~E~~ I felony.

15           **SECTION 692.** 941.327 (2) (b) 2. of the statutes is amended to read:

16           941.327 **(2)** (b) 2. If the act under par. (a) creates a high probability of great  
17 bodily harm to another, a person violating par. (a) is guilty of a Class ~~D~~ H felony.

18           **SECTION 693.** 941.327 (2) (b) 3. of the statutes is amended to read:

19           941.327 **(2)** (b) 3. If the act under par. (a) causes great bodily harm to another,  
20 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

21           **SECTION 694.** 941.327 (2) (b) 4. of the statutes is amended to read:

22           941.327 **(2)** (b) 4. If the act under par. (a) causes death to another, a person is  
23 guilty of a Class ~~A~~ C felony.

24           **SECTION 695.** 941.327 (3) of the statutes is amended to read:

1           941.327 (3) Whoever intentionally imparts or conveys false information,  
2 knowing the information to be false, concerning an act or attempted act which, if  
3 true, would constitute a violation of sub. (2) is guilty of a Class **E I** felony.

4           **SECTION 696.** 941.37 (1) (a) of the statutes is amended to read:

5           941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) (a) (am).

6           **SECTION 697.** 941.37 (3) of the statutes is amended to read:

7           941.37 (3) Any person who intentionally interferes with any emergency  
8 medical personnel in the performance of duties relating to an emergency or rescue  
9 and who has reasonable grounds to believe that the interference may endanger  
10 another's safety is guilty of a Class **E I** felony.

11          **SECTION 698.** 941.37 (4) of the statutes is amended to read:

12          941.37 (4) Any person who violates sub. (3) and thereby contributes to the  
13 death of another is guilty of a Class **C E** felony.

14          **SECTION 699.** 941.38 (1) (b) 4. of the statutes is amended to read:

15          941.38 (1) (b) 4. Battery, ~~substantial battery or aggravated battery~~, as  
16 prohibited in s. 940.19 or 940.195.

17          **SECTION 700.** 941.38 (2) of the statutes is amended to read:

18          941.38 (2) Whoever intentionally solicits a child to participate in criminal gang  
19 activity is guilty of a Class **E I** felony.

20          **SECTION 701.** 942.09 (2) (intro.) of the statutes, as affected by 2001 Wisconsin  
21 Act 33, is amended to read:

22          942.09 (2) (intro.) Whoever does any of the following is guilty of a Class **E I**  
23 felony:

24          **SECTION 702.** 943.01 (2) (intro.) of the statutes is amended to read:

1           943.01 (2) (intro.) Any person violating sub. (1) under any of the following  
2 circumstances is guilty of a Class **D I** felony:

3           **SECTION 703.** 943.01 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5           943.01 (2) (d) If the total property damaged in violation of sub. (1) is reduced  
6 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property  
7 is reduced in value by the amount which it would cost either to repair or replace it,  
8 whichever is less.

9           **SECTION 704.** 943.01 (2d) (b) (intro.) of the statutes, as created by 2001  
10 Wisconsin Act 16, is amended to read:

11           943.01 (**2d**) (b) (intro.) Any person violating sub. (1) under all of the following  
12 circumstances is guilty of a Class **E I** felony:

13           **SECTION 705.** 943.01 (2g) (intro.) of the statutes is amended to read:

14           943.01 (**2g**) (intro.) Any person violating sub. (1) under all of the following  
15 circumstances is guilty of a Class **E I** felony:

16           **SECTION 706.** 943.01 (2g) (c) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is amended to read:

18           943.01 (**2g**) (c) The total property damaged in violation of sub. (1) is reduced  
19 in value by more than \$500 but not more than ~~\$2,500~~ \$1,000. For purposes of this  
20 paragraph, property is reduced in value by the amount that it would cost to repair  
21 or replace it, whichever is less, plus other monetary losses associated with the  
22 damage.

23           **SECTION 707.** 943.011 (2) (intro.) of the statutes is amended to read:

24           943.011 (**2**) (intro.) Whoever does any of the following is guilty of a Class **D I**  
25 felony:



1           **SECTION 708.** 943.012 (intro.) of the statutes is amended to read:

2           **943.012 Criminal damage to or graffiti on religious and other property.**

3 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or  
4 writes with ink or another substance on or intentionally etches into any physical  
5 property of another, without the person's consent and with knowledge of the  
6 character of the property, is guilty of a Class **E I** felony if the property consists of one  
7 or more of the following:

8           **SECTION 709.** 943.013 (2) (intro.) of the statutes is amended to read:

9           **943.013 (2)** (intro.) Whoever intentionally causes or threatens to cause damage  
10 to any physical property that belongs to a judge or his or her family member under  
11 all of the following circumstances is guilty of a Class **D I** felony:

12           **SECTION 710.** 943.014 (2) of the statutes is amended to read:

13           **943.014 (2)** Whoever intentionally demolishes a historic building without a  
14 permit issued by a city, village, town or county or without an order issued under s.  
15 ~~66.0413 shall be fined an amount equal to 2 times the fair market value of the historic~~  
16 ~~building and the land upon which the building is located immediately prior to~~  
17 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class **A**  
18 misdemeanor.

19           **SECTION 711.** 943.015 (2) (intro.) of the statutes is amended to read:

20           **943.015 (2)** (intro.) Whoever intentionally causes or threatens to cause damage  
21 to any physical property which belongs to a department of revenue official, employee  
22 or agent or his or her family member under all of the following circumstances is guilty  
23 of a Class **D I** felony:

24           **SECTION 712.** 943.017 (2) (intro.) of the statutes is amended to read:

1           943.017 (2) (intro.) Any person violating sub. (1) under any of the following  
2 circumstances is guilty of a Class **D I** felony:

3           **SECTION 713.** 943.017 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5           943.017 (2) (d) If the total property affected in violation of sub. (1) is reduced  
6 in value by more than ~~\$2,500~~ \$1,000. For the purposes of this paragraph, property  
7 is reduced in value by the amount which it would cost to repair or replace it or to  
8 remove the marking, drawing, writing or etching, whichever is less.

9           **SECTION 714.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

10           943.017 (2m) (b) (intro.) Whoever does any of the following is guilty of a Class **D**  
11 **I** felony:

12           **SECTION 715.** 943.02 (1) (intro.) of the statutes is amended to read:

13           943.02 (1) (intro.) Whoever does any of the following is guilty of a Class **B C**  
14 felony:

15           **SECTION 716.** 943.03 of the statutes is amended to read:

16           **943.03 Arson of property other than building.** Whoever, by means of fire,  
17 intentionally damages any property of another without the person's consent, if the  
18 property is not a building and has a value of \$100 or more, is guilty of a Class **E I**  
19 felony.

20           **SECTION 717.** 943.04 of the statutes is amended to read:

21           **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages  
22 any property, other than a building, with intent to defraud an insurer of that property  
23 is guilty of a Class **D H** felony. Proof that the actor recovered or attempted to recover  
24 on a policy of insurance by reason of the fire is relevant but not essential to establish  
25 the actor's intent to defraud the insurer.

1           **SECTION 718.** 943.06 (2) of the statutes is amended to read:

2           943.06 **(2)** Whoever possesses, manufactures, sells, offers for sale, gives or  
3 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

4           **SECTION 719.** 943.07 (1) of the statutes is amended to read:

5           943.07 **(1)** Whoever intentionally causes damage or who causes another person  
6 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,  
7 tunnel or signal or any railroad property used in providing rail services, which could  
8 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

9           **SECTION 720.** 943.07 (2) of the statutes is amended to read:

10          943.07 **(2)** Whoever intentionally shoots a firearm at any portion of a railroad  
11 train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

12          **SECTION 721.** 943.10 (1) (intro.) of the statutes is amended to read:

13          943.10 **(1)** (intro.) Whoever intentionally enters any of the following places  
14 without the consent of the person in lawful possession and with intent to steal or  
15 commit a felony in such place is guilty of a Class ~~C~~ F felony:

16          **SECTION 722.** 943.10 (2) (intro.) of the statutes is amended to read:

17          943.10 **(2)** (intro.) Whoever violates sub. (1) under any of the following  
18 circumstances is guilty of a Class ~~B~~ E felony:

19          **SECTION 723.** 943.12 of the statutes is amended to read:

20          **943.12 Possession of burglarious tools.** Whoever has in personal  
21 possession any device or instrumentality intended, designed or adapted for use in  
22 breaking into any depository designed for the safekeeping of any valuables or into  
23 any building or room, with intent to use such device or instrumentality to break into  
24 a depository, building or room, and to steal therefrom, is guilty of a Class ~~E~~ I felony.

1           **SECTION 724.** 943.20 (3) (a) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           943.20 (3) (a) If the value of the property does not exceed ~~\$2,500~~ \$1,000, is  
4 guilty of a Class A misdemeanor.

5           **SECTION 725.** 943.20 (3) (bf) of the statutes is created to read:

6           943.20 (3) (bf) If the value of the property exceeds \$1,000 but does not exceed  
7 \$5,000, is guilty of a Class I felony.

8           **SECTION 726.** 943.20 (3) (bm) of the statutes is created to read:

9           943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed  
10 \$10,000, is guilty of a Class H felony.

11           **SECTION 727.** 943.20 (3) (c) of the statutes is amended to read:

12           943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of  
13 a Class ~~C~~ G felony.

14           **SECTION 728.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

15           943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~  
16 ~~any of the following circumstances exist~~ exists, is guilty of a Class ~~D~~ H felony:

17           **SECTION 729.** 943.20 (3) (d) 1. of the statutes is amended to read:

18           943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

19           **SECTION 730.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and  
20 amended to read:

21           943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from  
22 a corpse; ~~or,~~ is guilty of a Class G felony.

23           **SECTION 731.** 943.20 (3) (d) 3. of the statutes is amended to read:

1           943.20 (3) (d) 3. The property is taken from a building which has been destroyed  
2           or left unoccupied because of physical disaster, riot, bombing or the proximity of  
3           battle; ~~or~~.

4           **SECTION 732.** 943.20 (3) (d) 4. of the statutes is amended to read:

5           943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or  
6           the proximity of battle has necessitated its removal from a building; ~~or~~.

7           **SECTION 733.** 943.201 (2) of the statutes is amended to read:

8           943.201 (2) Whoever intentionally uses or attempts to use any personal  
9           identifying information or personal identification document of an individual to  
10          obtain credit, money, goods, services or anything else of value without the  
11          authorization or consent of the individual and by representing that he or she is the  
12          individual or is acting with the authorization or consent of the individual is guilty  
13          of a Class ~~D~~ H felony.

14          **SECTION 734.** 943.205 (3) of the statutes is amended to read:

15          943.205 (3) Anyone who violates this section is guilty of a Class ~~E~~ I felony.

16          **SECTION 735.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

17          943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class ~~D~~ I  
18          felony under any of the following circumstances:

19          **SECTION 736.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

20          943.207 (3m) (c) (intro.) Whoever violates this section is guilty of a Class ~~C~~ H  
21          felony under any of the following circumstances:

22          **SECTION 737.** 943.208 (2) (b) of the statutes is amended to read:

23          943.208 (2) (b) Whoever violates sub. (1) is guilty of a Class ~~D~~ I felony if the  
24          person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
25          fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual

1 recordings in violation of sub. (1) during a 180-day period, and the value of the  
2 recordings exceeds \$2,500.

3 **SECTION 738.** 943.208 (2) (c) of the statutes is amended to read:

4 943.208 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
5 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses  
6 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in  
7 violation of sub. (1) during a 180-day period or if the violation occurs after the person  
8 has been convicted under this section.

9 **SECTION 739.** 943.209 (2) (b) of the statutes is amended to read:

10 943.209 (2) (b) Whoever violates sub. (1) is guilty of a Class D I felony if the  
11 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer  
12 than 100 recordings in violation of sub. (1) during a 180-day period, and the value  
13 of the recordings exceeds \$2,500.

14 **SECTION 740.** 943.209 (2) (c) of the statutes is amended to read:

15 943.209 (2) (c) Whoever violates sub. (1) is guilty of a Class C H felony if the  
16 person advertises, offers for sale or rent, sells, rents, transports or possesses at least  
17 100 recordings in violation of sub. (1) during a 180-day period or if the violation  
18 occurs after the person has been convicted under this section.

19 **SECTION 741.** 943.21 (3) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any  
22 beverage, food, lodging, accommodation, transportation or other service is \$2,500  
23 \$1,000 or less.

24 **SECTION 742.** 943.21 (3) (b) of the statutes, as affected by 2001 Wisconsin Act  
25 16, is amended to read:

1           943.21 **(3)** (b) Is guilty of a Class ~~E~~ I felony when the value of any beverage,  
2 food, lodging, accommodation, transportation or other service exceeds ~~\$2,500~~ \$1,000.

3           **SECTION 743.** 943.23 (1g) of the statutes is amended to read:

4           943.23 **(1g)** Whoever, while possessing a dangerous weapon and by the use of,  
5 or the threat of the use of, force or the weapon against another, intentionally takes  
6 any vehicle without the consent of the owner is guilty of a Class ~~B~~ C felony.

7           **SECTION 744.** 943.23 (1m) of the statutes is repealed.

8           **SECTION 745.** 943.23 (1r) of the statutes is repealed.

9           **SECTION 746.** 943.23 (2) of the statutes is amended to read:

10          943.23 **(2)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
11 takes and drives any vehicle without the consent of the owner is guilty of a Class ~~D~~  
12 H felony.

13          **SECTION 747.** 943.23 (3) of the statutes is amended to read:

14          943.23 **(3)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally  
15 drives or operates any vehicle without the consent of the owner is guilty of a Class  
16 ~~E~~ I felony.

17          **SECTION 748.** 943.23 (3m) of the statutes is created to read:

18          943.23 **(3m)** It is an affirmative defense to a prosecution for a violation of sub.  
19 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours  
20 after the vehicle was taken from the possession of the owner. An affirmative defense  
21 under this subsection mitigates the offense to a Class A misdemeanor. A defendant  
22 who raises this affirmative defense has the burden of proving the defense by a  
23 preponderance of the evidence.

24          **SECTION 749.** 943.23 (4m) of the statutes is amended to read:

1           943.23 **(4m)** Whoever knows that the owner does not consent to the driving or  
2 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,  
3 a person while he or she violates sub. (1g), ~~(1m), (1r)~~, (2) ~~or~~, (3), or (3m) is guilty of  
4 a Class A misdemeanor.

5           **SECTION 750.** 943.23 (5) of the statutes is amended to read:

6           943.23 **(5)** Whoever intentionally removes a major part of a vehicle without the  
7 consent of the owner is guilty of a Class ~~E~~ I felony. Whoever intentionally removes  
8 any other part or component of a vehicle without the consent of the owner is guilty  
9 of a Class A misdemeanor.

10          **SECTION 751.** 943.24 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
11 is amended to read:

12          943.24 **(1)** Whoever issues any check or other order for the payment of not more  
13 than ~~\$2,500~~ \$1,000 which, at the time of issuance, he or she intends shall not be paid  
14 is guilty of a Class A misdemeanor.

15          **SECTION 752.** 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
16 is amended to read:

17          943.24 **(2)** Whoever issues any single check or other order for the payment of  
18 more than ~~\$2,500~~ \$1,000 or whoever within a 15-day period issues more than one  
19 check or other order amounting in the aggregate to more than ~~\$2,500~~ \$1,000 which,  
20 at the time of issuance, the person intends shall not be paid is guilty of a Class ~~E~~ I  
21 felony.

22          **SECTION 753.** 943.25 (1) of the statutes is amended to read:

23          943.25 **(1)** Whoever, with intent to defraud, conveys real property which he or  
24 she knows is encumbered, without informing the grantee of the existence of the  
25 encumbrance is guilty of a Class ~~E~~ I felony.



1           **SECTION 754.** 943.25 (2) (intro.) of the statutes is amended to read:

2           943.25 (2) (intro.) Whoever, with intent to defraud, does any of the following  
3 is guilty of a Class E I felony:

4           **SECTION 755.** 943.26 (2) of the statutes is amended to read:

5           943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or  
6 vendee is guilty of a Class E I felony.

7           **SECTION 756.** 943.27 of the statutes is amended to read:

8           **943.27 Possession of records of certain usurious loans.** Any person who  
9 knowingly possesses any writing representing or constituting a record of a charge of,  
10 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20  
11 upon \$100 for one year computed upon the declining principal balance of the loan,  
12 use or forbearance of money, goods or things in action or upon the loan, use or sale  
13 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class  
14 E I felony.

15           **SECTION 757.** 943.28 (2) of the statutes is amended to read:

16           943.28 (2) Whoever makes any extortionate extension of credit, or conspires to  
17 do so, if one or more of the parties to the conspiracy does an act to effect its object,  
18 is guilty of a Class C F felony.

19           **SECTION 758.** 943.28 (3) of the statutes is amended to read:

20           943.28 (3) Whoever advances money or property, whether as a gift, as a loan,  
21 as an investment, pursuant to a partnership or profit-sharing agreement, or  
22 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a  
23 Class C F felony.

24           **SECTION 759.** 943.28 (4) of the statutes is amended to read:

1           943.28 (4) Whoever knowingly participates in any way in the use of any  
2 extortionate means to collect or attempt to collect any extension of credit, or to punish  
3 any person for the nonrepayment thereof, is guilty of a Class C F felony.

4           **SECTION 760.** 943.30 (1) of the statutes is amended to read:

5           943.30 (1) Whoever, either verbally or by any written or printed  
6 communication, maliciously threatens to accuse or accuses another of any crime or  
7 offense, or threatens or commits any injury to the person, property, business,  
8 profession, calling or trade, or the profits and income of any business, profession,  
9 calling or trade of another, with intent thereby to extort money or any pecuniary  
10 advantage whatever, or with intent to compel the person so threatened to do any act  
11 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

12           **SECTION 761.** 943.30 (2) of the statutes is amended to read:

13           943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting  
14 commerce or business or the movement of any article or commodity in commerce or  
15 business is guilty of a Class D H felony.

16           **SECTION 762.** 943.30 (3) of the statutes is amended to read:

17           943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or  
18 grand juror, in the performance of his or her functions as such, is guilty of a Class D  
19 H felony.

20           **SECTION 763.** 943.30 (4) of the statutes is amended to read:

21           943.30 (4) Whoever violates sub. (1) by attempting to influence the official  
22 action of any public officer is guilty of a Class D H felony.

23           **SECTION 764.** 943.30 (5) (b) of the statutes is amended to read:

24           943.30 (5) (b) Whoever, orally or by any written or printed communication,  
25 maliciously uses, or threatens to use, the patient health care records of another

1 person, with intent thereby to extort money or any pecuniary advantage, or with  
2 intent to compel the person so threatened to do any act against the person's will or  
3 omit to do any lawful act, is guilty of a Class ~~D~~ H felony.

4 **SECTION 765.** 943.31 of the statutes is amended to read:

5 **943.31 Threats to communicate derogatory information.** Whoever  
6 threatens to communicate to anyone information, whether true or false, which would  
7 injure the reputation of the threatened person or another unless the threatened  
8 person transfers property to a person known not to be entitled to it is guilty of a Class  
9 ~~E~~ I felony.

10 **SECTION 766.** 943.32 (1) (intro.) of the statutes is amended to read:

11 943.32 (1) (intro.) Whoever, with intent to steal, takes property from the person  
12 or presence of the owner by either of the following means is guilty of a Class ~~C~~ E  
13 felony:

14 **SECTION 767.** 943.32 (2) of the statutes is amended to read:

15 943.32 (2) Whoever violates sub. (1) by use or threat of use of a dangerous  
16 weapon, a device or container described under s. 941.26 (4) (a) or any article used or  
17 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous  
18 weapon or such a device or container is guilty of a Class ~~B~~ C felony.

19 **SECTION 768.** 943.34 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 943.34 (1) (a) A Class A misdemeanor, if the value of the property does not  
22 exceed ~~\$2,500~~ \$1,000.

23 **SECTION 769.** 943.34 (1) (bf) of the statutes is created to read:

24 943.34 (1) (bf) A Class I felony, if the value of the property exceeds \$1,000 but  
25 does not exceed \$5,000.

1           **SECTION 770.** 943.34 (1) (bm) of the statutes is created to read:

2           943.34 (1) (bm) A Class H felony, if the value of the property exceeds \$5,000 but  
3 does not exceed \$10,000.

4           **SECTION 771.** 943.34 (1) (c) of the statutes is amended to read:

5           943.34 (1) (c) A Class C G felony, if the value of the property exceeds \$2,500  
6 \$10,000.

7           **SECTION 772.** 943.38 (1) (intro.) of the statutes is amended to read:

8           943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a  
9 writing or object of any of the following kinds so that it purports to have been made  
10 by another, or at another time, or with different provisions, or by authority of one who  
11 did not give such authority, is guilty of a Class C H felony:

12           **SECTION 773.** 943.38 (2) of the statutes is amended to read:

13           943.38 (2) Whoever utters as genuine or possesses with intent to utter as false  
14 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have  
15 been thus falsely made or altered, is guilty of a Class C H felony.

16           **SECTION 774.** 943.39 (intro.) of the statutes is amended to read:

17           **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or  
18 defraud, does any of the following is guilty of a Class D H felony:

19           **SECTION 775.** 943.395 (2) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21           943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or  
22 benefit does not exceed ~~\$2,500~~ \$1,000.

23           **SECTION 776.** 943.395 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
24 16, is amended to read:

1           943.395 (2) (b) Is guilty of a Class ~~E~~ I felony if the value of the claim or benefit  
2 exceeds ~~\$2,500~~ \$1,000.

3           **SECTION 777.** 943.40 (intro.) of the statutes is amended to read:

4           **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with  
5 intent to defraud does either of the following is guilty of a Class ~~D~~ H felony:

6           **SECTION 778.** 943.41 (8) (b) of the statutes is amended to read:

7           943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)  
8 or (6m) is guilty of a Class ~~E~~ I felony.

9           **SECTION 779.** 943.41 (8) (c) of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

11           943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b), or (d),  
12 if the value of the money, goods, services, or property illegally obtained does not  
13 exceed ~~\$2,500~~ \$1,000 is guilty of a Class A misdemeanor. ~~If, if the value of the money,~~  
14 ~~goods, services, or property exceeds \$2,500~~ \$1,000 but does not exceed \$5,000, in a  
15 single transaction or in separate transactions within a period not exceeding 6  
16 months, the person is guilty of a Class ~~C~~ I felony; ~~if the value of the money, goods,~~  
17 ~~services, or property exceeds \$5,000 but does not exceed \$10,000, in a single~~  
18 ~~transaction or in separate transactions within a period not exceeding 6 months, the~~  
19 ~~person is guilty of a Class H felony; or if the value of money, goods, services, or~~  
20 ~~property exceeds \$10,000, in a single transaction or in separate transactions within~~  
21 ~~a period not exceeding 6 months, the person is guilty of a Class G felony.~~

22           **SECTION 780.** 943.45 (3) (c) of the statutes is amended to read:

23           943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)  
24 for direct or indirect commercial advantage or private financial gain is guilty of a  
25 Class ~~E~~ A misdemeanor.

1           **SECTION 781.** 943.45 (3) (d) of the statutes is amended to read:

2           943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial  
3 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
4 D I felony.

5           **SECTION 782.** 943.455 (4) (c) of the statutes is amended to read:

6           943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
7 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty  
8 of a Class E felony A misdemeanor.

9           **SECTION 783.** 943.455 (4) (d) of the statutes is amended to read:

10          943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect  
11 commercial advantage or private financial gain as a 2nd or subsequent offense is  
12 guilty of a Class D I felony.

13          **SECTION 784.** 943.46 (4) (c) of the statutes is amended to read:

14          943.46 (4) (c) Except as provided in par. (d), any person who violates sub. (2)  
15 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty  
16 of a Class E felony A misdemeanor.

17          **SECTION 785.** 943.46 (4) (d) of the statutes is amended to read:

18          943.46 (4) (d) Any person who violates sub. (2) (a) to (g) for direct or indirect  
19 commercial advantage or private financial gain as a 2nd or subsequent offense is  
20 guilty of a Class D I felony.

21          **SECTION 786.** 943.47 (3) (c) of the statutes is amended to read:

22          943.47 (3) (c) Except as provided in par. (d), any person who violates sub. (2)  
23 for direct or indirect commercial advantage or private financial gain is guilty of a  
24 Class E felony A misdemeanor.

25          **SECTION 787.** 943.47 (3) (d) of the statutes is amended to read:

1           943.47 (3) (d) Any person who violates sub. (2) for direct or indirect commercial  
2 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class  
3 D I felony.

4           **SECTION 788.** 943.49 (2) (b) 2. of the statutes is amended to read:

5           943.49 (2) (b) 2. A person who violates par. (a) is guilty of a Class D I felony if  
6 the violation occurs after the person has been convicted under this subsection.

7           **SECTION 789.** 943.50 (4) (a) of the statutes, as affected by 2001 Wisconsin Act  
8 16, is amended to read:

9           943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not  
10 exceed ~~\$2,500~~ \$1,000.

11           **SECTION 790.** 943.50 (4) (bf) of the statutes is created to read:

12           943.50 (4) (bf) A Class I felony, if the value of the merchandise exceeds \$1,000  
13 but does not exceed \$5,000.

14           **SECTION 791.** 943.50 (4) (bm) of the statutes is created to read:

15           943.50 (4) (bm) A Class H felony, if the value of the merchandise exceeds \$5,000  
16 but does not exceed \$10,000.

17           **SECTION 792.** 943.50 (4) (c) of the statutes is amended to read:

18           943.50 (4) (c) A Class C G felony, if the value of the merchandise exceeds \$2,500  
19 \$10,000.

20           **SECTION 793.** 943.60 (1) of the statutes is amended to read:

21           943.60 (1) Any person who submits for filing, entering or recording any lien,  
22 claim of lien, lis pendens, writ of attachment, financing statement or any other  
23 instrument relating to a security interest in or title to real or personal property, and  
24 who knows or should have known that the contents or any part of the contents of the  
25 instrument are false, a sham or frivolous, is guilty of a Class D H felony.

1           **SECTION 794.** 943.61 (5) (a) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           943.61 (5) (a) A Class A misdemeanor, if the value of the library materials does  
4 not exceed ~~\$2,500~~ \$1,000.

5           **SECTION 795.** 943.61 (5) (bf) of the statutes is created to read:

6           943.61 (5) (bf) A Class I felony, if the value of the library materials exceeds  
7 \$1,000 but does not exceed \$2,500.

8           **SECTION 796.** 943.61 (5) (c) of the statutes is amended to read:

9           943.61 (5) (c) A Class ~~C~~ H felony, if the value of the library materials exceeds  
10 \$2,500.

11          **SECTION 797.** 943.62 (4) (a) of the statutes, as affected by 2001 Wisconsin Act  
12 16, is amended to read:

13          943.62 (4) (a) A Class A misdemeanor, if the value of the advance payment or  
14 required refund, as applicable, does not exceed ~~\$2,500~~ \$500.

15          **SECTION 798.** 943.62 (4) (bf) of the statutes is created to read:

16          943.62 (4) (bf) A Class I felony, if the value of the advance payment or required  
17 refund, as applicable, exceeds \$500 but does not exceed \$2,500.

18          **SECTION 799.** 943.62 (4) (c) of the statutes is amended to read:

19          943.62 (4) (c) A Class ~~C~~ F felony, if the value of the advance payment or required  
20 refund, as applicable, exceeds \$2,500.

21          **SECTION 800.** 943.70 (2) (b) 2. of the statutes is amended to read:

22          943.70 (2) (b) 2. A Class ~~E~~ I felony if the offense is committed to defraud or to  
23 obtain property.

24          **SECTION 801.** 943.70 (2) (b) 3. of the statutes is repealed.



1           **SECTION 802.** 943.70 (2) (b) 3g. of the statutes, as created by 2001 Wisconsin  
2 Act 16, is amended to read:

3           943.70 (2) (b) 3g. A Class C F felony if the offense results in damage valued at  
4 more than \$2,500.

5           **SECTION 803.** 943.70 (2) (b) 3r. of the statutes, as created by 2001 Wisconsin Act  
6 16, is amended to read:

7           943.70 (2) (b) 3r. A Class C F felony if the offense causes an interruption or  
8 impairment of governmental operations or public communication, of transportation,  
9 or of a supply of water, gas, or other public service.

10          **SECTION 804.** 943.70 (2) (b) 4. of the statutes is amended to read:

11          943.70 (2) (b) 4. A Class C F felony if the offense creates a substantial and  
12 unreasonable risk of death or great bodily harm to another.

13          **SECTION 805.** 943.70 (2) (c) 1. of the statutes, as created by 2001 Wisconsin Act  
14 16, is amended to read:

15          943.70 (2) (c) 1. In the case of a misdemeanor, the maximum fine prescribed by  
16 law for the crime may be increased by not more than \$1,000 and the maximum term  
17 of imprisonment prescribed by law for the crime may be increased so that the revised  
18 maximum term of imprisonment is ~~12 months~~ one year in the county jail.

19          **SECTION 806.** 943.70 (3) (b) 2. of the statutes is amended to read:

20          943.70 (3) (b) 2. A Class E I felony if the offense is committed to defraud or  
21 obtain property.

22          **SECTION 807.** 943.70 (3) (b) 3. of the statutes is amended to read:

23          943.70 (3) (b) 3. A Class D H felony if the damage to the computer, computer  
24 system, computer network, equipment or supplies is greater than \$2,500.

25          **SECTION 808.** 943.70 (3) (b) 4. of the statutes is amended to read:

1           943.70 (3) (b) 4. A Class C F felony if the offense creates a substantial and  
2 unreasonable risk of death or great bodily harm to another.

3           **SECTION 809.** 943.75 (2) of the statutes is amended to read:

4           943.75 (2) Whoever intentionally releases an animal that is lawfully confined  
5 for companionship or protection of persons or property, recreation, exhibition, or  
6 educational purposes, acting without the consent of the owner or custodian of the  
7 animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a  
8 person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection  
9 by a person is a Class E I felony.

10          **SECTION 810.** 943.75 (2m) of the statutes is amended to read:

11          943.75 (2m) Whoever intentionally releases an animal that is lawfully  
12 confined for scientific, farming, restocking, research or commercial purposes, acting  
13 without the consent of the owner or custodian of the animal, is guilty of a Class C H  
14 felony.

15          **SECTION 811.** 943.76 (2) (a) of the statutes, as created by 2001 Wisconsin Act  
16 16, is amended to read:

17          943.76 (2) (a) Whoever intentionally introduces a contagious or infectious  
18 disease into livestock without the consent of the owner of the livestock is guilty of a  
19 Class C F felony.

20          **SECTION 812.** 943.76 (2) (b) of the statutes, as created by 2001 Wisconsin Act  
21 16, is amended to read:

22          943.76 (2) (b) Whoever intentionally introduces a contagious or infectious  
23 disease into wild deer without the consent of the department of natural resources is  
24 guilty of a Class C F felony.

25          **SECTION 813.** 944.05 (1) (intro.) of the statutes is amended to read:

1           944.05 (1) (intro.) Whoever does any of the following is guilty of a Class E I  
2 felony:

3           **SECTION 814.** 944.06 of the statutes is amended to read:

4           **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with  
5 a person he or she knows is a blood relative and such relative is in fact related in a  
6 degree within which the marriage of the parties is prohibited by the law of this state  
7 is guilty of a Class C F felony.

8           **SECTION 815.** 944.15 (title) of the statutes is repealed and recreated to read:

9           **944.15 (title) Public fornication.**

10          **SECTION 816.** 944.16 (intro.) of the statutes is amended to read:

11          **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a  
12 Class E I felony:

13          **SECTION 817.** 944.21 (5) (c) of the statutes is amended to read:

14          944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior  
15 convictions under this section, the person is guilty of a Class D H felony.

16          **SECTION 818.** 944.21 (5) (e) of the statutes is amended to read:

17          944.21 (5) (e) Regardless of the number of prior convictions, if the violation  
18 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,  
19 the person is guilty of a Class D H felony.

20          **SECTION 819.** 944.32 of the statutes is amended to read:

21          **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever  
22 intentionally solicits or causes any person to practice prostitution or establishes any  
23 person in a place of prostitution is guilty of a Class D H felony.

24          **SECTION 820.** 944.33 (2) of the statutes is amended to read:

1           944.33 (2) If the person received compensation from the earnings of the  
2 prostitute, such person is guilty of a Class C F felony.

3           **SECTION 821.** 944.34 (intro.) of the statutes is amended to read:

4           **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does  
5 any of the following is guilty of a Class D H felony:

6           **SECTION 822.** 945.03 (1m) (intro.) of the statutes is amended to read:

7           945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
8 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
9 I felony:

10          **SECTION 823.** 945.05 (1) (intro.) of the statutes, as affected by 2001 Wisconsin  
11 Act 16, is amended to read:

12          945.05 (1) (intro.) Except as provided in subs. (1e) (b) and (1m), whoever  
13 manufactures, transfers commercially or possesses with intent to transfer  
14 commercially either of the following is guilty of a Class E I felony:

15          **SECTION 824.** 945.08 (1) of the statutes is amended to read:

16          945.08 (1) Any person who, with intent to influence any participant to refrain  
17 from exerting full skill, speed, strength or endurance, transfers or promises any  
18 property or any personal advantage to or on behalf of any participant in a contest of  
19 skill, speed, strength or endurance is guilty of a Class D H felony.

20          **SECTION 825.** 946.02 (1) (intro.) of the statutes is amended to read:

21          946.02 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
22 felony:

23          **SECTION 826.** 946.03 (1) (intro.) of the statutes is amended to read:

24          946.03 (1) (intro.) Whoever does any of the following is guilty of a Class C F  
25 felony:

1           **SECTION 827.** 946.03 (2) of the statutes is amended to read:

2           946.03 (2) Whoever permits any premises under his or her care, control or  
3 supervision to be used by an assembly with knowledge that the purpose of the  
4 assembly is to advocate or teach the duty, necessity, desirability or propriety of  
5 overthrowing the government of the United States or this state by the use or threat  
6 of physical violence with intent that such government be overthrown or, after  
7 learning that the premises are being so used, permits such use to be continued is  
8 guilty of a Class E I felony.

9           **SECTION 828.** 946.05 (1) of the statutes is amended to read:

10          946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts  
11 contempt upon the flag is guilty of a Class E I felony.

12          **SECTION 829.** 946.10 (intro.) of the statutes is amended to read:

13          **946.10 Bribery of public officers and employees.** (intro.) Whoever does  
14 either of the following is guilty of a Class D H felony:

15          **SECTION 830.** 946.11 (1) (intro.) of the statutes is amended to read:

16          946.11 (1) (intro.) Whoever does the following is guilty of a Class E I felony:

17          **SECTION 831.** 946.12 (intro.) of the statutes is amended to read:

18          **946.12 Misconduct in public office.** (intro.) Any public officer or public  
19 employee who does any of the following is guilty of a Class E I felony:

20          **SECTION 832.** 946.13 (1) (intro.) of the statutes is amended to read:

21          946.13 (1) (intro.) Any public officer or public employee who does any of the  
22 following is guilty of a Class E I felony:

23          **SECTION 833.** 946.14 of the statutes is amended to read:

24          **946.14 Purchasing claims at less than full value.** Any public officer or  
25 public employee who in a private capacity directly or indirectly intentionally

1 purchases for less than full value or discounts any claim held by another against the  
2 state or a political subdivision thereof or against any public fund is guilty of a Class  
3 E I felony.

4 **SECTION 834.** 946.15 (1) of the statutes is amended to read:

5 946.15 (1) Any employer, or any agent or employee of an employer, who induces  
6 any person who seeks to be or is employed pursuant to a public contract as defined  
7 in s. 66.0901 (1) (c) or who seeks to be or is employed on a project on which a prevailing  
8 wage rate determination has been issued by the department of workforce  
9 development under s. 66.0903 (3), 103.49 (3), 103.50 (3) or 229.8275 (3) or by a local  
10 governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) to give up,  
11 waive or return any part of the compensation to which that person is entitled under  
12 his or her contract of employment or under the prevailing wage rate determination  
13 issued by the department or local governmental unit, or who reduces the hourly basic  
14 rate of pay normally paid to an employee for work on a project on which a prevailing  
15 wage rate determination has not been issued under s. 66.0903 (3) or (6), 103.49 (3),  
16 103.50 (3) or 229.8275 (3) during a week in which the employee works both on a  
17 project on which a prevailing wage rate determination has been issued and on a  
18 project on which a prevailing wage rate determination has not been issued, is guilty  
19 of a Class E I felony.

20 **SECTION 835.** 946.15 (3) of the statutes is amended to read:

21 946.15 (3) Any employer or labor organization, or any agent or employee of an  
22 employer or labor organization, who induces any person who seeks to be or is  
23 employed on a project on which a prevailing wage rate determination has been issued  
24 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50  
25 (3) or 229.8275 (3) or by a local governmental unit, as defined in s. 66.0903 (1) (d),

1 under s. 66.0903 (6) to permit any part of the wages to which that person is entitled  
2 under the prevailing wage rate determination issued by the department or local  
3 governmental unit to be deducted from the person's pay is guilty of a Class E I felony,  
4 unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who  
5 is working on a project that is subject to 40 USC 276c.

6 **SECTION 836.** 946.31 (1) (intro.) of the statutes is amended to read:

7 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false  
8 material statement which the person does not believe to be true, in any matter, cause,  
9 action or proceeding, before any of the following, whether legally constituted or  
10 exercising powers as if legally constituted, is guilty of a Class D H felony:

11 **SECTION 837.** 946.32 (1) (intro.) of the statutes is amended to read:

12 946.32 (1) (intro.) Whoever does either of the following is guilty of a Class D  
13 H felony:

14 **SECTION 838.** 946.41 (2m) (intro.) of the statutes is amended to read:

15 946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following  
16 circumstances is guilty of a Class D H felony:

17 **SECTION 839.** 946.415 (2) (intro.) of the statutes is amended to read:

18 946.415 (2) (intro.) Whoever intentionally does all of the following is guilty of  
19 a Class E I felony:

20 **SECTION 840.** 946.42 (3) (intro.) of the statutes is amended to read:

21 946.42 (3) (intro.) A person in custody who intentionally escapes from custody  
22 under any of the following circumstances is guilty of a Class D H felony:

23 **SECTION 841.** 946.42 (4) of the statutes is repealed.

24 **SECTION 842.** 946.425 (1) of the statutes is amended to read:

1           946.425 (1) Any person who is subject to a series of periods of imprisonment  
2 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as  
3 required under the sentence is guilty of a Class D H felony.

4           **SECTION 843.** 946.425 (1m) (b) of the statutes is amended to read:

5           946.425 (1m) (b) Any person who receives a stay of execution of a sentence of  
6 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who  
7 intentionally fails to report to the county jail as required under the sentence is guilty  
8 of a Class D H felony.

9           **SECTION 844.** 946.425 (1r) (b) of the statutes is amended to read:

10           946.425 (1r) (b) Any person who is subject to a confinement order under s.  
11 973.09 (4) as the result of a conviction for a felony and who intentionally fails to  
12 report to the county jail or house of correction as required under the order is guilty  
13 of a Class D H felony.

14           **SECTION 845.** 946.425 (2) of the statutes is repealed.

15           **SECTION 846.** 946.43 (1m) (intro.) of the statutes is amended to read:

16           946.43 (1m) (intro.) Any prisoner confined to a state prison or other state,  
17 county or municipal detention facility who intentionally does any of the following is  
18 guilty of a Class C F felony:

19           **SECTION 847.** 946.43 (2m) (a) (intro.) of the statutes is amended to read:

20           946.43 (2m) (a) (intro.) Any prisoner confined to a state prison or other state,  
21 county or municipal detention facility who throws or expels blood, semen, vomit,  
22 saliva, urine, feces or other bodily substance at or toward an officer, employee or  
23 visitor of the prison or facility or another prisoner of the prison or facility under all  
24 of the following circumstances ~~may be fined not more than \$10,000 or imprisoned for~~  
25 ~~not more than 2 years or both~~ is guilty of a Class I felony:



1           **SECTION 848.** 946.44 (1) (intro.) of the statutes is amended to read:

2           946.44 (1) (intro.) Whoever does the following is guilty of a Class D H felony:

3           **SECTION 849.** 946.44 (1g) of the statutes is amended to read:

4           946.44 (1g) Any public officer or public employee who violates sub. (1) (a) or (b)  
5 is guilty of a Class C F felony.

6           **SECTION 850.** 946.44 (1m) of the statutes is amended to read:

7           946.44 (1m) Whoever intentionally introduces into an institution where  
8 prisoners are detained or transfers to a prisoner any firearm, whether loaded or  
9 unloaded, or any article used or fashioned in a manner to lead another person to  
10 believe it is a firearm, is guilty of a Class C F felony.

11          **SECTION 851.** 946.47 (1) (intro.) of the statutes is amended to read:

12          946.47 (1) (intro.) Whoever does either of the following is guilty of a Class E I  
13 felony:

14          **SECTION 852.** 946.48 (1) of the statutes is amended to read:

15          946.48 (1) Whoever sends, delivers, or causes to be transmitted to another any  
16 written or oral communication with intent to induce a false belief that the sender has  
17 knowledge of the whereabouts, physical condition, or terms imposed upon the return  
18 of a kidnapped or missing person is guilty of a Class D H felony.

19          **SECTION 853.** 946.49 (1) (b) of the statutes is amended to read:

20          946.49 (1) (b) If the offense with which the person is charged is a felony, guilty  
21 of a Class D H felony.

22          **SECTION 854.** 946.49 (2) of the statutes is amended to read:

23          946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is  
24 guilty of a Class E I felony for failure to appear as provided.

25          **SECTION 855.** 946.50 (5d) of the statutes is created to read:

1           946.50 **(5d)** A Class F felony, if the person was adjudicated delinquent for  
2 committing an act that would be a Class F felony if committed by an adult.

3           **SECTION 856.** 946.50 (5h) of the statutes is created to read:

4           946.50 **(5h)** A Class G felony, if the person was adjudicated delinquent for  
5 committing an act that would be a Class G felony if committed by an adult.

6           **SECTION 857.** 946.50 (5p) of the statutes is created to read:

7           946.50 **(5p)** A Class H felony, if the person was adjudicated delinquent for  
8 committing an act that would be a Class H felony if committed by an adult.

9           **SECTION 858.** 946.50 (5t) of the statutes is created to read:

10          946.50 **(5t)** A Class I felony, if the person was adjudicated delinquent for  
11 committing an act that would be a Class I felony if committed by an adult.

12          **SECTION 859.** 946.60 (1) of the statutes is amended to read:

13          946.60 **(1)** Whoever intentionally destroys, alters, mutilates, conceals,  
14 removes, withholds or transfers possession of a document, knowing that the  
15 document has been subpoenaed by a court or by or at the request of a district attorney  
16 or the attorney general, is guilty of a Class E I felony.

17          **SECTION 860.** 946.60 (2) of the statutes is amended to read:

18          946.60 **(2)** Whoever uses force, threat, intimidation or deception, with intent  
19 to cause or induce another person to destroy, alter, mutilate, conceal, remove,  
20 withhold or transfer possession of a subpoenaed document, knowing that the  
21 document has been subpoenaed by a court or by or at the request of a district attorney  
22 or the attorney general, is guilty of a Class E I felony.

23          **SECTION 861.** 946.61 (1) (intro.) of the statutes is amended to read:

24          946.61 **(1)** (intro.) Whoever does any of the following is guilty of a Class D H  
25 felony:

1           **SECTION 862.** 946.64 of the statutes is amended to read:

2           **946.64 Communicating with jurors.** Whoever, with intent to influence any  
3 person, summoned or serving as a juror, in relation to any matter which is before that  
4 person or which may be brought before that person, communicates with him or her  
5 otherwise than in the regular course of proceedings in the trial or hearing of that  
6 matter is guilty of a Class E I felony.

7           **SECTION 863.** 946.65 (1) of the statutes is amended to read:

8           946.65 (1) Whoever for a consideration knowingly gives false information to  
9 any officer of any court with intent to influence the officer in the performance of  
10 official functions is guilty of a Class E I felony.

11           **SECTION 864.** 946.68 (1r) (a) of the statutes is amended to read:

12           946.68 (1r) (a) Except as provided in pars. (b) and (c), whoever sends or delivers  
13 to another any document which simulates legal process is guilty of a Class E I felony.

14           **SECTION 865.** 946.68 (1r) (b) of the statutes is amended to read:

15           946.68 (1r) (b) If the document under par. (a) is sent or delivered with intent  
16 to induce payment of a claim, the person is guilty of a Class D H felony.

17           **SECTION 866.** 946.68 (1r) (c) of the statutes is amended to read:

18           946.68 (1r) (c) If the document under par. (a) simulates any criminal process,  
19 the person is guilty of a Class D H felony.

20           **SECTION 867.** 946.69 (2) (intro.) of the statutes is amended to read:

21           946.69 (2) (intro.) Whoever does any of the following is guilty of a Class E I  
22 felony:

23           **SECTION 868.** 946.70 (2) of the statutes is amended to read:

1           946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet  
2 the commission of a crime other than the crime under this section is guilty of a Class  
3 D H felony.

4           **SECTION 869.** 946.72 (1) of the statutes is amended to read:

5           946.72 (1) Whoever with intent to injure or defraud destroys, damages,  
6 removes or conceals any public record is guilty of a Class D H felony.

7           **SECTION 870.** 946.74 (2) of the statutes is amended to read:

8           946.74 (2) Whoever violates sub. (1) with intent to commit a crime against  
9 sexual morality with or upon the inmate of the institution is guilty of a Class D H  
10 felony.

11          **SECTION 871.** 946.76 of the statutes is amended to read:

12          **946.76 Search warrant; premature disclosure.** Whoever discloses prior  
13 to its execution that a search warrant has been applied for or issued, except so far  
14 as may be necessary to its execution, is guilty of a Class E I felony.

15          **SECTION 872.** 946.82 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
16 is amended to read:

17          946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961  
18 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission  
19 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
20 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637,  
21 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
22 940.19 ~~(3)~~ (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20  
23 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2), (2d), or (2g), 943.011,  
24 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) ~~(e)~~ and  
25 ~~(d)~~ (bf) to (e), 943.201, 943.23 (1g), ~~(1m), (1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27,

1 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41  
2 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 944.205, 944.21  
3 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08,  
4 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64,  
5 946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12, and 948.30.

6 **SECTION 873.** 946.84 (1) of the statutes is amended to read:

7 946.84 (1) Any person convicted of engaging in racketeering activity in  
8 violation of s. 946.83 is guilty of a Class C E felony.

9 **SECTION 874.** 946.85 (1) of the statutes is amended to read:

10 946.85 (1) Any person who engages in a continuing criminal enterprise ~~shall~~  
11 ~~be imprisoned for not less than 10 years nor more than 30 years, and fined not more~~  
12 ~~than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less than~~  
13 ~~the presumptive minimum sentence, it shall place its reasons for doing so on the~~  
14 ~~record~~ is guilty of a Class E felony.

15 **SECTION 875.** 947.013 (1t) of the statutes is amended to read:

16 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E I felony if the  
17 person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s.  
18 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation  
19 occurs within 7 years of the prior conviction.

20 **SECTION 876.** 947.013 (1v) of the statutes is amended to read:

21 947.013 (1v) Whoever violates sub. (1r) is guilty of a Class D H felony if he or  
22 she intentionally gains access to a record in electronic format that contains  
23 personally identifiable information regarding the victim in order to facilitate the  
24 violation under sub. (1r).

25 **SECTION 877.** 947.013 (1x) (intro.) of the statutes is amended to read:

1           947.013 **(1x)** (intro.) Whoever violates sub. (1r) under all of the following  
2 circumstances is guilty of a Class **D H** felony:

3           **SECTION 878.** 947.015 of the statutes is amended to read:

4           **947.015 Bomb scares.** Whoever intentionally conveys or causes to be  
5 conveyed any threat or false information, knowing such to be false, concerning an  
6 attempt or alleged attempt being made or to be made to destroy any property by the  
7 means of explosives is guilty of a Class **E I** felony.

8           **SECTION 879.** 948.02 (2) of the statutes is amended to read:

9           948.02 **(2)** SECOND DEGREE SEXUAL ASSAULT. Whoever has sexual contact or  
10 sexual intercourse with a person who has not attained the age of 16 years is guilty  
11 of a Class **B C C** felony.

12           **SECTION 880.** 948.02 (3) of the statutes is amended to read:

13           948.02 **(3)** FAILURE TO ACT. A person responsible for the welfare of a child who  
14 has not attained the age of 16 years is guilty of a Class **C F** felony if that person has  
15 knowledge that another person intends to have, is having or has had sexual  
16 intercourse or sexual contact with the child, is physically and emotionally capable  
17 of taking action which will prevent the intercourse or contact from taking place or  
18 being repeated, fails to take that action and the failure to act exposes the child to an  
19 unreasonable risk that intercourse or contact may occur between the child and the  
20 other person or facilitates the intercourse or contact that does occur between the  
21 child and the other person.

22           **SECTION 881.** 948.02 (3m) of the statutes is repealed.

23           **SECTION 882.** 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and  
24 amended to read:

1           948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1)  
2 or (2) within a specified period of time involving the same child is guilty of ~~a~~;

3           (a) A Class B felony if at least 3 of the violations were violations of s. 948.02 (1).

4           **SECTION 883.** 948.025 (1) (b) of the statutes is created to read:

5           948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations  
6 of s. 948.02 (1).

7           **SECTION 884.** 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and  
8 amended to read:

9           948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find  
10 the defendant guilty the members of the jury must unanimously agree that at least  
11 3 violations of s. 948.02 (1) or (2) occurred within the time specified period ~~applicable~~  
12 ~~under sub. (1) of time~~ but need not agree on which acts constitute the requisite  
13 number and need not agree on whether a particular violation was a violation of s.  
14 948.02 (1) or (2).

15           **SECTION 885.** 948.025 (2) (a) of the statutes is created to read:

16           948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find  
17 the defendant guilty the members of the jury must unanimously agree that at least  
18 3 violations of s. 948.02 (1) occurred within the specified period of time but need not  
19 agree on which acts constitute the requisite number.

20           **SECTION 886.** 948.025 (2m) of the statutes is repealed.

21           **SECTION 887.** 948.03 (2) (a) of the statutes is amended to read:

22           948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is  
23 guilty of a Class ~~C~~ E felony.

24           **SECTION 888.** 948.03 (2) (b) of the statutes is amended to read:

1           948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of  
2 a Class D H felony.

3           **SECTION 889.** 948.03 (2) (c) of the statutes is amended to read:

4           948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct  
5 which creates a high probability of great bodily harm is guilty of a Class C F felony.

6           **SECTION 890.** 948.03 (3) (a) of the statutes is amended to read:

7           948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty  
8 of a Class D G felony.

9           **SECTION 891.** 948.03 (3) (b) of the statutes is amended to read:

10          948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a  
11 Class E I felony.

12          **SECTION 892.** 948.03 (3) (c) of the statutes is amended to read:

13          948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct  
14 which creates a high probability of great bodily harm is guilty of a Class D H felony.

15          **SECTION 893.** 948.03 (4) (a) of the statutes is amended to read:

16          948.03 (4) (a) A person responsible for the child's welfare is guilty of a Class  
17 C F felony if that person has knowledge that another person intends to cause, is  
18 causing or has intentionally or recklessly caused great bodily harm to the child and  
19 is physically and emotionally capable of taking action which will prevent the bodily  
20 harm from occurring or being repeated, fails to take that action and the failure to act  
21 exposes the child to an unreasonable risk of great bodily harm by the other person  
22 or facilitates the great bodily harm to the child that is caused by the other person.

23          **SECTION 894.** 948.03 (4) (b) of the statutes is amended to read:

24          948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class  
25 D H felony if that person has knowledge that another person intends to cause, is



1 causing or has intentionally or recklessly caused bodily harm to the child and is  
2 physically and emotionally capable of taking action which will prevent the bodily  
3 harm from occurring or being repeated, fails to take that action and the failure to act  
4 exposes the child to an unreasonable risk of bodily harm by the other person or  
5 facilitates the bodily harm to the child that is caused by the other person.

6 **SECTION 895.** 948.03 (5) of the statutes is repealed.

7 **SECTION 896.** 948.04 (1) of the statutes is amended to read:

8 948.04 (1) Whoever is exercising temporary or permanent control of a child and  
9 causes mental harm to that child by conduct which demonstrates substantial  
10 disregard for the mental well-being of the child is guilty of a Class C F felony.

11 **SECTION 897.** 948.04 (2) of the statutes is amended to read:

12 948.04 (2) A person responsible for the child's welfare is guilty of a Class C F  
13 felony if that person has knowledge that another person has caused, is causing or will  
14 cause mental harm to that child, is physically and emotionally capable of taking  
15 action which will prevent the harm, fails to take that action and the failure to act  
16 exposes the child to an unreasonable risk of mental harm by the other person or  
17 facilitates the mental harm to the child that is caused by the other person.

18 **SECTION 898.** 948.05 (1) (intro.) of the statutes is amended to read:

19 948.05 (1) (intro.) Whoever does any of the following with knowledge of the  
20 character and content of the sexually explicit conduct involving the child is guilty of  
21 a Class C F felony:

22 **SECTION 899.** 948.05 (1m) of the statutes, as affected by 2001 Wisconsin Act 16,  
23 is amended to read:

24 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports  
25 into the state, reproduces, advertises, sells, distributes, or possesses with intent to

1 sell or distribute, any recording of a child engaging in sexually explicit conduct is  
2 guilty of a Class C F felony if the person knows the character and content of the  
3 sexually explicit conduct involving the child and if the person knows or reasonably  
4 should know that the child engaging in the sexually explicit conduct has not attained  
5 the age of 18 years.

6 **SECTION 900.** 948.05 (2) of the statutes is amended to read:

7 948.05 (2) A person responsible for a child's welfare who knowingly permits,  
8 allows or encourages the child to engage in sexually explicit conduct for a purpose  
9 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class C F felony.

10 **SECTION 901.** 948.055 (2) (a) of the statutes is amended to read:

11 948.055 (2) (a) A Class C F felony if the child has not attained the age of 13  
12 years.

13 **SECTION 902.** 948.055 (2) (b) of the statutes is amended to read:

14 948.055 (2) (b) A Class D H felony if the child has attained the age of 13 years  
15 but has not attained the age of 18 years.

16 **SECTION 903.** 948.06 (intro.) of the statutes is amended to read:

17 **948.06 Incest with a child.** (intro.) Whoever does any of the following is  
18 guilty of a Class BC C felony:

19 **SECTION 904.** 948.07 (intro.) of the statutes is amended to read:

20 **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the  
21 following acts, causes or attempts to cause any child who has not attained the age  
22 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class  
23 BC D felony:

24 **SECTION 905.** 948.08 of the statutes is amended to read:

1           **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits  
2 or causes any child to practice prostitution or establishes any child in a place of  
3 prostitution is guilty of a Class ~~BC~~ D felony.

4           **SECTION 906.** 948.095 (2) (intro.) of the statutes is amended to read:

5           948.095 (2) (intro.) Whoever has sexual contact or sexual intercourse with a  
6 child who has attained the age of 16 years and who is not the defendant's spouse is  
7 guilty of a Class ~~D~~ H felony if all of the following apply:

8           **SECTION 907.** 948.11 (2) (a) (intro.) of the statutes, as affected by 2001  
9 Wisconsin Act 16, is amended to read:

10           948.11 (2) (a) (intro.) Whoever, with knowledge of the character and content of  
11 the material, sells, rents, exhibits, plays, distributes, or loans to a child any harmful  
12 material, with or without monetary consideration, is guilty of a Class ~~E~~ I felony if any  
13 of the following applies:

14           **SECTION 908.** 948.11 (2) (am) (intro.) of the statutes, as affected by 2001  
15 Wisconsin Act 16, is amended to read:

16           948.11 (2) (am) (intro.) Any person who has attained the age of 17 and who, with  
17 knowledge of the character and content of the description or narrative account,  
18 verbally communicates, by any means, a harmful description or narrative account  
19 to a child, with or without monetary consideration, is guilty of a Class ~~E~~ I felony if  
20 any of the following applies:

21           **SECTION 909.** 948.12 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin  
22 Act 16, is amended to read:

23           948.12 (1m) (intro.) Whoever possesses any undeveloped film, photographic  
24 negative, photograph, motion picture, videotape, or other recording of a child

1 engaged in sexually explicit conduct under all of the following circumstances is guilty  
2 of a Class E I felony:

3 **SECTION 910.** 948.12 (2m) (intro.) of the statutes, as created by 2001 Wisconsin  
4 Act 16, is amended to read:

5 948.12 **(2m)** (intro.) Whoever exhibits or plays a recording of a child engaged  
6 in sexually explicit conduct, if all of the following apply, is guilty of a Class E I felony:

7 **SECTION 911.** 948.13 (2) of the statutes is amended to read:

8 948.13 **(2)** Whoever has been convicted of a serious child sex offense and  
9 subsequently engages in an occupation or participates in a volunteer position that  
10 requires him or her to work or interact primarily and directly with children under  
11 16 years of age is guilty of a Class C F felony. This subsection does not apply to a  
12 person who is exempt under a court order issued under sub. (2m).

13 **SECTION 912.** 948.20 of the statutes is amended to read:

14 **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,  
15 leaves any child in a place where the child may suffer because of neglect is guilty of  
16 a Class D G felony.

17 **SECTION 913.** 948.21 (1) of the statutes is amended to read:

18 948.21 **(1)** Any person who is responsible for a child's welfare who, through his  
19 or her actions or failure to take action, intentionally contributes to the neglect of the  
20 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class C D  
21 felony.

22 **SECTION 914.** 948.22 (2) of the statutes is amended to read:

23 948.22 **(2)** Any person who intentionally fails for 120 or more consecutive days  
24 to provide spousal, grandchild or child support which the person knows or reasonably  
25 should know the person is legally obligated to provide is guilty of a Class E I felony.

1 A prosecutor may charge a person with multiple counts for a violation under this  
2 subsection if each count covers a period of at least 120 consecutive days and there is  
3 no overlap between periods.

4 **SECTION 915.** 948.23 of the statutes is amended to read:

5 **948.23 Concealing death of child.** Any person who conceals the corpse of  
6 any issue of a woman's body with intent to prevent a determination of whether it was  
7 born dead or alive is guilty of a Class E I felony.

8 **SECTION 916.** 948.24 (1) (intro.) of the statutes is amended to read:

9 948.24 (1) (intro.) Whoever does any of the following is guilty of a Class D H  
10 felony:

11 **SECTION 917.** 948.30 (1) (intro.) of the statutes is amended to read:

12 948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the  
13 following is guilty of a Class C E felony:

14 **SECTION 918.** 948.30 (2) (intro.) of the statutes is amended to read:

15 948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the  
16 following is guilty of a Class B C felony:

17 **SECTION 919.** 948.31 (1) (b) of the statutes is amended to read:

18 948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally  
19 causes a child to leave, takes a child away or withholds a child for more than 12 hours  
20 beyond the court-approved period of physical placement or visitation period from a  
21 legal custodian with intent to deprive the custodian of his or her custody rights  
22 without the consent of the custodian is guilty of a Class C F felony. This paragraph  
23 is not applicable if the court has entered an order authorizing the person to so take  
24 or withhold the child. The fact that joint legal custody has been awarded to both

1 parents by a court does not preclude a court from finding that one parent has  
2 committed a violation of this paragraph.

3 **SECTION 920.** 948.31 (2) of the statutes is amended to read:

4 948.31 (2) Whoever causes a child to leave, takes a child away or withholds a  
5 child for more than 12 hours from the child's parents or, in the case of a nonmarital  
6 child whose parents do not subsequently intermarry under s. 767.60, from the child's  
7 mother or, if he has been granted legal custody, the child's father, without the consent  
8 of the parents, the mother or the father with legal custody, is guilty of a Class E I  
9 felony. This subsection is not applicable if legal custody has been granted by court  
10 order to the person taking or withholding the child.

11 **SECTION 921.** 948.31 (3) (intro.) of the statutes is amended to read:

12 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from  
13 the parent, who does any of the following is guilty of a Class C F felony:

14 **SECTION 922.** 948.35 of the statutes is repealed.

15 **SECTION 923.** 948.36 of the statutes is repealed.

16 **SECTION 924.** 948.40 (4) (a) of the statutes is amended to read:

17 948.40 (4) (a) If death is a consequence, the person is guilty of a Class C D  
18 felony; or

19 **SECTION 925.** 948.40 (4) (b) of the statutes is amended to read:

20 948.40 (4) (b) If the child's act which is encouraged or contributed to is a  
21 violation of a state or federal criminal law which is punishable as a felony, the person  
22 is guilty of a Class D H felony.

23 **SECTION 926.** 948.51 (3) (b) of the statutes is amended to read:

24 948.51 (3) (b) A Class E H felony if the act results in great bodily harm ~~or death~~  
25 to another.

1           **SECTION 927.** 948.51 (3) (c) of the statutes is created to read:

2           948.51 (3) (c) A Class G felony if the act results in the death of another.

3           **SECTION 928.** 948.60 (2) (b) of the statutes is amended to read:

4           948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,  
5 loans or gives a dangerous weapon to a person under 18 years of age is guilty of a  
6 Class ~~E~~ I felony.

7           **SECTION 929.** 948.60 (2) (c) of the statutes is amended to read:

8           948.60 (2) (c) Whoever violates par. (b) is guilty of a Class ~~D~~ H felony if the  
9 person under 18 years of age under par. (b) discharges the firearm and the discharge  
10 causes death to himself, herself or another.

11          **SECTION 930.** 948.605 (2) (a) of the statutes is amended to read:

12          948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
13 that the individual knows, or has reasonable cause to believe, is a school zone is  
14 guilty of a Class ~~A misdemeanor~~ I felony.

15          **SECTION 931.** 948.605 (3) (a) of the statutes is amended to read:

16          948.605 (3) (a) Any individual who knowingly, or with reckless disregard for  
17 the safety of another, discharges or attempts to discharge a firearm at a place the  
18 individual knows is a school zone is guilty of a Class ~~D~~ G felony.

19          **SECTION 932.** 948.605 (4) of the statutes is repealed.

20          **SECTION 933.** 948.61 (2) (b) of the statutes is amended to read:

21          948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or  
22 subsequent violation of this section within a 5-year period, as measured from the  
23 dates the violations occurred.

24          **SECTION 934.** 948.62 (1) (a) of the statutes is amended to read:

1           948.62 (1) (a) A Class ~~E~~ felony A misdemeanor, if the value of the property does  
2 not exceed \$500.

3           **SECTION 935.** 948.62 (1) (b) of the statutes is amended to read:

4           948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but  
5 does not exceed \$2,500.

6           **SECTION 936.** 948.62 (1) (bm) of the statutes is created to read:

7           948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,500 but  
8 does not exceed \$5,000.

9           **SECTION 937.** 948.62 (1) (c) of the statutes is amended to read:

10           948.62 (1) (c) A Class ~~C~~ G felony, if the value of the property exceeds \$2,500  
11 \$5,000.

12           **SECTION 938.** 949.03 (1) (b) of the statutes is amended to read:

13           949.03 (1) (b) The commission or the attempt to commit any crime specified in  
14 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
15 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
16 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,  
17 943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,  
18 948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

19           **SECTION 939.** 950.04 (1v) (g) of the statutes is amended to read:

20           950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
21 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
22 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

23           **SECTION 940.** 950.04 (1v) (nt) of the statutes is created to read:



1           950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
2 bifurcated sentence and provide a statement concerning modification of the  
3 bifurcated sentence, as provided under s. 302.113 (9g) (d).

4           **SECTION 941.** 951.18 (1) of the statutes is amended to read:

5           951.18 (1) Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,  
6 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a  
7 Class C forfeiture. Any person who violates any of these provisions within 3 years  
8 after a humane officer issues an abatement order under s. 173.11 prohibiting the  
9 violation of that provision is subject to a Class A forfeiture. Any person who  
10 intentionally or negligently violates any of those sections is guilty of a Class A  
11 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the  
12 mutilation, disfigurement or death of an animal, is guilty of a Class E I felony. Any  
13 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that  
14 is the victim is used by a law enforcement agency to perform agency functions or  
15 duties and causing injury to the animal, is guilty of a Class E I felony.

16           **SECTION 942.** 951.18 (2) of the statutes is amended to read:

17           951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A  
18 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class E I  
19 felony for the first violation and is guilty of a Class D H felony for the 2nd or  
20 subsequent violation.

21           **SECTION 943.** 951.18 (2m) of the statutes is amended to read:

22           951.18 (2m) Any person who violates s. 951.095 is subject to a Class B  
23 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing  
24 that the animal that is the victim is used by a law enforcement agency or fire  
25 department to perform agency or department functions or duties, is guilty of a Class

1 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the  
2 animal that is the victim is used by a law enforcement agency or fire department to  
3 perform agency or department functions or duties and causing injury to the animal,  
4 is guilty of a Class ~~E~~ I felony. Any person who intentionally violates s. 951.095,  
5 knowing that the animal that is the victim is used by a law enforcement agency or  
6 fire department to perform agency or department functions or duties and causing  
7 death to the animal, is guilty of a Class ~~D~~ H felony.

8 **SECTION 944.** 961.41 (1) (intro.) of the statutes is amended to read:

9 961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY. (intro.) Except as  
10 authorized by this chapter, it is unlawful for any person to manufacture, distribute  
11 or deliver a controlled substance or controlled substance analog. Any person who  
12 violates this subsection ~~with respect to~~ is subject to the following penalties:

13 **SECTION 945.** 961.41 (1) (a) of the statutes is amended to read:

14 961.41 (1) (a) Schedule I and II narcotic drugs generally. Except as provided  
15 in par. (d), if a person violates this subsection with respect to a controlled substance  
16 included in schedule I or II which is a narcotic drug, or a controlled substance analog  
17 of a controlled substance included in schedule I or II which is a narcotic drug, ~~may~~  
18 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~  
19 ~~months or both~~ the person is guilty of a Class E felony.

20 **SECTION 946.** 961.41 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
21 16, is amended to read:

22 961.41 (1) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as  
23 provided in pars. (cm) and (e) to (hm), if a person violates this subsection with respect  
24 to any other controlled substance included in schedule I, II, or III, or a controlled  
25 substance analog of any other controlled substance included in schedule I or II, may

1 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months  
2 or both the person is guilty of a Class H felony.

3 **SECTION 947.** 961.41 (1) (cm) (intro.) of the statutes is amended to read:

4 961.41 (1) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If the person violates  
5 this subsection with respect to cocaine or cocaine base, or a controlled substance  
6 analog of cocaine or cocaine base, is subject to the following penalties if and the  
7 amount manufactured, distributed, or delivered is:

8 **SECTION 948.** 961.41 (1) (cm) 1. of the statutes is renumbered 961.41 (1) (cm)  
9 1r. and amended to read:

10 961.41 (1) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than  
11 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned  
12 for not more than 15 years is guilty of a Class F felony.

13 **SECTION 949.** 961.41 (1) (cm) 1g. of the statutes is created to read:

14 961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

15 **SECTION 950.** 961.41 (1) (cm) 2. of the statutes is amended to read:

16 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person  
17 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than one~~  
18 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

19 **SECTION 951.** 961.41 (1) (cm) 3. of the statutes is amended to read:

20 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person  
21 ~~shall be fined not more than \$500,000 and shall be imprisoned for not less than 3~~  
22 ~~years nor more than 30 years~~ is guilty of a Class D felony.

23 **SECTION 952.** 961.41 (1) (cm) 4. of the statutes is amended to read:

1           961.41 (1) (cm) 4. More than 40 grams ~~but not more than 100 grams~~, the person  
2 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5  
3 years ~~nor more than 45 years~~ is guilty of a Class C felony.

4           **SECTION 953.** 961.41 (1) (cm) 5. of the statutes is repealed.

5           **SECTION 954.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

6           961.41 (1) (d) Heroin. (intro.) ~~Heroin~~ If the person violates this subsection with  
7 respect to heroin or a controlled substance analog of heroin is subject to the following  
8 penalties if and the amount manufactured, distributed or delivered is:

9           **SECTION 955.** 961.41 (1) (d) 1. of the statutes is amended to read:

10           961.41 (1) (d) 1. Three grams or less, the person ~~shall be fined not less than~~  
11 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years~~  
12 ~~and 6 months~~ is guilty of a Class F felony.

13           **SECTION 956.** 961.41 (1) (d) 2. of the statutes is amended to read:

14           961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person  
15 shall be fined not less than \$1,000 ~~nor more than \$250,000 and shall be imprisoned~~  
16 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class  
17 E felony.

18           **SECTION 957.** 961.41 (1) (d) 3. of the statutes is amended to read:

19           961.41 (1) (d) 3. More than 10 grams but not more than 50 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 one year nor more than 22 years and 6 months~~ is guilty of a Class  
22 D felony.

23           **SECTION 958.** 961.41 (1) (d) 4. of the statutes is amended to read:

24           961.41 (1) (d) 4. More than 50 grams ~~but not more than 200 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 3 years nor more than 22 years and 6 months is guilty of a Class C  
2 felony.

3 **SECTION 959.** 961.41 (1) (d) 5. of the statutes is repealed.

4 **SECTION 960.** 961.41 (1) (d) 6. of the statutes is repealed.

5 **SECTION 961.** 961.41 (1) (e) (intro.) of the statutes is amended to read:

6 961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and  
7 methcathinone. (intro.) Phencyclidine If the person violates this subsection with  
8 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a  
9 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or  
10 methcathinone, is subject to the following penalties if and the amount  
11 manufactured, distributed, or delivered is:

12 **SECTION 962.** 961.41 (1) (e) 1. of the statutes is amended to read:

13 961.41 (1) (e) 1. Three grams or less, the person ~~shall be fined not less than~~  
14 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
15 ~~6 months~~ is guilty of a Class F felony.

16 **SECTION 963.** 961.41 (1) (e) 2. of the statutes is amended to read:

17 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person  
18 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
19 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
20 E felony.

21 **SECTION 964.** 961.41 (1) (e) 3. of the statutes is amended to read:

22 961.41 (1) (e) 3. More than 10 grams but not more than 50 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 one year nor more than 22 years and 6 months~~ is guilty of a Class  
25 D felony.

1           **SECTION 965.** 961.41 (1) (e) 4. of the statutes is amended to read:

2           961.41 (1) (e) 4. More than 50 grams but not more than 200 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 3 years nor more than 22 years and 6 months is guilty of a Class C  
5 felony.

6           **SECTION 966.** 961.41 (1) (e) 5. of the statutes is repealed.

7           **SECTION 967.** 961.41 (1) (e) 6. of the statutes is repealed.

8           **SECTION 968.** 961.41 (1) (em) of the statutes is repealed.

9           **SECTION 969.** 961.41 (1) (f) (intro.) of the statutes is amended to read:

10          961.41 (1) (f) Lysergic acid diethylamide. (intro.) Lysergie If the person violates  
11 this subsection with respect to lysergic acid diethylamide or a controlled substance  
12 analog of lysergic acid diethylamide is subject to the following penalties if and the  
13 amount manufactured, distributed, or delivered is:

14          **SECTION 970.** 961.41 (1) (f) 1. of the statutes is amended to read:

15          961.41 (1) (f) 1. One gram or less, the person shall be fined not less than \$1,000  
16 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and 6~~  
17 ~~months~~ is guilty of a Class G felony.

18          **SECTION 971.** 961.41 (1) (f) 2. of the statutes is amended to read:

19          961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person shall  
20 be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not  
21 less than 6 months nor more than 7 years and 6 months is guilty of a Class F felony.

22          **SECTION 972.** 961.41 (1) (f) 3. of the statutes is amended to read:

23          961.41 (1) (f) 3. More than 5 grams, the person shall be fined not less than  
24 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year  
25 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

1           **SECTION 973.** 961.41 (1) (g) (intro.) of the statutes is amended to read:

2           961.41 (1) (g) *Psilocin and psilocybin.* (intro.) Psilocin If the person violates  
3 this subsection with respect to psilocin or psilocybin, or a controlled substance analog  
4 of psilocin or psilocybin, is subject to the following penalties if and the amount  
5 manufactured, distributed or delivered is:

6           **SECTION 974.** 961.41 (1) (g) 1. of the statutes is amended to read:

7           961.41 (1) (g) 1. One hundred grams or less, the person shall be fined not less  
8 ~~than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~  
9 ~~years and 6 months~~ is guilty of a Class G felony.

10          **SECTION 975.** 961.41 (1) (g) 2. of the statutes is amended to read:

11          961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person  
12 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
13 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
14 F felony.

15          **SECTION 976.** 961.41 (1) (g) 3. of the statutes is amended to read:

16          961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than  
17 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~  
18 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

19          **SECTION 977.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

20          961.41 (1) (h) *Tetrahydrocannabinols.* (intro.) Tetrahydrocannabinols If the  
21 person violates this subsection with respect to tetrahydrocannabinols, included  
22 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is  
23 subject to the following penalties if and the amount manufactured, distributed or  
24 delivered is:

25          **SECTION 978.** 961.41 (1) (h) 1. of the statutes is amended to read:

1           961.41 (1) (h) 1. ~~Five~~ Two hundred grams or less, or ~~10~~ 4 or fewer plants  
2 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor  
3 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months  
4 is guilty of a Class I felony.

5           **SECTION 979.** 961.41 (1) (h) 2. of the statutes is amended to read:

6           961.41 (1) (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000 grams,  
7 or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than ~~50~~ 20  
8 plants containing tetrahydrocannabinols, the person shall be fined not less than  
9 \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor  
10 more than 7 years and 6 months is guilty of a Class H felony.

11           **SECTION 980.** 961.41 (1) (h) 3. of the statutes is amended to read:

12           961.41 (1) (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,  
13 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50  
14 plants containing tetrahydrocannabinols, the person shall be fined not less than  
15 \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year  
16 nor more than 15 years is guilty of a Class G felony.

17           **SECTION 981.** 961.41 (1) (h) 4. of the statutes is created to read:

18           961.41 (1) (h) 4. More than 2,500 grams but not more than 10,000 grams, or  
19 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants  
20 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

21           **SECTION 982.** 961.41 (1) (h) 5. of the statutes is created to read:

22           961.41 (1) (h) 5. More than 10,000 grams, or more than 200 plants containing  
23 tetrahydrocannabinols, the person is guilty of a Class E felony.

24           **SECTION 983.** 961.41 (1) (hm) (intro.) of the statutes, as affected by 2001  
25 Wisconsin Act 16, is amended to read:



1           961.41 (1) (hm) Certain other schedule I controlled substances and ketamine.  
2           (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect  
3           to gamma-hydroxybutyric acid, gamma-butyrolactone,  
4           3,4-methylenedioxymethamphetamine,  
5           4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,  
6           ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
7           gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,  
8           4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
9           subject to the following penalties if and the amount manufactured, distributed, or  
10          delivered is:

11          **SECTION 984.** 961.41 (1) (hm) 1. of the statutes, as created by 2001 Wisconsin  
12          Act 16, is amended to read:

13          961.41 (1) (hm) 1. Three grams or less, the person ~~shall be fined not less than~~  
14          ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
15          ~~6 months~~ is guilty of a Class F felony.

16          **SECTION 985.** 961.41 (1) (hm) 2. of the statutes, as created by 2001 Wisconsin  
17          Act 16, is amended to read:

18          961.41 (1) (hm) 2. More than 3 grams but not more than 10 grams, the person  
19          ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
20          ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class  
21          E felony.

22          **SECTION 986.** 961.41 (1) (hm) 3. of the statutes, as created by 2001 Wisconsin  
23          Act 16, is amended to read:

24          961.41 (1) (hm) 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 987.** 961.41 (1) (hm) 4. of the statutes, as created by 2001 Wisconsin  
4 Act 16, is amended to read:

5 961.41 (1) (hm) 4. More than 50 grams but not more than 200 grams, the person  
6 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned  
7 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C  
8 felony.

9 **SECTION 988.** 961.41 (1) (hm) 5. of the statutes, as created by 2001 Wisconsin  
10 Act 16, is repealed.

11 **SECTION 989.** 961.41 (1) (hm) 6. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is repealed.

13 **SECTION 990.** 961.41 (1) (i) of the statutes is amended to read:

14 961.41 (1) (i) Schedule IV drugs generally. Except as provided in par. (im), if  
15 a person violates this subsection with respect to a substance included in schedule IV,  
16 may be fined not more than \$10,000 or imprisoned for not more than 4 years and 6  
17 months or both the person is guilty of a Class H felony.

18 **SECTION 991.** 961.41 (1) (im) (intro.) of the statutes, as affected by 2001  
19 Wisconsin Act 16, is amended to read:

20 961.41 (1) (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~  
21 ~~following penalties if~~ If a person violates this subsection with respect to  
22 flunitrazepam and the amount manufactured, distributed, or delivered is:

23 **SECTION 992.** 961.41 (1) (im) 1. of the statutes, as created by 2001 Wisconsin  
24 Act 16, is amended to read:

1           961.41 (1) (im) 1. ~~Three grams or less, the person shall be fined not less than~~  
2           ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
3           ~~6 months~~ is guilty of a Class F felony.

4           **SECTION 993.** 961.41 (1) (im) 2. of the statutes, as created by 2001 Wisconsin  
5           Act 16, is amended to read:

6           961.41 (1) (im) 2. More than 3 grams but not more than 10 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           E felony.

10          **SECTION 994.** 961.41 (1) (im) 3. of the statutes, as created by 2001 Wisconsin  
11          Act 16, is amended to read:

12          961.41 (1) (im) 3. More than 10 grams but not more than 50 grams, the person  
13          ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
14          ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class  
15          D felony.

16          **SECTION 995.** 961.41 (1) (im) 4. of the statutes, as created by 2001 Wisconsin  
17          Act 16, is amended to read:

18          961.41 (1) (im) 4. More than 50 grams but not more than 200 grams, the person  
19          ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
20          ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C  
21          felony.

22          **SECTION 996.** 961.41 (1) (im) 5. of the statutes, as created by 2001 Wisconsin  
23          Act 16, is repealed.

24          **SECTION 997.** 961.41 (1) (im) 6. of the statutes, as created by 2001 Wisconsin  
25          Act 16, is repealed.

1           **SECTION 998.** 961.41 (1) (j) of the statutes is amended to read:

2           961.41 (1) (j) Schedule V drugs. ~~-A- If a person violates this subsection with~~  
3 ~~respect to a substance included in schedule V, may be fined not more than \$5,000 or~~  
4 ~~imprisoned for not more than 2 years or both~~ the person is guilty of a Class I felony.

5           **SECTION 999.** 961.41 (1m) (intro.) of the statutes is amended to read:

6           961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.  
7 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,  
8 with intent to manufacture, distribute or deliver, a controlled substance or a  
9 controlled substance analog. Intent under this subsection may be demonstrated by,  
10 without limitation because of enumeration, evidence of the quantity and monetary  
11 value of the substances possessed, the possession of manufacturing implements or  
12 paraphernalia, and the activities or statements of the person in possession of the  
13 controlled substance or a controlled substance analog prior to and after the alleged  
14 violation. Any person who violates this subsection ~~with respect to~~ is subject to the  
15 following penalties:

16           **SECTION 1000.** 961.41 (1m) (a) of the statutes is amended to read:

17           961.41 (1m) (a) Schedule I and II narcotic drugs generally. Except as provided  
18 in par. (d), if a person violates this subsection with respect to a controlled substance  
19 included in schedule I or II which is a narcotic drug or a controlled substance analog  
20 of a controlled substance included in schedule I or II which is a narcotic drug, may  
21 ~~be fined not more than \$25,000 or imprisoned for not more than 22 years and 6~~  
22 ~~months or both~~ the person is guilty of a Class E felony.

23           **SECTION 1001.** 961.41 (1m) (b) of the statutes, as affected by 2001 Wisconsin  
24 Act 16, 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 (hm), 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 1002.** 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~~ and the  
11          amount possessed, with intent to manufacture, distribute or deliver, is:

12          **SECTION 1003.** 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 1004.** 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 1005.** 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 1006.** 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 1007.** 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 1008.** 961.41 (1m) (cm) 5. of the statutes is repealed.

9           **SECTION 1009.** 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 1010.** 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 1011.** 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 1012.** 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 1013.** 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 1014.** 961.41 (1m) (d) 5. of the statutes is repealed.

9 **SECTION 1015.** 961.41 (1m) (d) 6. of the statutes is repealed.

10 **SECTION 1016.** 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 1017.** 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 1018.** 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 1019.** 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 1020.** 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 1021.** 961.41 (1m) (e) 5. of the statutes is repealed.

12           **SECTION 1022.** 961.41 (1m) (e) 6. of the statutes is repealed.

13           **SECTION 1023.** 961.41 (1m) (em) of the statutes is repealed.

14           **SECTION 1024.** 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 1025.** 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 1026.** 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 1027.** 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 1028.** 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 1029.** 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 1030.** 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 1031.** 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 1032.** 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 1033.** 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 1034.** 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 1035.** 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 1036.** 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 1037.** 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 1038.** 961.41 (1m) (hm) (intro.) of the statutes, as created by 2001  
8           Wisconsin Act 16, is amended to read:

9           961.41 (1m) (hm) Certain other schedule I controlled substances and ketamine.  
10          (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect  
11          to gamma-hydroxybutyric acid, gamma-butyrolactone,  
12          3,4-methylenedioxyamphetamine  
13          4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,  
14          ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
15          gamma-butyrolactone, 3,4-methylenedioxyamphetamine  
16          4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
17          subject to the following penalties if the amount possessed, with intent to  
18          manufacture, distribute, or deliver is:

19          **SECTION 1039.** 961.41 (1m) (hm) 1. of the statutes, as created by 2001  
20          Wisconsin Act 16, is amended to read:

21          961.41 (1m) (hm) 1. Three grams or less, the person shall be fined not less than  
22          \$1,000 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
23          ~~6 months~~ is guilty of a Class F felony.

24          **SECTION 1040.** 961.41 (1m) (hm) 2. of the statutes, as created by 2001  
25          Wisconsin Act 16, is amended to read:

1           961.41 (1m) (hm) 2. More than 3 grams but not more than 10 grams, the person  
2 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned  
3 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class  
4 E felony.

5           **SECTION 1041.** 961.41 (1m) (hm) 3. of the statutes, as created by 2001  
6 Wisconsin Act 16, is amended to read:

7           961.41 (1m) (hm) 3. More than 10 grams but not more than 50 grams, the  
8 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
9 imprisoned for not less than one year nor more than 22 years and 6 months is guilty  
10 of a Class D felony.

11           **SECTION 1042.** 961.41 (1m) (hm) 4. of the statutes, as created by 2001  
12 Wisconsin Act 16, is amended to read:

13           961.41 (1m) (hm) 4. More than 50 grams but not more than 200 grams, the  
14 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
15 imprisoned for not less than 3 years nor more than 22 years and 6 months is guilty  
16 of a Class C felony.

17           **SECTION 1043.** 961.41 (1m) (hm) 5. of the statutes, as created by 2001  
18 Wisconsin Act 16, is repealed.

19           **SECTION 1044.** 961.41 (1m) (hm) 6. of the statutes, as created by 2001  
20 Wisconsin Act 16, is repealed.

21           **SECTION 1045.** 961.41 (1m) (i) of the statutes is amended to read:

22           961.41 (1m) (i) Schedule IV drugs generally. Except as provided in par. (im),  
23 if a person violates this subsection with respect to a substance included in schedule  
24 IV, may be fined not more than \$10,000 or imprisoned for not more than 4 years and  
25 6 months or both the person is guilty of a Class H felony.

1           **SECTION 1046.** 961.41 (1m) (im) (intro.) of the statutes, as affected by 2001  
2 Wisconsin Act 16, is amended to read:

3           961.41 **(1m)** (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~  
4 ~~following penalties if~~ If a person violates this subsection with respect to  
5 flunitrazepam and the amount possessed, with intent to manufacture, distribute, or  
6 deliver, is:

7           **SECTION 1047.** 961.41 (1m) (im) 1. of the statutes, as created by 2001 Wisconsin  
8 Act 16, is amended to read:

9           961.41 **(1m)** (im) 1. ~~Three grams or less, the person shall be fined not less than~~  
10 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~  
11 ~~6 months is guilty of a Class F felony.~~

12           **SECTION 1048.** 961.41 (1m) (im) 2. of the statutes, as created by 2001 Wisconsin  
13 Act 16, is amended to read:

14           961.41 **(1m)** (im) 2. ~~More than 3 grams but not more than 10 grams, the person~~  
15 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~  
16 ~~for not less than 6 months nor more than 7 years and 6 months is guilty of a Class~~  
17 E felony.

18           **SECTION 1049.** 961.41 (1m) (im) 3. of the statutes, as created by 2001 Wisconsin  
19 Act 16, is amended to read:

20           961.41 **(1m)** (im) 3. ~~More than 10 grams but not more than 50 grams, the person~~  
21 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~  
22 ~~for not less than one year nor more than 22 years and 6 months is guilty of a Class~~  
23 D felony.

24           **SECTION 1050.** 961.41 (1m) (im) 4. of the statutes, as created by 2001 Wisconsin  
25 Act 16, is amended to read:

1           961.41 (1m) (im) 4. More than 50 grams but not more than 200 grams, the  
2 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be  
3 imprisoned for not less than 3 years nor more than 22 years and 6 months is guilty  
4 of a Class C felony.

5           **SECTION 1051.** 961.41 (1m) (im) 5. of the statutes, as created by 2001 Wisconsin  
6 Act 16, is repealed.

7           **SECTION 1052.** 961.41 (1m) (im) 6. of the statutes, as created by 2001 Wisconsin  
8 Act 16, is repealed.

9           **SECTION 1053.** 961.41 (1m) (j) of the statutes is amended to read:

10           961.41 (1m) (j) Schedule V drugs. ~~A. If a person violates this subsection with~~  
11 respect to a substance included in schedule V, may be fined not more than \$5,000 or  
12 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

13           **SECTION 1054.** 961.41 (1n) (c) of the statutes is amended to read:

14           961.41 (1n) (c) A person who violates par. (a) or (b) ~~may be fined not more than~~  
15 ~~\$250,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

16           **SECTION 1055.** 961.41 (1q) of the statutes is amended to read:

17           961.41 (1q) PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.  
18 Under s. 961.49 (2), 1999 stats., and subs. (1) (h) and (1m) (h) and ~~s. 961.49 (2),~~ if  
19 different penalty provisions apply to a person depending on whether the weight of  
20 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is  
21 considered, the greater penalty provision applies.

22           **SECTION 1056.** 961.41 (1r) of the statutes is amended to read:

23           961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under  
24 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m) and ~~s. 961.49 (2) (b),~~ an amount  
25 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid

1 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,  
2 methcathinone or tetrahydrocannabinols or any controlled substance analog of any  
3 of these substances together with any compound, mixture, diluent, plant material  
4 or other substance mixed or combined with the controlled substance or controlled  
5 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)  
6 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14  
7 (4) (t) and includes the weight of any marijuana.

8 **SECTION 1057.** 961.41 (2) (intro.) of the statutes is amended to read:

9 961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this  
10 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or  
11 possess with intent to distribute or deliver, a counterfeit substance. Any person who  
12 violates this subsection ~~with respect to~~ is subject to the following penalties:

13 **SECTION 1058.** 961.41 (2) (a) of the statutes is amended to read:

14 961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. ~~A~~ If a person  
15 violates this subsection with respect to a counterfeit substance included in schedule  
16 I or II which is a narcotic drug, ~~may be fined not more than \$25,000 or imprisoned~~  
17 ~~for not more than 22 years and 6 months or both~~ the person is guilty of a Class E  
18 felony.

19 **SECTION 1059.** 961.41 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 961.41 (2) (b) Counterfeit schedule I, II, III, and IV drugs. Except as provided  
22 in pars. (a) and (bm), and (cm), if a person violates this subsection with respect to any  
23 other counterfeit substance included in schedule I, II ~~or~~, III, ~~may be fined not more~~  
24 ~~than \$15,000 or imprisoned for not more than 7 years and 6 months or both~~ or IV, the  
25 person is guilty of a Class H felony.

1           **SECTION 1060.** 961.41 (2) (c) of the statutes is repealed.

2           **SECTION 1061.** 961.41 (2) (cm) (title) of the statutes is created to read:

3           961.41 (2) (cm) (title) *Counterfeit flunitrazepam.*

4           **SECTION 1062.** 961.41 (2) (d) of the statutes is amended to read:

5           961.41 (2) (d) Counterfeit schedule V drugs. ~~A~~ If a person violates this  
6 subsection with respect to a counterfeit substance included in schedule V, may be  
7 fined not more than \$5,000 or imprisoned for not more than 2 years or both the person  
8 is guilty of a Class I felony.

9           **SECTION 1063.** 961.41 (3g) (a) 1. of the statutes is renumbered 961.41 (3g) (am)  
10 and amended to read:

11           961.41 (3g) (am) Schedule I and II narcotic drugs. ~~Except as provided in subd.~~  
12 ~~2., if the~~ If a person possesses a controlled substance included in schedule I or II  
13 which is a narcotic drug, or possesses a controlled substance analog of a controlled  
14 substance included in schedule I or II which is a narcotic drug, the person may, upon  
15 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2  
16 years or both, and, for a 2nd or subsequent offense, the person may be fined not more  
17 than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I  
18 felony.

19           **SECTION 1064.** 961.41 (3g) (a) 2. of the statutes is repealed.

20           **SECTION 1065.** 961.41 (3g) (a) 3. of the statutes is repealed.

21           **SECTION 1066.** 961.41 (3g) (b) of the statutes is amended to read:

22           961.41 (3g) (b) Other drugs generally. ~~Except as provided in pars. (c), (d), (dm),~~  
23 (e) and (f), if the person possesses or attempts to possess a controlled substance or  
24 controlled substance analog, other than a controlled substance included in schedule  
25 I or II that is a narcotic drug or a controlled substance analog of a controlled



1 substance included in schedule I or II that is a narcotic drug, the person is guilty of  
2 a misdemeanor, punishable under s. 939.61.

3 **SECTION 1067.** 961.41 (3g) (c) of the statutes is amended to read:

4 961.41 (3g) (c) Cocaine and cocaine base. If a person possess or attempts to  
5 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine  
6 base, the person shall be fined not more than \$5,000 and may be imprisoned for not  
7 more than one year in the county jail upon a first conviction and is guilty of a Class  
8 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense  
9 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the  
10 offense, the offender has at any time been convicted of any felony or misdemeanor  
11 under this chapter or under any statute of the United States or of any state relating  
12 to controlled substances, controlled substance analogs, narcotic drugs, marijuana,  
13 or depressant, stimulant, or hallucinogenic drugs.

14 **SECTION 1068.** 961.41 (3g) (d) of the statutes is amended to read:

15 961.41 (3g) (d) Certain hallucinogenic and stimulant drugs. If a person  
16 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,  
17 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a  
18 controlled substance analog of lysergic acid diethylamide, phencyclidine,  
19 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person  
20 may be fined not more than \$5,000 or imprisoned for not more than one year in the  
21 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd  
22 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd  
23 or subsequent offense if, prior to the offender's conviction of the offense, the offender  
24 has at any time been convicted of any felony or misdemeanor under this chapter or  
25 under any statute of the United States or of any state relating to controlled

1 substances, controlled substance analogs, narcotic drugs, marijuana, or depressant,  
2 stimulant, or hallucinogenic drugs.

3 **SECTION 1069.** 961.41 (3g) (dm) of the statutes is repealed.

4 **SECTION 1070.** 961.41 (3g) (e) of the statutes is amended to read:

5 961.41 (3g) (e) Tetrahydrocannabinols. If a person possesses or attempts to  
6 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled  
7 substance analog of tetrahydrocannabinols, the person may be fined not more than  
8 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and  
9 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this  
10 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the  
11 offender's conviction of the offense, the offender has at any time been convicted of any  
12 felony or misdemeanor under this chapter or under any statute of the United States  
13 or of any state relating to controlled substances, controlled substance analogs,  
14 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

15 **SECTION 1071.** 961.41 (3g) (f) of the statutes is amended to read:

16 961.41 (3g) (f) Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,  
17 or flunitrazepam. If a person possesses or attempts to possess  
18 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,  
19 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years  
20 or both is guilty of a Class H felony.

21 **SECTION 1072.** 961.41 (4) (am) 3. of the statutes is amended to read:

22 961.41 (4) (am) 3. A person ~~convicted of violating~~ who violates this paragraph  
23 may be fined not more than \$5,000 or imprisoned for not more than 2 years or both  
24 is guilty of a Class I felony.

25 **SECTION 1073.** 961.42 (2) of the statutes is amended to read:

1           961.42 (2) Any person who violates this section ~~may be fined not more than~~  
2           ~~\$25,000 or imprisoned not more than 2 years or both~~ is guilty of a Class I felony.

3           **SECTION 1074.** 961.43 (2) of the statutes is amended to read:

4           961.43 (2) Any person who violates this section ~~may be fined not more than~~  
5           ~~\$30,000 or imprisoned not more than 6 years or both~~ is guilty of a Class H felony.

6           **SECTION 1075.** 961.437 (4) (a) of the statutes is amended to read:

7           961.437 (4) (a) For a first offense, the person ~~shall be fined not less than \$1,000~~  
8           ~~nor more than \$100,000 or imprisoned for not more than 7 years and 6 months or both~~  
9           is guilty of a Class H felony.

10          **SECTION 1076.** 961.437 (4) (b) of the statutes is amended to read:

11          961.437 (4) (b) For a 2nd or subsequent offense, the person ~~shall be fined not~~  
12          ~~less than \$5,000 nor more than \$150,000 or imprisoned for not more than 15 years~~  
13          ~~or both~~ is guilty of a Class F felony.

14          **SECTION 1077.** 961.438 of the statutes is repealed.

15          **SECTION 1078.** 961.455 (1) of the statutes is amended to read:

16          961.455 (1) Any person who has attained the age of 17 years who knowingly  
17          solicits, hires, directs, employs or uses a person who is under the age of 17 years of  
18          ~~age or under for the purpose of violating s. 961.41 (1) may be fined not more than~~  
19          ~~\$50,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

20          **SECTION 1079.** 961.455 (3) of the statutes is amended to read:

21          961.455 (3) Solicitation under sub. (1) occurs in the manner described under  
22          s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.  
23          939.30 ~~or 948.35.~~

24          **SECTION 1080.** 961.46 (1) of the statutes is renumbered 961.46 and amended  
25          to read:

1           **961.46 Distribution to persons under age 18.** ~~Except as provided in sub.~~  
2           ~~(3), any~~ If a person 17 years of age or over who violates s. 961.41 (1) by distributing  
3           ~~or delivering a controlled substance included in schedule I or II which is a narcotic~~  
4           ~~drug or a controlled substance analog of a controlled substance included in schedule~~  
5           ~~I or II which is a narcotic drug to a person 17 years of age or under who is at least~~  
6           ~~3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or~~  
7           ~~a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the~~  
8           ~~applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the~~  
9           ~~offense may be increased by not more than 5 years.~~

10           **SECTION 1081.** 961.46 (2) of the statutes is repealed.

11           **SECTION 1082.** 961.46 (3) of the statutes is repealed.

12           **SECTION 1083.** 961.465 of the statutes is repealed.

13           **SECTION 1084.** 961.472 (2) of the statutes is amended to read:

14           **961.472 (2)** Except as provided in sub. (5), if a person pleads guilty or is found  
15           guilty of possession or attempted possession of a controlled substance or controlled  
16           substance analog under s. 961.41 (3g) ~~(a) 2. (am)~~, (c), or (d) ~~or (dm)~~, the court shall  
17           order the person to comply with an assessment of the person's use of controlled  
18           substances. The court's order shall designate a facility that is operated by or  
19           pursuant to a contract with the county department established under s. 51.42 and  
20           that is certified by the department of health and family services to provide  
21           assessment services to perform the assessment and, if appropriate, to develop a  
22           proposed treatment plan. The court shall notify the person that noncompliance with  
23           the order limits the court's ability to determine whether the treatment option under  
24           s. 961.475 is appropriate. The court shall also notify the person of the fee provisions  
25           under s. 46.03 (18) (fm).

1           **SECTION 1085.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and  
2 amended to read:

3           961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who  
4 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or  
5 subsequent offense as provided under this chapter sub. (3) and the person is  
6 convicted of that 2nd or subsequent offense may be fined an amount up to twice that  
7 otherwise authorized or imprisoned for a term up to twice the term otherwise  
8 authorized or both., the maximum term of imprisonment for the offense may be  
9 increased as follows:

10           **SECTION 1086.** 961.48 (1) (a) and (b) of the statutes are created to read:

11           961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

12           (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.

13           **SECTION 1087.** 961.48 (2) of the statutes is repealed.

14           **SECTION 1088.** 961.48 (2m) (a) of the statutes is amended to read:

15           961.48 (2m) (a) Whenever a person charged with an a felony offense under this  
16 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is  
17 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior  
18 convictions are alleged in the complaint, indictment or information or in an amended  
19 complaint, indictment or information that is filed under par. (b) 1. A person is not  
20 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of  
21 applicable prior convictions is withdrawn by an amended complaint filed under par.  
22 (b) 2.

23           **SECTION 1089.** 961.48 (3) of the statutes is amended to read:

24           961.48 (3) For purposes of this section, an a felony offense under this chapter  
25 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the

1 offense, the offender has at any time been convicted of any felony or misdemeanor  
2 offense under this chapter or under any statute of the United States or of any state  
3 relating to controlled substances or controlled substance analogs, narcotic drugs,  
4 marijuana or depressant, stimulant or hallucinogenic drugs.

5 **SECTION 1090.** 961.48 (4) of the statutes is repealed.

6 **SECTION 1091.** 961.49 (1) of the statutes is renumbered 961.49, and 961.49  
7 (intro.), as renumbered, is amended to read:

8 **961.49 Distribution of or possession with intent to deliver a controlled**  
9 **substance on or near certain places.** (intro.) If any person violates s. 961.41 (1)  
10 (cm), (d), (e), (~~em~~), (f), (g) or (h) by delivering or distributing, or violates s. 961.41 (1m)  
11 (cm), (d), (e), (~~em~~), (f), (g) or (h) by possessing with intent to deliver or distribute,  
12 cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin,  
13 psilocybin, amphetamine, methamphetamine, methcathinone or any form of  
14 tetrahydrocannabinols or a controlled substance analog of any of these substances  
15 and the delivery, distribution or possession takes place under any of the following  
16 circumstances, the maximum term of imprisonment prescribed by law for that crime  
17 may be increased by 5 years:

18 **SECTION 1092.** 961.49 (2) of the statutes is repealed.

19 **SECTION 1093.** 961.49 (3) of the statutes is repealed.

20 **SECTION 1094.** 961.492 of the statutes is repealed.

21 **SECTION 1095.** 961.55 (1) (d) 3. of the statutes is amended to read:

22 961.55 (1) (d) 3. A vehicle is not subject to forfeiture for a violation of s. 961.41  
23 (3g) (b), (c), (d), (~~dm~~), (e) or (f); and

24 **SECTION 1096.** 961.573 (3) of the statutes is amended to read:

1           961.573 (3) No person may use, or possess with the primary intent to use, drug  
2 paraphernalia to manufacture, compound, convert, produce, process, prepare, test,  
3 analyze, pack, repack or store methamphetamine or a controlled substance analog  
4 of methamphetamine in violation of this chapter. Any person who violates this  
5 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~  
6 ~~years or both~~ is guilty of a Class H felony.

7           **SECTION 1097.** 961.574 (3) of the statutes is amended to read:

8           961.574 (3) No person may deliver, possess with intent to deliver, or  
9 manufacture with intent to deliver, drug paraphernalia, knowing that it will be  
10 primarily used to manufacture, compound, convert, produce, process, prepare, test,  
11 analyze, pack, repack or store methamphetamine or a controlled substance analog  
12 of methamphetamine in violation of this chapter. Any person who violates this  
13 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~  
14 ~~years or both~~ is guilty of a Class H felony.

15           **SECTION 1098.** 961.575 (3) of the statutes is amended to read:

16           961.575 (3) Any person 17 years of age or over who violates s. 961.574 (3) by  
17 delivering drug paraphernalia to a person 17 years of age or under ~~may be fined not~~  
18 ~~more than \$50,000 or imprisoned for not more than 10 years or both~~ is guilty of a  
19 Class G felony.

20           **SECTION 1099.** 967.04 (9) of the statutes is amended to read:

21           967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under  
22 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken  
23 under subs. (7) and (8) without an additional hearing under s. 908.08. In any  
24 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the  
25 hearing examiner may order and preside at the taking of a videotaped deposition

1 using the procedure provided in subs. (7) and (8) and may admit the videotaped  
2 deposition into evidence without an additional hearing under s. 908.08.

3 **SECTION 1100.** 968.255 (1) (a) 2. of the statutes is amended to read:

4 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20  
5 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

6 **SECTION 1101.** 968.31 (1) (intro.) of the statutes is amended to read:

7 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or  
8 968.28 to 968.30, whoever commits any of the acts enumerated in this section ~~may~~  
9 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~  
10 ~~or both~~ is guilty of a Class H felony:

11 **SECTION 1102.** 968.34 (3) of the statutes is amended to read:

12 968.34 (3) Whoever knowingly violates sub. (1) shall may be fined not more  
13 than \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

14 **SECTION 1103.** 968.43 (3) of the statutes is amended to read:

15 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)  
16 ~~may be imprisoned for not more than 7 years and 6 months~~ is guilty of a Class H  
17 felony.

18 **SECTION 1104.** 969.08 (10) (a) of the statutes is amended to read:

19 969.08 (10) (a) "Commission of a serious crime" includes a solicitation,  
20 conspiracy or attempt, under s. 948.35, 1999 stats., or s. 939.30, 939.31, or 939.32 or  
21 948.35, to commit a serious crime.

22 **SECTION 1105.** 969.08 (10) (b) of the statutes is amended to read:

23 969.08 (10) (b) "Serious crime" means any crime specified in s. 943.23 (1m),  
24 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,  
25 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,



1 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,  
2 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c),  
3 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), ~~(1m) or (1r),~~  
4 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,  
5 948.04, 948.05, 948.06, 948.07 or 948.30.

6 **SECTION 1106.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and  
7 amended to read:

8 971.17 (1) (a) *Felonies committed before the effective date of this paragraph ....*  
9 *[revisor inserts date].* ~~When~~ Except as provided in par. (c), when a defendant is found  
10 not guilty by reason of mental disease or mental defect of a felony committed before  
11 the effective date of this paragraph .... [revisor inserts date], the court shall commit  
12 the person to the department of health and family services for a specified period not  
13 exceeding two-thirds of the maximum term of imprisonment that could be imposed  
14 under s. 973.15 (2) (a) against an offender convicted of the same ~~crime or crimes~~  
15 felony, including imprisonment authorized by ss. ~~346.65 (2) (f), (2j) (d) or (3m),~~  
16 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~  
17 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, as applicable,  
18 subject to the credit provisions of s. 973.155.

19 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~  
20 ~~imprisonment is~~ a defendant is found not guilty by reason of mental disease or  
21 mental defect of a felony that is punishable by life imprisonment, the commitment  
22 period specified by the court may be life, subject to termination under sub. (5).

23 **SECTION 1107.** 971.17 (1) (b) of the statutes is created to read:

24 971.17 (1) (b) *Felonies committed on or after the effective date of this paragraph*  
25 *.... [revisor inserts date].* Except as provided in par. (c), when a defendant is found

1 not guilty by reason of mental disease or mental defect of a felony committed on or  
2 after the effective date of this paragraph .... [revisor inserts date], the court shall  
3 commit the person to the department of health and family services for a specified  
4 period not exceeding the maximum term of confinement in prison that could be  
5 imposed on an offender convicted of the same felony, plus imprisonment authorized  
6 by any applicable penalty enhancement statutes, subject to the credit provisions of  
7 s. 973.155.

8 **SECTION 1108.** 971.17 (1) (d) of the statutes is created to read:

9 971.17 (1) (d) *Misdemeanors*. When a defendant is found not guilty by reason  
10 of mental disease or mental defect of a misdemeanor, the court shall commit the  
11 person to the department of health and family services for a specified period not  
12 exceeding two-thirds of the maximum term of imprisonment that could be imposed  
13 against an offender convicted of the same misdemeanor, including imprisonment  
14 authorized by any applicable penalty enhancement statutes, subject to the credit  
15 provisions of s. 973.155.

16 **SECTION 1109.** 971.365 (1) (a) of the statutes is amended to read:

17 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)  
18 (cm), (d), (e), (~~em~~), (f), (g) or (h) involving more than one violation, all violations may  
19 be prosecuted as a single crime if the violations were pursuant to a single intent and  
20 design.

21 **SECTION 1110.** 971.365 (1) (b) of the statutes is amended to read:

22 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41  
23 (1m) (cm), (d), (e), (~~em~~), (f), (g) or (h) involving more than one violation, all violations  
24 may be prosecuted as a single crime if the violations were pursuant to a single intent  
25 and design.

1           **SECTION 1111.** 971.365 (1) (c) of the statutes is amended to read:

2           971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41  
3 (3g) (dm), 1999 stats., or s. 961.41 (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) involving more  
4 than one violation, all violations may be prosecuted as a single crime if the violations  
5 were pursuant to a single intent and design.

6           **SECTION 1112.** 971.365 (2) of the statutes is amended to read:

7           971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent  
8 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)  
9 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,  
10 or s. 961.41 (1) (cm), (d), (e), ~~(em)~~, (f), (g), or (h), (1m) (cm), (d), (e), ~~(em)~~, (f), (g), or (h)  
11 or (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) on which no evidence was received at the trial  
12 on the original charge.

13           **SECTION 1113.** 972.15 (2c) of the statutes is amended to read:

14           972.15 (2c) If the defendant is subject to being sentenced under s. 973.01 and  
15 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing  
16 the presentence investigation report shall include in the report a recommendation  
17 as to whether the defendant should be eligible for the challenge incarceration  
18 program under s. 302.045.

19           **SECTION 1114.** 973.01 (1) of the statutes is amended to read:

20           973.01 (1) BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),  
21 whenever a court sentences a person to imprisonment in the Wisconsin state prisons  
22 for a felony committed on or after December 31, 1999, or a misdemeanor committed  
23 on or after the effective date of this subsection .... [revisor inserts date], the court  
24 shall impose a bifurcated sentence ~~that consists of a term of confinement in prison~~  
25 ~~followed by a term of extended supervision~~ under s. 302.113 this section.

1           **SECTION 1115.** 973.01 (2) (intro.) of the statutes is amended to read:

2           973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~  
3 ~~that a~~ A bifurcated sentence is a sentence that consists of a term of confinement in  
4 prison followed by a term of extended supervision under s. 302.113. The total length  
5 of a bifurcated sentence equals the length of the term of confinement in prison plus  
6 the length of the term of extended supervision. An order imposing a bifurcated  
7 ~~sentence imposed under sub. (1) complies~~ this section shall comply with all of the  
8 following:

9           **SECTION 1116.** 973.01 (2) (a) of the statutes is amended to read:

10          973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),  
11 the total length of the bifurcated sentence may not exceed the maximum period of  
12 imprisonment ~~for the~~ specified in s. 939.50 (3), if the crime is a classified felony, or  
13 the maximum term of imprisonment provided by statute for the crime, if the crime  
14 is not a classified felony, plus additional imprisonment authorized by any applicable  
15 penalty enhancement statutes.

16          **SECTION 1117.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

17          973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*  
18 (intro.) The portion of the bifurcated sentence that imposes a term of confinement  
19 in prison may not be less than one year, ~~subject to any minimum sentence prescribed~~  
20 ~~for the felony, and, except as provided in par. (c), may not exceed~~ is subject to  
21 whichever of the following limits is applicable:

22          **SECTION 1118.** 973.01 (2) (b) 2. of the statutes is repealed.

23          **SECTION 1119.** 973.01 (2) (b) 3. of the statutes is amended to read:

24          973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may  
25 not exceed ~~10~~ 25 years.

1           **SECTION 1120.** 973.01 (2) (b) 4. of the statutes is amended to read:

2           973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may  
3 not exceed ~~5~~ 15 years.

4           **SECTION 1121.** 973.01 (2) (b) 5. of the statutes is amended to read:

5           973.01 (2) (b) 5. For a Class E felony, the term of confinement in prison may  
6 not exceed ~~2~~ 10 years.

7           **SECTION 1122.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.  
8 (intro.) and amended to read:

9           973.01 (2) (b) 10. (intro.) For any ~~felony~~ crime other than ~~a felony specified in~~  
10 ~~subds. 1. to 5. one of the following~~, the term of confinement in prison may not exceed  
11 75% of the total length of the bifurcated sentence.;

12           **SECTION 1123.** 973.01 (2) (b) 6m. of the statutes is created to read:

13           973.01 (2) (b) 6m. For a Class F felony, the term of confinement in prison may  
14 not exceed 7 years and 6 months.

15           **SECTION 1124.** 973.01 (2) (b) 7. of the statutes is created to read:

16           973.01 (2) (b) 7. For a Class G felony, the term of confinement in prison may  
17 not exceed 5 years.

18           **SECTION 1125.** 973.01 (2) (b) 8. of the statutes is created to read:

19           973.01 (2) (b) 8. For a Class H felony, the term of confinement in prison may  
20 not exceed 3 years.

21           **SECTION 1126.** 973.01 (2) (b) 9. of the statutes is created to read:

22           973.01 (2) (b) 9. For a Class I felony, the term of confinement in prison may not  
23 exceed one year and 6 months.

24           **SECTION 1127.** 973.01 (2) (b) 10. a. and b. of the statutes are created to read:

25           973.01 (2) (b) 10. a. A felony specified in subds. 1. to 9.

1           b. An attempt to commit a classified felony if the attempt is punishable under  
2 s. 939.32 (1) (intro.).

3           **SECTION 1128.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and  
4 amended to read:

5           973.01 (2) (c) 1. The Subject to the minimum period of extended supervision  
6 required under par. (d), the maximum term of confinement in prison specified in par.  
7 (b) may be increased by any applicable penalty enhancement statute. If the  
8 maximum term of confinement in prison specified in par. (b) is increased under this  
9 paragraph, the total length of the bifurcated sentence that may be imposed is  
10 increased by the same amount.

11           **SECTION 1129.** 973.01 (2) (c) 2. of the statutes is created to read:

12           973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes  
13 apply to a crime, the court shall apply them in the order listed in calculating the  
14 maximum term of imprisonment for that crime:

15           a. Sections 939.621, 939.632, 939.645, 961.46, and 961.49.

16           b. Section 939.63.

17           c. Section 939.62 (1) or 961.48.

18           **SECTION 1130.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)  
19 and amended to read:

20           973.01 (2) (d) *Minimum and maximum term of extended supervision.* (intro.)  
21 The term of extended supervision that follows the term of confinement in prison may  
22 not be less than 25% of the length of the term of confinement in prison imposed under  
23 par. (b)- and, for a classified felony, is subject to whichever of the following limits is  
24 applicable:

25           **SECTION 1131.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

1           973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not  
2 exceed 20 years.

3           2. For a Class C felony, the term of extended supervision may not exceed 15  
4 years.

5           3. For a Class D felony, the term of extended supervision may not exceed 10  
6 years.

7           4. For a Class E, F, or G felony, the term of extended supervision may not exceed  
8 5 years.

9           5. For a Class H felony, the term of extended supervision may not exceed 3  
10 years.

11          6. For a Class I felony, the term of extended supervision may not exceed 2 years.

12          **SECTION 1132.** 973.01 (4) of the statutes is amended to read:

13          973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A  
14 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of  
15 confinement in prison portion of the sentence without reduction for good behavior.  
16 The term of confinement in prison portion is subject to extension under s. 302.113 (3)  
17 and, if applicable, to reduction under s. 302.045 (3m), or 302.113 (9g).

18          **SECTION 1133.** 973.01 (6) of the statutes is amended to read:

19          973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under  
20 sub. (1) is not eligible for release on parole under that sentence.

21          **SECTION 1134.** 973.0135 (1) (b) 2. of the statutes is amended to read:

22          973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
23 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.  
24 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
25 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),

1 ~~(1m) or (1r)~~, 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),  
2 948.05, 948.06, 948.07, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (e) or 948.36.~~

3 **SECTION 1135.** 973.017 of the statutes is created to read:

4 **973.017 Bifurcated sentences; use of guidelines; consideration of**  
5 **aggravating and mitigating factors. (1) DEFINITION.** In this section, “sentencing  
6 decision” means a decision as to whether to impose a bifurcated sentence under s.  
7 973.01 or place a person on probation and a decision as to the length of a bifurcated  
8 sentence, including the length of each component of the bifurcated sentence, the  
9 amount of a fine, and the length of a term of probation.

10 **(2) GENERAL REQUIREMENT.** When a court makes a sentencing decision  
11 concerning a person convicted of a criminal offense committed on or after the  
12 effective date of this subsection .... [revisor inserts date], the court shall consider all  
13 of the following:

14 (a) If the offense is a felony, the sentencing guidelines adopted by the  
15 sentencing commission under s. 973.30 or, if the sentencing commission has not  
16 adopted a guideline for the offense, any applicable temporary sentencing guideline  
17 adopted by the criminal penalties study committee created under 1997 Wisconsin  
18 Act 283.

19 (ad) The protection of the public.

20 (ag) The gravity of the offense.

21 (ak) The rehabilitative needs of the defendant.

22 (b) Any applicable mitigating factors and any applicable aggravating factors,  
23 including the aggravating factors specified in subs. (3) to (8).

24 **(3) AGGRAVATING FACTORS; GENERALLY.** When making a sentencing decision for  
25 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. In any appeal from a court's sentencing decision, the appellate court may  
22 reverse the sentencing decision only if it determines that the sentencing court  
23 erroneously exercised its discretion in making the sentencing decision.

1           **(10m)** STATEMENT OF REASONS FOR SENTENCING DECISION. (a) The court shall  
2 state the reasons for its sentencing decision and, except as provided in par. (b), shall  
3 do so in open court and on the record.

4           (b) If the court determines that it is not in the interest of the defendant for it  
5 to state the reasons for its sentencing decision in the defendant's presence, the court  
6 shall state the reasons for its sentencing decision in writing and include the written  
7 statement in the record.

8           **SECTION 1136.** 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

9           973.03 **(3)** (e) 1. A crime which is a Class A ~~or~~ B, or C felony.

10           2. A crime which is a Class ~~C~~ D, E, F, or G felony listed in s. 969.08 (10) (b), but  
11 not including any crime specified in s. 943.10.

12           **SECTION 1137.** 973.03 (3) (e) 3. of the statutes is repealed.

13           **SECTION 1138.** 973.032 (4) (c) 2. of the statutes is amended to read:

14           973.032 **(4)** (c) 2. The person is sentenced for the escape ~~under s. 946.42 (4) (b)~~  
15 to a sentence of imprisonment concurrent with the sentence to the intensive  
16 sanctions program.

17           **SECTION 1139.** 973.075 (1) (b) 1m. e. of the statutes, as affected by 2001  
18 Wisconsin Act 16, is amended to read:

19           973.075 **(1)** (b) 1m. e. To cause more than ~~\$2,500~~ \$1,000 worth of criminal  
20 damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

21           **SECTION 1140.** 973.075 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
22 16, is amended to read:

23           973.075 **(2)** (d) The officer has probable cause to believe that the property was  
24 derived from or realized through a crime or that the property is a vehicle which was  
25 used to transport any property or weapon used or to be used or received in the

1 commission of any felony, which was used in the commission of a crime relating to  
2 a submerged cultural resource in violation of s. 44.47, or which was used to cause  
3 more than ~~\$2,500~~ \$1,000 worth of criminal damage to cemetery property in violation  
4 of s. 943.01 (2) (d) or 943.012.

5 **SECTION 1141.** 973.09 (2) (b) 1. of the statutes is amended to read:

6 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one  
7 year nor more than either the statutory maximum term of imprisonment  
8 confinement in prison for the crime or 3 years, whichever is greater.

9 **SECTION 1142.** 973.15 (2m) of the statutes is created to read:

10 973.15 (2m) (a) *Definitions.* In this subsection:

11 1. "Determinate sentence" means a bifurcated sentence imposed under s.  
12 973.01 or a life sentence under which a person is eligible for release to extended  
13 supervision under s. 973.014 (1g) (a) 1. or 2.

14 2. "Indeterminate sentence" means a sentence to the Wisconsin state prisons  
15 other than one of the following:

16 a. A determinate sentence.

17 b. A sentence under which the person is not eligible for release on parole under  
18 s. 939.62 (2m) (c) or 973.014 (1) (c).

19 3. "Period of confinement in prison," with respect to any sentence to the  
20 Wisconsin state prisons, means any time during which a person is incarcerated  
21 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113  
22 (3), or 302.114 (3) and any period of confinement in prison required to be served under  
23 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

24 (b) *Determinate sentences imposed to run concurrent with or consecutive to*  
25 *determinate sentences.* 1. If a court provides that a determinate sentence is to run

1 concurrent with another determinate sentence, the person sentenced shall serve the  
2 periods of confinement in prison under the sentences concurrently and the terms of  
3 extended supervision under the sentences concurrently.

4 2. If a court provides that a determinate sentence is to run consecutive to  
5 another determinate sentence, the person sentenced shall serve the periods of  
6 confinement in prison under the sentences consecutively and the terms of extended  
7 supervision under the sentences consecutively and in the order in which the  
8 sentences have been pronounced.

9 (c) *Determinate sentences imposed to run concurrent with or consecutive to*  
10 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run  
11 concurrent with an indeterminate sentence, the person sentenced shall serve the  
12 period of confinement in prison under the determinate sentence concurrent with the  
13 period of confinement in prison under the indeterminate sentence and the term of  
14 extended supervision under the determinate sentence concurrent with the parole  
15 portion of the indeterminate sentence.

16 2. If a court provides that a determinate sentence is to run consecutive to an  
17 indeterminate sentence, the person sentenced shall serve the period of confinement  
18 in prison under the determinate sentence consecutive to the period of confinement  
19 in prison under the indeterminate sentence and the parole portion of the  
20 indeterminate sentence consecutive to the term of extended supervision under the  
21 determinate sentence.

22 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*  
23 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run  
24 concurrent with a determinate sentence, the person sentenced shall serve the period  
25 of confinement in prison under the indeterminate sentence concurrent with the



1 period of confinement in prison under the determinate sentence and the parole  
2 portion of the indeterminate sentence concurrent with the term of extended  
3 supervision required under the determinate sentence.

4 2. If a court provides that an indeterminate sentence is to run consecutive to  
5 a determinate sentence, the person sentenced shall serve the period of confinement  
6 in prison under the indeterminate sentence consecutive to the period of confinement  
7 in prison under the determinate sentence and the parole portion of the  
8 indeterminate sentence consecutive to the term of extended supervision under the  
9 determinate sentence.

10 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent  
11 determinate sentences and extended supervision is revoked in each case, or if a  
12 person is serving a determinate sentence concurrent with an indeterminate sentence  
13 and both extended supervision and parole are revoked, the person shall concurrently  
14 serve any periods of confinement in prison required under those sentences under s.  
15 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

16 **SECTION 1143.** 973.155 (1) (b) of the statutes is amended to read:

17 973.155 (1) (b) The categories in par. (a) include custody of the convicted  
18 offender which is in whole or in part the result of a probation, extended supervision  
19 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed  
20 upon the person for the same course of conduct as that resulting in the new  
21 conviction.

22 **SECTION 1144.** 973.30 of the statutes is created to read:

23 **973.30 Sentencing commission. (1) DUTIES.** The sentencing commission  
24 shall do all of the following:

1           (a) Select an executive director having appropriate training and experience to  
2 study sentencing practices and prepare proposed sentencing guidelines.

3           (b) Monitor and compile data regarding sentencing practices in the state.

4           (c) Adopt advisory sentencing guidelines for felonies committed on or after the  
5 effective date of this paragraph ... [revisor inserts date], to promote public safety, to  
6 reflect changes in sentencing practices and to preserve the integrity of the criminal  
7 justice and correctional systems.

8           (d) Provide information to the legislature, state agencies, and the public  
9 regarding the costs to and other needs of the department which result from  
10 sentencing practices.

11           (e) Provide information to judges and lawyers about the sentencing guidelines.

12           (f) Publish and distribute to all circuit judges hearing criminal cases an annual  
13 report regarding its work, which shall include all sentencing guidelines and all  
14 changes in existing sentencing guidelines adopted during the 12 months preceding  
15 the report.

16           (g) Study whether race is a basis for imposing sentences in criminal cases and  
17 submit a report and recommendations on this issue to the governor, to each house  
18 of the legislature under s. 13.172 (2), and to the supreme court.

19           (h) Assist the legislature in assessing the cost of enacting new or revising  
20 existing statutes affecting criminal sentencing.

21           (i) At least semiannually, submit reports to all circuit judges, and to the chief  
22 clerk of each house of the legislature for distribution to the appropriate standing  
23 committees under s. 13.172 (3), containing statistics regarding criminal sentences  
24 imposed in this state. Each report shall have a different focus and need not contain

1 statistics regarding every crime. Each report shall contain information regarding  
2 sentences imposed statewide and in each of the following geographic areas:

- 3 1. Milwaukee County.
- 4 2. Dane and Rock counties.
- 5 3. Brown, Outagamie, Calumet, and Winnebago counties.
- 6 4. Racine and Kenosha counties.
- 7 5. All other counties.

8 (j) Study how sentencing options affect various types of offenders and offenses.

9 **(2) STAFF.** Subject to authorization under s. 16.505, the sentencing commission  
10 may hire staff to assist it in the performance of its duties.

11 **(3) SUNSET.** This section does not apply after December 31, 2007.

12 **SECTION 1145.** 977.05 (4) (jm) of the statutes is created to read:

13 977.05 (4) (jm) At the request of an inmate determined by the state public  
14 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent  
15 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113  
16 (9g) before a program review committee and the sentencing court, if the state public  
17 defender determines the case should be pursued.

18 **SECTION 1146.** 977.06 (2) (b) of the statutes is amended to read:

19 977.06 (2) (b) A person who makes a false representation that he or she does  
20 not believe is true for purposes of qualifying for assignment of counsel ~~shall be fined~~  
21 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~  
22 is guilty of a Class I felony.

23 **SECTION 1147.** 978.13 (1) (intro.) of the statutes is amended to read:

24 978.13 (1) (intro.) The Subject to sub. (1m), the state shall assume financial  
25 responsibility for all of the following:

1           **SECTION 1148.** 978.13 (1) (b) of the statutes is amended to read:

2           978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
3 and fringe benefit costs of 2 clerk positions providing clerical services to the  
4 prosecutors in the district attorney's office handling cases involving felony violations  
5 under ch. 961. The state treasurer shall pay the amount authorized under this  
6 ~~paragraph~~ subsection to the county treasurer pursuant to a voucher submitted by  
7 the district attorney to the department of administration from the appropriation  
8 under s. 20.475 (1) (i). ~~The amount paid under this paragraph may not exceed~~  
9 ~~\$75,200 in the 1999-2000 fiscal year and \$77,500 in the 2000-01 fiscal year.~~

10           **SECTION 1149.** 978.13 (1) (c) of the statutes is amended to read:

11           978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
12 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
13 prosecution of violent crime cases primarily involving felony violations under s.  
14 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
15 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall  
16 pay the amount authorized under this ~~paragraph~~ subsection to the county treasurer  
17 pursuant to a voucher submitted by the district attorney to the secretary of  
18 administration from the appropriation under s. 20.475 (1) (i). ~~The amount paid~~  
19 ~~under this paragraph may not exceed \$94,400 in the 1999-2000 fiscal year and~~  
20 ~~\$97,200 in the 2000-01 fiscal year.~~

21           **SECTION 1150.** 978.13 (1) (d) of the statutes, as affected by 2001 Wisconsin Act  
22 16, is amended to read:

23           978.13 (1) (d) In counties having a population of 500,000 or more, the salary  
24 and fringe benefit costs of 2 clerk positions providing clerical services to the  
25 prosecutors in the district attorney's office handling cases involving the unlawful

1 possession or use of firearms. The state treasurer shall pay the amount authorized  
2 under this ~~paragraph~~ subsection to the county treasurer from the appropriation  
3 under s. 20.475 (1) (f) pursuant to a voucher submitted by the district attorney to the  
4 department of administration. ~~The amount paid under this paragraph may not~~  
5 ~~exceed the amount appropriated under s. 20.475 (1) (f).~~

6 **SECTION 1151.** 978.13 (1m) of the statutes is created to read:

7 978.13 **(1m)** The amount paid under sub. (1) (b) and (c) combined may not  
8 exceed the amount appropriated under s. 20.475 (1) (i). The amount paid under sub.  
9 (1) (d) may not exceed the amount appropriated under s. 20.475 (1) (f).

10 **SECTION 1152.** 980.08 (4) of the statutes is amended to read:

11 980.08 **(4)** The court, without a jury, shall hear the petition within 30 days after  
12 the report of the court-appointed examiner is filed with the court, unless the  
13 petitioner waives this time limit. Expenses of proceedings under this subsection  
14 shall be paid as provided under s. 51.20 (18) (b), (c), and (d). The court shall grant  
15 the petition unless the state proves by clear and convincing evidence that the person  
16 is still a sexually violent person and that it is still substantially probable that the  
17 person will engage in acts of sexual violence if the person is not continued in  
18 institutional care. In making a decision under this subsection, the court may  
19 consider, without limitation because of enumeration, the nature and circumstances  
20 of the behavior that was the basis of the allegation in the petition under s. 980.02 (2)  
21 (a), the person's mental history and present mental condition, where the person will  
22 live, how the person will support himself or herself, and what arrangements are  
23 available to ensure that the person has access to and will participate in necessary  
24 treatment, ~~including pharmacological treatment using an antiandrogen or the~~  
25 ~~chemical equivalent of an antiandrogen if the person is a serious child sex offender.~~

1 ~~A decision under this subsection on a petition filed by a person who is a serious child~~  
2 ~~sex offender may not be made based on the fact that the person is a proper subject~~  
3 ~~for pharmacological treatment using an antiandrogen or the chemical equivalent of~~  
4 ~~an antiandrogen or on the fact that the person is willing to participate in~~  
5 ~~pharmacological treatment using an antiandrogen or the chemical equivalent of an~~  
6 ~~antiandrogen.~~

7 **SECTION 1153.** 980.08 (5) of the statutes, as affected by 2001 Wisconsin Act 16,  
8 is amended to read:

9 980.08 (5) If the court finds that the person is appropriate for supervised  
10 release, the court shall notify the department. The department shall make its best  
11 effort to arrange for placement of the person in a residential facility or dwelling that  
12 is in the person's county of residence, as determined by the department under s.  
13 980.105. The department and the county department under s. 51.42 in the county  
14 of residence of the person shall prepare a plan that identifies the treatment and  
15 services, if any, that the person will receive in the community. The plan shall address  
16 the person's need, if any, for supervision, counseling, medication, community support  
17 services, residential services, vocational services, and alcohol or other drug abuse  
18 treatment. In developing a plan for where the person may reside while on supervised  
19 release, the department shall consider the proximity of any potential placement to  
20 the residence of other persons on supervised release and to the residence of persons  
21 who are in the custody of the department of corrections and regarding whom a sex  
22 offender notification bulletin has been issued to law enforcement agencies under s.  
23 301.46 (2m) (a) or (am). ~~If the person is a serious child sex offender, the plan shall~~  
24 ~~address the person's need for pharmacological treatment using an antiandrogen or~~  
25 ~~the chemical equivalent of an antiandrogen.~~ The department may contract with a

1 county department, under s. 51.42 (3) (aw) 1. d., with another public agency, or with  
2 a private agency to provide the treatment and services identified in the plan. The  
3 plan shall specify who will be responsible for providing the treatment and services  
4 identified in the plan. The plan shall be presented to the court for its approval within  
5 60 days after the court finding that the person is appropriate for supervised release,  
6 unless the department, county department, and person to be released request  
7 additional time to develop the plan. If the county department of the person's county  
8 of residence declines to prepare a plan, the department may arrange for another  
9 county to prepare the plan if that county agrees to prepare the plan and if the person  
10 will be living in that county. If the department is unable to arrange for another  
11 county to prepare a plan, the court shall designate a county department to prepare  
12 the plan, order the county department to prepare the plan, and place the person on  
13 supervised release in that county, except that the court may not so designate the  
14 county department in any county where there is a facility in which persons  
15 committed to institutional care under this chapter are placed unless that county is  
16 also the person's county of residence.

17 **SECTION 1154.** 980.12 (title) of the statutes is amended to read:

18 **980.12 (title) Department duties; costs.**

19 **SECTION 1155.** 980.12 (1) of the statutes is renumbered 980.12.

20 **SECTION 1156.** 980.12 (2) of the statutes is repealed.

21 **SECTION 1157.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

22 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~  
23 The committee shall submit a report of its findings and recommendations to the  
24 legislature in the manner provided under section 13.172 (2) of the statutes and to the

1 governor. The report shall include any proposed legislation that is necessary to  
2 implement the recommendations made by the committee in its report.

3 **SECTION 1158.** 1999 Wisconsin Act 113, section 32 (7) is amended to read:

4 [1999 Wisconsin Act 113] Section 32 (7) ALLOCATION OF OIL OVERCHARGE FUNDS  
5 TO ENERGY PROGRAMS. Notwithstanding section 14.065 of the statutes, the secretary  
6 of administration shall allocate all oil overcharge restitution funds exceeding  
7 \$1,000,000 on the effective date of the amendment of this subsection by 2001  
8 Wisconsin Act .... (this act) and all accruing interest earnings on those funds under  
9 section 20.505 (1) (md) of the statutes that are not approved for expenditure on the  
10 effective date of this subsection, for reduction of lead paint hazards in dwellings that  
11 is done to allow for and in conjunction with energy conservation activities in rental  
12 properties owned by persons who seek a certificate of lead-free status, as defined in  
13 section 254.11 (4g) of the statutes, as created by this act, or a certificate of lead-safe  
14 status, as defined in section 254.11 (4h) of the statutes, as created by this act. In  
15 awarding moneys under this subsection, the department of administration shall give  
16 priority to projects that emphasize comprehensive lead removal plans for rental  
17 properties.

18 **SECTION 1159.** 2001 Wisconsin Act 16, section 9101 (23r) (b) 1. is amended to  
19 read:

20 [2001 Wisconsin Act 16] Section 9101 (23r) (b) 1. During the 2001-02 and  
21 2002-03 fiscal years, the secretary shall recommend lapses or transfers to the  
22 general fund, whichever is appropriate, from state operations appropriations made  
23 to state agencies from program revenue or segregated revenue that in total equal  
24 \$18,800,000 in each year \$17,710,900 in the 2001-02 fiscal year and \$16,690,100 in  
25 the 2002-03 fiscal year.



1           **SECTION 9101. Nonstatutory provisions; administration.**

2           (1) COMMISSION ON LOCAL GOVERNMENT.

3           (a) There is created a special committee to be called the commission on local  
4 government, which shall consist of members appointed by the governor.

5           (b) The governor shall appoint or determine the method of appointment of the  
6 officers of the commission and shall call the first meeting of the commission.

7           (c) The department of administration shall provide necessary administrative  
8 support services to the commission.

9           (d) The department of administration shall reimburse members of the  
10 commission for their actual and necessary expenses incurred in carrying out their  
11 functions from the appropriation under section 20.505 (4) (ba) of the statutes, within  
12 the budget of the committee authorized under section 16.40 (14) of the statutes.

13           (e) The commission shall:

14           1. Examine the organization, authority, and efficiency of local governments, the  
15 services provided by each type of local government, and the services required of local  
16 governments by the state.

17           2. Review the relationship of local governments with the state, examine  
18 spending by local governments, and identify ways to increase efficiency in the  
19 delivery of local governmental services.

20           (f) No later than February 1, 2003, the commission shall report its findings and  
21 recommendations to the governor, and to the legislature in the manner provided in  
22 section 13.172 (2) of the statutes. Upon submittal of its report, the commission ceases  
23 to exist.

1 (2) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (27)

2 (c) 1. of the statutes, as created by this act, the initial members of the sentencing  
3 commission shall be appointed for the following terms:

4 (a) 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 circuit judge, and one district attorney, for terms expiring on  
7 January 1, 2004.

8 (b) Three members appointed under section 15.105 (27) (a) 3. of the statutes,  
9 as created by this act, one of whom is not employed by any unit of federal, state, or  
10 local government, and one circuit judge, for terms expiring on January 1, 2005.

11 (c) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as  
12 created by this act, one representative of crime victims, and one attorney in private  
13 practice, for terms expiring on January 1, 2006.

14 (3) POSITION AUTHORIZATION. There is authorized for the sentencing commission  
15 1.0 FTE GPR executive director position, 1.0 FTE GPR deputy director position, and  
16 4.0 FTE GPR other positions to be funded from the appropriation under section  
17 20.505 (4) (dr) of the statutes, as created by this act.

18 (4) CRIMINAL PENALTIES STUDY COMMITTEE. Until the members of the sentencing  
19 commission created under section 973.30 of the statutes, as created by this act, are  
20 appointed, the criminal penalties study committee shall provide information to  
21 lawyers, judges, the legislature, and the public regarding changes made in the  
22 substance and structure of criminal penalties to be imposed under this act.

23 (5) PAYMENTS FROM PERMANENT ENDOWMENT FUND RELATING TO PUBLIC DEBT. When  
24 amending the schedule under section 20.004 (2) of the statutes, the department of  
25 administration shall insert the amount of \$200,000,000 as the estimated

1 expenditure amount for the appropriation under section 20.855 (4) (rm) of the  
2 statutes, as created by this act, in the 2001-02 fiscal year.

3 (6) POSITION TRANSFER.

4 (a) In this subsection, “executive branch agency” has the meaning given in  
5 section 16.70 (4) of the statutes.

6 (b) Notwithstanding section 16.505 (1) and (4) of the statutes, unless otherwise  
7 required by state or federal law, the secretary of administration may, prior to  
8 January 1, 2003, transfer to the office of the governor 1.0 FTE position authorized  
9 for any executive branch agency that is vacant on the date of the transfer and that  
10 was occupied by an employee in the unclassified service immediately prior to the date  
11 that the position was vacated for the purpose of filling the domestic security  
12 coordinator position authorized under section 14.21 of the statutes, as created by this  
13 act. The number of authorized full-time equivalent positions for the executive  
14 branch agency from which the transfer is made is decreased by 1.0 FTE position from  
15 the source or sources from which the position was funded on the date that the  
16 transfer is made. The number of authorized full-time equivalent positions for the  
17 office of the governor is increased by 1.0 FTE GPR position on the date that the  
18 transfer is made.

19 (7) ELIMINATION OF CERTAIN UNFUNDED STATE AGENCY POSITIONS.

20 (a) In this subsection:

- 21 1. “Secretary” means the secretary of administration.  
22 2. “State agency” has the meaning given in section 20.001 (1) of the statutes.

23 (b) No later than September 30, 2002, the secretary shall determine the  
24 number of positions in each state agency that were not funded as a result of any  
25 reduction in state agency operations appropriations under 2001 Wisconsin Act 16 for

1 the 2001-03 fiscal biennium and any reduction in such appropriations required  
2 under this act.

3 (c) After making the determination under paragraph (b), the secretary shall  
4 notify the joint committee on finance in writing of the determination. If the  
5 cochairpersons of the committee do not notify the secretary within 14 working days  
6 after the date of the secretary's notification that the committee has scheduled a  
7 meeting to review the determination, the secretary shall reduce each state agency's  
8 authorized positions for the 2002-03 fiscal year by the number of unfunded positions  
9 for that state agency as determined under paragraph (b). If, within 14 working days  
10 after the date of the secretary's notification, the cochairpersons of the committee  
11 notify the secretary that the committee has scheduled a meeting to review the  
12 determination, the secretary may make the reductions in the authorized positions  
13 only upon approval of the committee.

14 **SECTION 9102. Nonstatutory provisions; adolescent pregnancy**  
15 **prevention and pregnancy services board.**

16 **SECTION 9103. Nonstatutory provisions; aging and long-term care**  
17 **board.**

18 **SECTION 9104. Nonstatutory provisions; agriculture, trade and**  
19 **consumer protection.**

20 **SECTION 9105. Nonstatutory provisions; arts board.**

21 **SECTION 9106. Nonstatutory provisions; boundary area commission,**  
22 **Minnesota-Wisconsin.**

23 **SECTION 9107. Nonstatutory provisions; building commission.**

24 (1) PROCEEDS FROM THE SALE OF CERTAIN STATE OFFICE BUILDINGS.

1 (a) Notwithstanding section 13.48 (14) (c) of the statutes, if the building  
2 commission sells any or all of the state office buildings located at 123 West  
3 Washington Avenue, 121 East Wilson Street, and 149 East Wilson Street in the city  
4 of Madison, the commission shall deposit any net proceeds from the sale, after  
5 depositing any amount required to be deposited into the bond security and  
6 redemption fund, into the general fund.

7 (b) If the building commission sells any state office building specified in  
8 paragraph (a) during the period beginning on July 1, 2001, and ending on the day  
9 before the effective date of this paragraph, and any portion of the proceeds of that  
10 sale is transferred to the appropriation account under section 20.865 (4) (a) of the  
11 statutes, the lesser of the amount transferred or any unencumbered balance in that  
12 account is transferred on the effective date of this paragraph from the appropriation  
13 account under section 20.865 (4) (a) of the statutes to the general fund.

14 (c) This subsection does not apply after June 30, 2003.

15 **SECTION 9108. Nonstatutory provisions; child abuse and neglect**  
16 **prevention board.**

17 **SECTION 9109. Nonstatutory provisions; circuit courts.**

18 **SECTION 9110. Nonstatutory provisions; commerce.**

19 **SECTION 9111. Nonstatutory provisions; corrections.**

20 (1) ANTIANDROGEN TREATMENT. The authorized FTE positions for the  
21 department of corrections, funded from the appropriation under section 20.410 (1)  
22 (bm) of the statutes, are decreased by 1.0 GPR position for the pharmacological  
23 treatment program for child sex offenders.

24 (2) EMERGENCY RULES REGARDING FEES FROM PERSONS ON PROBATION, PAROLE, OR  
25 EXTENDED SUPERVISION. Using the procedure under section 227.24 of the statutes, the

1 department of corrections shall promulgate the rules that are required under section  
2 304.074 (5) of the statutes and that set rates under section 304.074 (2) of the statutes.  
3 The rules shall take effect on July 1, 2002, but may not remain effective for longer  
4 than the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
5 Notwithstanding section 304.074 (2) of the statutes, the rules shall require the  
6 department to have a goal of receiving at least \$2 per day, if appropriate, from each  
7 person who is on probation, parole, or extended supervision and who is not under  
8 administrative supervision, as defined in section 304.74 (1) (a) of the statutes, or  
9 minimum supervision, as defined in section 304.74 (1) (b) of the statutes.  
10 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department  
11 is not required to provide evidence that promulgating a rule under this subsection  
12 as an emergency rule is necessary for the preservation of the public peace, health,  
13 safety, or welfare and is not required to provide a finding of emergency for a rule  
14 promulgated under this subsection.

15 (3) EMERGENCY RULES REGARDING PRISONER COPAYMENTS FOR MEDICAL AND DENTAL  
16 CARE. Using the procedure under section 227.24 of the statutes, the department of  
17 corrections shall promulgate the rules that are required under section 302.386 (4) (a)  
18 of the statutes relating to the deductible, coinsurance, copayment, or similar charge  
19 that must be imposed under section 302.386 (3) (b) of the statutes. The rules shall  
20 take effect on July 1, 2002, but may not remain effective for longer than the period  
21 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
22 section 302.386 (3) (b) of the statutes, the rules shall require the department to  
23 require that, subject to the exception and waiver provisions under section 302.386  
24 (3) (c) of the statutes, each person to whom section 302.386 (1) of the statutes applies  
25 pay a deductible, coinsurance, copayment, or similar charge of at least \$7.50 for each

1 request that the person makes for medical or dental services. Notwithstanding  
2 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required  
3 to provide evidence that promulgating a rule under this subsection as an emergency  
4 rule is necessary for the preservation of the public peace, health, safety, or welfare  
5 and is not required to provide a finding of emergency for a rule promulgated under  
6 this subsection.

7 **SECTION 9112. Nonstatutory provisions; court of appeals.**

8 **SECTION 9113. Nonstatutory provisions; district attorneys.**

9 **SECTION 9114. Nonstatutory provisions; educational communications**  
10 **board.**

11 **SECTION 9115. Nonstatutory provisions; elections board.**

12 **SECTION 9116. Nonstatutory provisions; employee trust funds.**

13 **SECTION 9117. Nonstatutory provisions; employment relations**  
14 **commission.**

15 **SECTION 9118. Nonstatutory provisions; employment relations**  
16 **department.**

17 **SECTION 9119. Nonstatutory provisions; ethics board.**

18 **SECTION 9120. Nonstatutory provisions; financial institutions.**

19 **SECTION 9121. Nonstatutory provisions; governor.**

20 **SECTION 9122. Nonstatutory provisions; Health and Educational**  
21 **Facilities Authority.**

22 **SECTION 9123. Nonstatutory provisions; health and family services.**

23 (1) ENERGY COSTS. Of the moneys appropriated to the department of health and  
24 family services under section 20.435 (2) (f) of the statutes, \$600,000 for fiscal year

1 2002-03 may be encumbered or expended only upon approval of the secretary of  
2 administration.

3 **SECTION 9124. Nonstatutory provisions; higher educational aids**  
4 **board.**

5 **SECTION 9125. Nonstatutory provisions; historical society.**

6 **SECTION 9126. Nonstatutory provisions; Housing and Economic**  
7 **Development Authority.**

8 **SECTION 9127. Nonstatutory provisions; insurance.**

9 **SECTION 9128. Nonstatutory provisions; investment board.**

10 **SECTION 9129. Nonstatutory provisions; joint committee on finance.**

11 (1) DEPARTMENT OF PUBLIC INSTRUCTION GENERAL PROGRAM OPERATIONS. During  
12 the 2001-02 or 2002-03 fiscal year or both, the joint committee on finance may  
13 transfer all or part of the reduction to the appropriation to the department of public  
14 instruction under section 20.255 (1) (a) of the statutes made by this act to the  
15 appropriation under section 20.255 (1) (b) of the statutes without making any of the  
16 findings required under section 13.101 (4) of the statutes.

17 **SECTION 9130. Nonstatutory provisions; judicial commission.**

18 **SECTION 9131. Nonstatutory provisions; justice.**

19 **SECTION 9132. Nonstatutory provisions; legislature.**

20 **SECTION 9133. Nonstatutory provisions; lieutenant governor.**

21 **SECTION 9134. Nonstatutory provisions; lower Wisconsin state**  
22 **riverway board.**

23 **SECTION 9135. Nonstatutory provisions; Medical College of Wisconsin.**

24 **SECTION 9136. Nonstatutory provisions; military affairs.**



1           (1) YOUTH CHALLENGE PROGRAM. The authorized FTE positions for the  
2 department of military affairs are decreased by 17.2 GPR positions on July 1, 2002,  
3 for the purpose of eliminating the Youth Challenge program.

4           (2) ENERGY COSTS. Of the moneys appropriated to the department of military  
5 affairs under section 20.465 (1) (f) of the statutes, \$427,400 for fiscal year 2002-03  
6 may be encumbered or expended only upon approval of the secretary of  
7 administration.

8           **SECTION 9137. Nonstatutory provisions; natural resources.**

9           **SECTION 9138. Nonstatutory provisions; personnel commission.**

10          **SECTION 9139. Nonstatutory provisions; public defender board.**

11          **SECTION 9140. Nonstatutory provisions; public instruction.**

12          (1) REVENUE LIMIT.

13           (a) Notwithstanding section 121.91 (2m) (e) 2. and 3. of the statutes, in  
14 determining a school district's revenue limit for the 2002-03 school year, only \$210  
15 shall be added to the result under section 121.91 (2m) (e) 1. of the statutes. This  
16 paragraph does not apply if a school board adopts a resolution to that effect by a  
17 two-thirds vote of the members elect.

18           (b) The department shall encourage school districts to accommodate the  
19 reduction in the revenue limit increase under paragraph (a) without negatively  
20 affecting their instructional programs and shall provide technical assistance to  
21 school districts for that purpose.

22           (c) Notwithstanding paragraph (a), for the purpose of calculating a school  
23 district's revenue limit for the 2003-04 school year, the revenue increase per pupil  
24 allowed for the 2002-03 school year under section 121.91 (2m) (e) 2. of the statutes

1 shall be \$226.68 multiplied by the sum of 1.0 plus the allowable rate of increase under  
2 section 73.0305 of the statutes, as affected by this act, expressed as a decimal.

3 **SECTION 9141. Nonstatutory provisions; public lands, board of**  
4 **commissioners of.**

5 **SECTION 9142. Nonstatutory provisions; public service commission.**

6 **SECTION 9143. Nonstatutory provisions; regulation and licensing.**

7 **SECTION 9144. Nonstatutory provisions; revenue.**

8 (1) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal  
9 Revenue Code made by P.L. 106-554 apply to the definitions of the "Internal Revenue  
10 Code" in chapter 71 of the statutes at the time that those changes apply for federal  
11 income tax purposes.

12 **SECTION 9145. Nonstatutory provisions; secretary of state.**

13 **SECTION 9146. Nonstatutory provisions; state fair park board.**

14 **SECTION 9147. Nonstatutory provisions; supreme court.**

15 **SECTION 9148. Nonstatutory provisions; technical college system.**

16 (1) FEES. Notwithstanding section 38.24 (1m) of the statutes, the technical  
17 college system board shall ensure that the fees charged students under section 38.24  
18 (1m) of the statutes in the 2002-03 school year do not exceed the fees charged  
19 students in the 2001-02 school year multiplied by 1.10.

20 **SECTION 9149. Nonstatutory provisions; technology for educational**  
21 **achievement in Wisconsin board.**

22 **SECTION 9150. Nonstatutory provisions; tobacco control board.**

23 **SECTION 9151. Nonstatutory provisions; tourism.**

24 **SECTION 9152. Nonstatutory provisions; transportation.**

25 (1) REPORT ON LAPSING MONEYS TO THE TRANSPORTATION FUND.

1           (a) During fiscal year 2001-02, the department of transportation shall submit  
2 a report to the department of administration for the lapsing of \$4,333,600 in fiscal  
3 year 2001-02 from segregated revenue appropriations to the department of  
4 transportation for state operations from the transportation fund. With respect to the  
5 proposed lapse, the report shall specify applicable appropriation accounts, the  
6 amount of the proposed lapse from each appropriation account, and anticipated  
7 actions by the department of transportation. The department of transportation shall  
8 make every effort to avoid adverse impacts on activities related to highway planning,  
9 design, and construction.

10           (b) No later than December 31, 2002, the department of transportation shall  
11 submit a report to the department of administration for the lapsing of \$6,190,900 in  
12 fiscal year 2002-03 from segregated revenue appropriations to the department of  
13 transportation for state operations from the transportation fund. With respect to the  
14 proposed lapse, the report shall specify applicable appropriation accounts, the  
15 amount of the proposed lapse from each appropriation account, and anticipated  
16 actions by the department of transportation. The department of transportation shall  
17 make every effort to avoid adverse impacts on activities related to highway planning,  
18 design, and construction.

19           **SECTION 9153. Nonstatutory provisions; treasurer.**

20           **SECTION 9154. Nonstatutory provisions; University of Wisconsin**  
21 **Hospitals and Clinics Authority.**

22           **SECTION 9155. Nonstatutory provisions; University of Wisconsin**  
23 **Hospitals and Clinics Board.**

24           **SECTION 9156. Nonstatutory provisions; University of Wisconsin**  
25 **System.**

1           (1) TUITION-INCREASE RESTRICTIONS. Notwithstanding section 36.27 (1) (a) and  
2 (am) 1. to 5. of the statutes, the board of regents of the University of Wisconsin  
3 System may not increase the average of academic fees charged an undergraduate  
4 student in the 2002-03 academic year compared to the average academic fees  
5 charged an undergraduate student in the 2001-02 academic year by more than 10%  
6 unless the board obtains the approval of the joint committee on finance under section  
7 13.10 of the statutes and the approval of the secretary of administration. The board  
8 of regents shall determine average academic fees under this subsection on a  
9 full-time equivalent basis. The board may not increase differential tuition under  
10 section 36.27 (1) (am) 6. of the statutes for the 2002-03 academic year to offset  
11 decreases in the appropriations under section 20.285 (1) (a) and (3) (a) of the statutes.

12           (2) ENERGY COSTS. Of the moneys appropriated to the board of regents of the  
13 University of Wisconsin System under section 20.285 (1) (c) of the statutes,  
14 \$1,850,000 for fiscal year 2001-02 and \$17,122,600 for fiscal year 2002-03 may be  
15 encumbered or expended only upon approval of the secretary of administration.

16           **SECTION 9157. Nonstatutory provisions; veterans affairs.**

17           **SECTION 9158. Nonstatutory provisions; workforce development.**

18           **SECTION 9159. Nonstatutory provisions; other.**

19           (1) USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES BY GOVERNMENTAL  
20 UNITS; EMERGENCY RULES. Using the procedure under section 227.24 of the statutes,  
21 the department of electronic government may promulgate emergency rules under  
22 section 137.25 (2) of the statutes, as created by this act, for the period before the  
23 effective date of permanent rules initially promulgated under section 137.25 (2) of  
24 the statutes, as created by this act, but not to exceed the period authorized under  
25 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),

1 (2) (b), and (3) of the statutes, the department is not required to provide evidence that  
2 promulgating a rule under this subsection as an emergency rule is necessary for the  
3 preservation of the public peace, health, safety, or welfare and is not required to  
4 provide a finding of emergency for a rule promulgated under this subsection.

5 (2) USE OF ELECTRONIC SIGNATURES BY NOTARIES PUBLIC; EMERGENCY RULES. Using  
6 the procedure under section 227.24 of the statutes, the secretary of state and the  
7 department of electronic government may promulgate emergency rules under  
8 section 137.01 (4) (a) of the statutes, as affected by this act, for the period before the  
9 effective date of permanent rules initially promulgated under section 137.01 (4) (a)  
10 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (a), (2) (b),  
11 and (3) of the statutes, the secretary of state and the department are not required to  
12 provide evidence that promulgating a rule under this subsection as an emergency  
13 rule is necessary for the preservation of the public peace, health, safety, or welfare  
14 and are not required to provide a finding of emergency for a rule promulgated under  
15 this subsection.

16 (3) USE OF ELECTRONIC SIGNATURES BY NOTARIES PUBLIC; PERMANENT RULES. The  
17 secretary of state and department of electronic government shall initially  
18 promulgate permanent rules under section 137.01 (4) (a) of the statutes, as affected  
19 by this act, to become effective no later than January 1, 2004.

20 **SECTION 9201. Appropriation changes; administration.**

21 (1) HOUSING GRANTS AND LOANS. In the schedule under section 20.005 (3) of the  
22 statutes for the appropriation to the department of administration under section  
23 20.505 (7) (b) of the statutes, as affected by the acts of 2001, the dollar amount is  
24 decreased by \$1,500,000 for fiscal year 2001-02 and the dollar amount is decreased

1 by \$3,300,300 for fiscal year 2002-03 to decrease funding for the purposes for which  
2 the appropriation is made.

3 (2) POLICE SERVICES. In the schedule under section 20.005 (3) of the statutes for  
4 the appropriation to the department of administration under section 20.505 (5) (ka)  
5 of the statutes, as affected by the acts of 2001, the dollar amount is increased by  
6 \$79,600 for fiscal year 2001-02 and the dollar amount is increased by \$238,400 for  
7 fiscal year 2002-03 to increase the authorized FTE positions for the department by  
8 5.0 PR police officer positions and to finance supporting costs.

9 (3) LAPSE OF FEDERAL OIL OVERCHARGE RESTITUTION MONEYS. Notwithstanding  
10 section 20.001 (3) (c) of the statutes, there is lapsed to the general fund \$1,000,000  
11 from the appropriation account of the department of administration under section  
12 20.505 (1) (md) of the statutes, as affected by the acts of 2001.

13 (4) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
14 the statutes for the appropriation to the department of administration under section  
15 20.505 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is  
16 decreased by \$200,000 for fiscal year 2001-02 and the dollar amount is decreased by  
17 \$250,000 for fiscal year 2002-03 to decrease funding for the purposes for which the  
18 appropriation is made.

19 (5) COMPREHENSIVE PLANNING GRANTS. In the schedule under section 20.005 (3)  
20 of the statutes for the appropriation to the department of administration under  
21 section 20.505 (1) (cm) of the statutes, as affected by the acts of 2001, the dollar  
22 amount is decreased by \$175,000 for fiscal year 2001-02 and the dollar amount is  
23 decreased by \$175,000 for fiscal year 2002-03 to decrease funding for the purpose for  
24 which the appropriation is made.

1           (6) COMPREHENSIVE PLANNING; ADMINISTRATIVE SUPPORT. In the schedule under  
2 section 20.005 (3) of the statutes for the appropriation to the department of  
3 administration under section 20.505 (1) (cn) of the statutes, as affected by the acts  
4 of 2001, the dollar amount is decreased by \$1,700 for fiscal year 2001-02 and the  
5 dollar amount is decreased by \$2,500 for fiscal year 2002-03 to decrease funding for  
6 the purpose for which the appropriation is made.

7           (7) FEDERAL RESOURCE ACQUISITION SUPPORT GRANTS. In the schedule under  
8 section 20.005 (3) of the statutes for the appropriation to the department of  
9 administration under section 20.505 (1) (fo) of the statutes, as affected by the acts  
10 of 2001, the dollar amount is decreased by \$100,000 for fiscal year 2002-03 to  
11 decrease funding for the purpose for which the appropriation is made.

12           (8) ADJUDICATION OF TAX APPEALS. In the schedule under section 20.005 (3) of the  
13 statutes for the appropriation to the department of administration under section  
14 20.505 (4) (a) of the statutes, as affected by the acts of 2001, the dollar amount is  
15 decreased by \$20,800 for fiscal year 2001-02 and the dollar amount is decreased by  
16 \$30,000 for fiscal year 2002-03 to decrease funding for the purpose for which the  
17 appropriation is made.

18           (9) COMMITTEES AND INTERSTATE BODIES. In the schedule under section 20.005  
19 (3) of the statutes for the appropriation to the department of administration under  
20 section 20.505 (4) (ba) of the statutes, as affected by the acts of 2001, the dollar  
21 amount is decreased by \$135,000 for fiscal year 2002-03 to decrease funding for the  
22 purposes for which the appropriation is made.

23           (10) WOMEN'S COUNCIL OPERATIONS. In the schedule under section 20.005 (3) of  
24 the statutes for the appropriation to the department of administration under section  
25 20.505 (4) (ea) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$3,600 for fiscal year 2001-02 and the dollar amount is decreased by  
2 \$5,200 for fiscal year 2002-03 to decrease funding for the purpose for which the  
3 appropriation is made.

4 (11) VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN AWARD  
5 OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the  
6 appropriation to the department of administration under section 20.505 (4) (ec) of the  
7 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$700 for  
8 fiscal year 2001-02 and the dollar amount is decreased by \$1,100 for fiscal year  
9 2002-03 to decrease funding for the purposes for which the appropriation is made.

10 (12) OFFICE OF JUSTICE ASSISTANCE GENERAL PROGRAM OPERATIONS. In the  
11 schedule under section 20.005 (3) of the statutes for the appropriation to the  
12 department of administration under section 20.505 (6) (a) of the statutes, as affected  
13 by the acts of 2001, the dollar amount is decreased by \$13,600 for fiscal year 2001-02  
14 and the dollar amount is decreased by \$19,500 for fiscal year 2002-03 to decrease  
15 funding for the purpose for which the appropriation is made.

16 (13) DIVISION OF GAMING; RACING AND PARI-MUTUEL WAGERING. In the schedule  
17 under section 20.005 (3) of the statutes for the appropriation to the department of  
18 administration under section 20.505 (8) (b) of the statutes, as affected by the acts of  
19 2001, the dollar amount is decreased by \$164,100 for fiscal year 2002-03 to decrease  
20 funding for the purpose for which the appropriation is made.

21 **SECTION 9202. Appropriation changes; adolescent pregnancy**  
22 **prevention and pregnancy services board.**

23 (1) GENERAL PROGRAM OPERATIONS DECREASES. In the schedule under section  
24 20.005 (3) of the statutes for the appropriation to the adolescent pregnancy  
25 prevention and pregnancy services board under section 20.434 (1) (a) of the statutes,



1 as affected by the acts of 2001, the dollar amount is decreased by \$800 for fiscal year  
2 2001-02 and the dollar amount is decreased by \$1,200 for fiscal year 2002-03 for the  
3 purpose for which the appropriation is made.

4 (2) GRANTS TO ORGANIZATIONS DECREASE. In the schedule under section 20.005  
5 (3) of the statutes for the appropriation to the adolescent pregnancy prevention and  
6 pregnancy services board under section 20.434 (1) (b) of the statutes, as affected by  
7 the acts of 2001, the dollar amount is decreased by \$3,100 for fiscal year 2001-02 and  
8 the dollar amount is decreased by \$4,400 for fiscal year 2002-03 for the purpose for  
9 which the appropriation is made.

10 **SECTION 9203. Appropriation changes; aging and long-term care**  
11 **board.**

12 (1) GENERAL PROGRAM OPERATIONS DECREASES. In the schedule under section  
13 20.005 (3) of the statutes for the appropriation to the board on aging and long-term  
14 care under section 20.432 (1) (a) of the statutes, as affected by the acts of 2001, the  
15 dollar amount is decreased by \$27,400 for fiscal year 2001-02 and the dollar amount  
16 is decreased by \$39,100 for fiscal year 2002-03 for the purpose for which the  
17 appropriation is made.

18 **SECTION 9204. Appropriation changes; agriculture, trade and**  
19 **consumer protection.**

20 (1) SOIL AND WATER RESOURCE MANAGEMENT, ENVIRONMENTAL FUND. In the  
21 schedule under section 20.005 (3) of the statutes for the appropriation to the  
22 department of agriculture, trade and consumer protection under section 20.115 (7)  
23 (qd) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
24 by \$123,100 for fiscal year 2001-02 and the dollar amount is decreased by \$246,200

1 for fiscal year 2002-03 to reduce funding for the purpose for which the appropriation  
2 is made.

3 (2) **FOOD SAFETY AND CONSUMER PROTECTION.** In the schedule under section  
4 20.005 (3) of the statutes for the appropriation to the department of agriculture,  
5 trade and consumer protection under section 20.115 (1) (a) of the statutes, as affected  
6 by the acts of 2001, the dollar amount is increased by \$175,900 for fiscal year 2001-02  
7 and the dollar amount is increased by \$93,400 for fiscal year 2002-03 to reflect  
8 consolidation with the appropriation for automobile repair regulation.

9 (3) **PAYMENTS TO ETHANOL PRODUCERS.** In the schedule under section 20.005 (3)  
10 of the statutes for the appropriation to the department of agriculture, trade and  
11 consumer protection under section 20.115 (1) (d) of the statutes, as affected by the  
12 acts of 2001, the dollar amount is decreased by \$55,000 for fiscal year 2002-03 to  
13 decrease funding for the purpose for which the appropriation is made.

14 (4) **ANIMAL HEALTH SERVICES.** In the schedule under section 20.005 (3) of the  
15 statutes for the appropriation to the department of agriculture, trade and consumer  
16 protection under section 20.115 (2) (a) of the statutes, as affected by the acts of 2001,  
17 the dollar amount is decreased by \$27,100 for fiscal year 2001-02 and the dollar  
18 amount is decreased by \$112,200 for fiscal year 2002-03 to decrease funding for the  
19 purpose for which the appropriation is made.

20 (5) **MARKETING SERVICES.** In the schedule under section 20.005 (3) of the statutes  
21 for the appropriation to the department of agriculture, trade and consumer  
22 protection under section 20.115 (3) (a) of the statutes, as affected by the acts of 2001,  
23 the dollar amount is decreased by \$203,900 for fiscal year 2001-02 and the dollar  
24 amount is decreased by \$275,000 for fiscal year 2002-03 to decrease funding for the  
25 purpose for which the appropriation is made.

1           (6) AID TO WISCONSIN LIVESTOCK BREEDERS ASSOCIATION. In the schedule under  
2 section 20.005 (3) of the statutes for the appropriation to the department of  
3 agriculture, trade and consumer protection under section 20.115 (4) (a) of the  
4 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$2,000 for  
5 fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
6 is made.

7           (7) AIDS TO COUNTY AND DISTRICT FAIRS. In the schedule under section 20.005 (3)  
8 of the statutes for the appropriation to the department of agriculture, trade and  
9 consumer protection under section 20.115 (4) (b) of the statutes, as affected by the  
10 acts of 2001, the dollar amount is decreased by \$20,500 for fiscal year 2001-02 and  
11 the dollar amount is decreased by \$29,300 for fiscal year 2002-03 to decrease funding  
12 for the purpose for which the appropriation is made.

13           (8) AGRICULTURAL INVESTMENT AIDS. In the schedule under section 20.005 (3) of  
14 the statutes for the appropriation to the department of agriculture, trade and  
15 consumer protection under section 20.115 (4) (c) of the statutes, as affected by the  
16 acts of 2001, the dollar amount is decreased by \$15,400 for fiscal year 2001-02 and  
17 the dollar amount is decreased by \$20,000 for fiscal year 2002-03 to decrease funding  
18 for the purposes for which the appropriation is made.

19           (9) FARMER TUITION ASSISTANCE GRANTS. In the schedule under section 20.005 (3)  
20 of the statutes for the appropriation to the department of agriculture, trade and  
21 consumer protection under section 20.115 (4) (d) of the statutes, as affected by the  
22 acts of 2001, the dollar amount is decreased by \$200 for fiscal year 2001-02 and the  
23 dollar amount is decreased by \$300 for fiscal year 2002-03 to decrease funding for  
24 the purpose for which the appropriation is made.

1           (10) AIDS TO WORLD DAIRY EXPO, INC. In the schedule under section 20.005 (3)  
2 of the statutes for the appropriation to the department of agriculture, trade and  
3 consumer protection under section 20.115 (4) (e) of the statutes, as affected by the  
4 acts of 2001, the dollar amount is decreased by \$900 for fiscal year 2001-02 and the  
5 dollar amount is decreased by \$1,300 for fiscal year 2002-03 to decrease funding for  
6 the purpose for which the appropriation is made.

7           (11) AGRICULTURAL RESOURCE MANAGEMENT. In the schedule under section  
8 20.005 (3) of the statutes for the appropriation to the department of agriculture,  
9 trade and consumer protection under section 20.115 (7) (a) of the statutes, as affected  
10 by the acts of 2001, the dollar amount is decreased by \$22,400 for fiscal year 2001-02  
11 and the dollar amount is decreased by \$36,400 for fiscal year 2002-03 to decrease  
12 funding for the purpose for which the appropriation is made.

13           (12) SOIL AND WATER RESOURCE MANAGEMENT PROGRAM. In the schedule under  
14 section 20.005 (3) of the statutes for the appropriation to the department of  
15 agriculture, trade and consumer protection under section 20.115 (7) (c) of the  
16 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$205,600  
17 for fiscal year 2001-02 and the dollar amount is decreased by \$293,800 for fiscal year  
18 2002-03 to decrease funding for the purpose for which the appropriation is made.

19           (13) DRAINAGE BOARD GRANTS. In the schedule under section 20.005 (3) of the  
20 statutes for the appropriation to the department of agriculture, trade and consumer  
21 protection under section 20.115 (7) (d) of the statutes, as affected by the acts of 2001,  
22 the dollar amount is decreased by \$17,500 for fiscal year 2001-02 and the dollar  
23 amount is decreased by \$25,000 for fiscal year 2002-03 to decrease funding for the  
24 purpose for which the appropriation is made.

1           (14) CENTRAL ADMINISTRATIVE SERVICES. In the schedule under section 20.005 (3)  
2 of the statutes for the appropriation to the department of agriculture, trade and  
3 consumer protection under section 20.115 (8) (a) of the statutes, as affected by the  
4 acts of 2001, the dollar amount is decreased by \$83,200 for fiscal year 2001-02 and  
5 the dollar amount is decreased by \$135,200 for fiscal year 2002-03 to decrease  
6 funding for the purpose for which the appropriation is made.

7           **SECTION 9205. Appropriation changes; arts board.**

8           (1) SUPPORT OF ARTS PROJECT. In the schedule under section 20.005 (3) of the  
9 statutes for the appropriation to the arts board under section 20.215 (1) (a) of the  
10 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$12,400  
11 for fiscal year 2001-02 and the dollar amount is decreased by \$17,600 for fiscal year  
12 2002-03 to decrease funding for the purposes for which the appropriation is made.

13           (2) STATE AID FOR THE ARTS. In the schedule under section 20.005 (3) of the  
14 statutes for the appropriation to the arts board under section 20.215 (1) (b) of the  
15 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$43,400  
16 for fiscal year 2001-02 and the dollar amount is decreased by \$62,000 for fiscal year  
17 2002-03 to decrease funding for the purpose for which the appropriation is made.

18           (3) CHALLENGE GRANT PROGRAM. In the schedule under section 20.005 (3) of the  
19 statutes for the appropriation to the arts board under section 20.215 (1) (d) of the  
20 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$28,700  
21 for fiscal year 2001-02 and the dollar amount is decreased by \$41,000 for fiscal year  
22 2002-03 to decrease funding for the purpose for which the appropriation is made.

23           (4) WISCONSIN REGRANTING PROGRAM. In the schedule under section 20.005 (3)  
24 of the statutes for the appropriation to the arts board under section 20.215 (1) (f) of  
25 the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$5,300

1 for fiscal year 2001-02 and the dollar amount is decreased by \$7,500 for fiscal year  
2 2002-03 to decrease funding for the purpose for which the appropriation is made.

3 **SECTION 9206. Appropriation changes; boundary area commission,**  
4 **Minnesota-Wisconsin.**

5 **SECTION 9207. Appropriation changes; building commission.**

6 **SECTION 9208. Appropriation changes; child abuse and neglect**  
7 **prevention board.**

8 **SECTION 9209. Appropriation changes; circuit courts.**

9 **SECTION 9210. Appropriation changes; commerce.**

10 (1) GRANTS MANAGEMENT OFFICE. In the schedule under section 20.005 (3) of the  
11 statutes for the appropriation to the department of commerce under section 20.143  
12 (4) (a) of the statutes, as affected by the acts of 2001, the dollar amount is increased  
13 by \$26,000 for fiscal year 2001-02 and the dollar amount is increased by \$56,300 for  
14 fiscal year 2002-03 for the operation of the grants management office and to increase  
15 the authorized FTE positions for the department by 1.0 GPR position to staff the  
16 grants management office.

17 (2) SAFETY AND BUILDINGS OPERATIONS, PETROLEUM INSPECTION FUND. In the  
18 schedule under section 20.005 (3) of the statutes for the appropriation to the  
19 department of commerce under section 20.143 (3) (r) of the statutes, as affected by  
20 the acts of 2001, the dollar amount is decreased by \$365,500 for fiscal year 2001-02  
21 and the dollar amount is decreased by \$665,000 for fiscal year 2002-03 to decrease  
22 funding for the purposes for which the appropriation is made.

23 (3) PETROLEUM STORAGE REMEDIAL ACTION ADMINISTRATION, PETROLEUM INSPECTION  
24 FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation  
25 to the department of commerce under section 20.143 (3) (w) of the statutes, as

1 affected by the acts of 2001, the dollar amount is decreased by \$63,000 for fiscal year  
2 2001-02 and the dollar amount is decreased by \$90,000 for fiscal year 2002-03 to  
3 decrease funding for the purpose for which the appropriation is made.

4 (4) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the  
5 petroleum inspection fund to the general fund \$428,500 in fiscal year 2001-02 and  
6 \$755,000 in fiscal year 2002-03.

7 (5) GENERAL PROGRAM OPERATIONS; ECONOMIC AND COMMUNITY DEVELOPMENT. In  
8 the schedule under section 20.005 (3) of the statutes for the appropriation to the  
9 department of commerce under section 20.143 (1) (a) of the statutes, as affected by  
10 the acts of 2001, the dollar amount is decreased by \$111,100 for fiscal year 2001-02  
11 and the dollar amount is decreased by \$187,500 for fiscal year 2002-03 to decrease  
12 funding for the purposes for which the appropriation is made.

13 (6) ECONOMIC DEVELOPMENT PROMOTION. In the schedule under section 20.005  
14 (3) of the statutes for the appropriation to the department of commerce under section  
15 20.143 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is  
16 decreased by \$13,100 for fiscal year 2002-03 to decrease funding for the purposes for  
17 which the appropriation is made.

18 (7) AID TO FORWARD WISCONSIN, INC. In the schedule under section 20.005 (3)  
19 of the statutes for the appropriation to the department of commerce under section  
20 20.143 (1) (bm) of the statutes, as affected by the acts of 2001, the dollar amount is  
21 decreased by \$25,000 for fiscal year 2002-03 to decrease funding for the purposes for  
22 which the appropriation is made.

23 (8) MAIN STREET PROGRAM. In the schedule under section 20.005 (3) of the  
24 statutes for the appropriation to the department of commerce under section 20.143  
25 (1) (dr) of the statutes, as affected by the acts of 2001, the dollar amount is decreased

1 by \$15,000 for fiscal year 2001-02 and the dollar amount is decreased by \$21,900 for  
2 fiscal year 2002-03 to decrease funding for the purposes for which the appropriation  
3 is made.

4 (9) GENERAL PROGRAM OPERATIONS; TECHNOLOGY-BASED ECONOMIC DEVELOPMENT.  
5 In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
6 department of commerce under section 20.143 (1) (e) of the statutes, as affected by  
7 the acts of 2001, the dollar amount is decreased by \$6,300 for fiscal year 2002-03 to  
8 decrease funding for the purposes for which the appropriation is made.

9 (10) PRIVATE SEWAGE SYSTEM REPLACEMENT AND REHABILITATION. In the schedule  
10 under section 20.005 (3) of the statutes for the appropriation to the department of  
11 commerce under section 20.143 (3) (de) of the statutes, as affected by the acts of 2001,  
12 the dollar amount is decreased by \$330,900 for fiscal year 2001-02 and the dollar  
13 amount is decreased by \$501,000 for fiscal year 2002-03 to decrease funding for the  
14 purposes for which the appropriation is made.

15 (11) GENERAL PROGRAM OPERATIONS; EXECUTIVE AND ADMINISTRATIVE SERVICES. In  
16 the schedule under section 20.005 (3) of the statutes for the appropriation to the  
17 department of commerce under section 20.143 (4) (a) of the statutes, as affected by  
18 the acts of 2001, the dollar amount is decreased by \$103,800 for fiscal year 2001-02  
19 and the dollar amount is decreased by \$87,500 for fiscal year 2002-03 to decrease  
20 funding for the purposes for which the appropriation is made.

21 **SECTION 9211. Appropriation changes; corrections.**

22 (1) INMATE SECURE WORK PROGRAM. In the schedule under section 20.005 (3) of  
23 the statutes for the appropriation to the department of corrections under section  
24 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is  
25 decreased by \$171,500 for fiscal year 2002-03 to decrease the authorized FTE



1 positions for the department by 3.0 GPR positions for the inmate secure work  
2 program.

3 (2) JAIL REIMBURSEMENT. In the schedule under section 20.005 (3) of the statutes  
4 for the appropriation to the department of corrections under section 20.410 (1) (bn)  
5 of the statutes, as affected by the acts of 2001, the dollar amount is increased by  
6 \$466,600 for fiscal year 2001-02 and the dollar amount is increased by \$915,300 for  
7 fiscal year 2002-03 for the purpose for which the appropriation is made.

8 (3) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
9 the statutes for the appropriation to the department of corrections under section  
10 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is  
11 decreased by \$1,229,400 for fiscal year 2001-02 and the dollar amount is decreased  
12 by \$2,534,800 for fiscal year 2002-03 to decrease funding for the purposes for which  
13 the appropriation is made.

14 (4) INSTITUTIONAL REPAIR AND MAINTENANCE. In the schedule under section  
15 20.005 (3) of the statutes for the appropriation to the department of corrections under  
16 section 20.410 (1) (aa) of the statutes, as affected by the acts of 2001, the dollar  
17 amount is decreased by \$201,300 for fiscal year 2002-03 to decrease funding for the  
18 purpose for which the appropriation is made.

19 (5) CORRECTIONS CONTRACTS AND AGREEMENTS. In the schedule under section  
20 20.005 (3) of the statutes for the appropriation to the department of corrections under  
21 section 20.410 (1) (ab) of the statutes, as affected by the acts of 2001, the dollar  
22 amount is decreased by \$2,225,400 for fiscal year 2002-03 to decrease funding for the  
23 purpose for which the appropriation is made.

24 (6) SERVICES FOR COMMUNITY CORRECTIONS. In the schedule under section 20.005  
25 (3) of the statutes for the appropriation to the department of corrections under

1 section 20.410 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount  
2 is decreased by \$7,293,000 for fiscal year 2002-03 to decrease funding for the  
3 purposes for which the appropriation is made.

4 (7) PURCHASED SERVICES FOR OFFENDERS. In the schedule under section 20.005  
5 (3) of the statutes for the appropriation to the department of corrections under  
6 section 20.410 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount  
7 is decreased by \$1,302,600 for fiscal year 2002-03 to decrease funding for the  
8 purposes for which the appropriation is made.

9 (8) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for  
10 the appropriation to the department of corrections under section 20.410 (1) (f) of the  
11 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$617,000  
12 for fiscal year 2002-03 to decrease funding for the purposes for which the  
13 appropriation is made.

14 (9) PAROLE PROGRAM; GENERAL PROGRAM OPERATIONS. In the schedule under  
15 section 20.005 (3) of the statutes for the appropriation to the department of  
16 corrections under section 20.410 (2) (a) of the statutes, as affected by the acts of 2001,  
17 the dollar amount is decreased by \$5,600 for fiscal year 2002-03 to decrease funding  
18 for the purpose for the which the appropriation is made.

19 (10) JUVENILE CORRECTIONS SERVICES; GENERAL PROGRAM OPERATIONS. In the  
20 schedule under section 20.005 (3) of the statutes for the appropriation to the  
21 department of corrections under section 20.410 (3) (a) of the statutes, as affected by  
22 the acts of 2001, the dollar amount is decreased by \$14,700 for fiscal year 2002-03  
23 to decrease funding for the purposes for which the appropriation is made.

24 (11) INSTITUTION DELAYS; GENERAL PROGRAM OPERATIONS. In the schedule under  
25 section 20.005 (3) of the statutes for the appropriation to the department of

1 corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 2001,  
2 the dollar amount is decreased by \$229,900 for fiscal year 2001-02 and the dollar  
3 amount is decreased by \$14,560,100 for fiscal year 2002-03 to decrease the  
4 authorized FTE positions for the department by 496.53 GPR positions on July 1,  
5 2002, as the result of delaying the opening of the New Lisbon Correctional  
6 Institution, Highview Correctional Institution, the Oshkosh Correctional  
7 Institution segregation unit, the Winnebago and Sturtevant workhouses, and the  
8 Racine probation and parole holding facilities that are authorized in 2001 Wisconsin  
9 Act 16.

10 (12) INSTITUTION DELAYS; INSTITUTIONAL REPAIR AND MAINTENANCE. In the  
11 schedule under section 20.005 (3) of the statutes for the appropriation to the  
12 department of corrections under section 20.410 (1) (aa) of the statutes, as affected by  
13 the acts of 2001, the dollar amount is decreased by \$4,700 for fiscal year 2001-02 and  
14 the dollar amount is decreased by \$242,000 for fiscal year 2002-03 for the purpose  
15 of delaying the opening of the New Lisbon Correctional Institution, the Highview  
16 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the  
17 Winnebago and Sturtevant workhouses, and the Racine probation and parole  
18 holding facilities that are authorized in 2001 Wisconsin Act 16.

19 (13) INSTITUTION DELAYS; CORRECTIONS CONTRACTS AND AGREEMENTS. In the  
20 schedule under section 20.005 (3) of the statutes for the appropriation to the  
21 department of corrections under section 20.410 (1) (ab) of the statutes, as affected by  
22 the acts of 2001, the dollar amount is increased by \$275,600 for fiscal year 2001-02  
23 and the dollar amount is increased by \$4,828,800 for fiscal year 2002-03 as a result  
24 of delaying the opening of the New Lisbon Correctional Institution, the Highview  
25 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the

1 Winnebago and Sturtevant workhouses, and the Racine probation and parole  
2 holding facilities that are authorized in 2001 Wisconsin Act 16.

3 (14) INSTITUTION DELAYS; SERVICES FOR COMMUNITY CORRECTIONS. In the schedule  
4 under section 20.005 (3) of the statutes for the appropriation to the department of  
5 corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 2001,  
6 the dollar amount is decreased by \$948,000 for fiscal year 2001-02 and the dollar  
7 amount is decreased by \$5,310,200 for fiscal year 2002-03 to decrease the authorized  
8 FTE positions for the department by 25.0 GPR positions on the effective date of this  
9 subsection and 100.0 GPR positions on July 1, 2002, as the result of delaying the  
10 opening of the New Lisbon Correctional Institution, Highview Correctional  
11 Institution, the Oshkosh Correctional Institution segregation unit, the Winnebago  
12 and Sturtevant workhouses, and the Racine probation and parole holding facilities  
13 that are authorized in 2001 Wisconsin Act 16.

14 (15) INSTITUTION DELAYS; PURCHASED SERVICES FOR OFFENDERS. In the schedule  
15 under section 20.005 (3) of the statutes for the appropriation to the department of  
16 corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 2001,  
17 the dollar amount is decreased by \$20,600 for fiscal year 2001-02 and the dollar  
18 amount is decreased by \$214,000 for fiscal year 2002-03 for the purpose of delaying  
19 the opening of the New Lisbon Correctional Institution, the Highview Correctional  
20 Institution, the Oshkosh Correctional Institution segregation unit, the Winnebago  
21 and Sturtevant workhouses, and the Racine probation and parole holding facilities  
22 that are authorized in 2001 Wisconsin Act 16.

23 (16) INSTITUTION DELAYS; ENERGY COSTS. In the schedule under section 20.005 (3)  
24 of the statutes for the appropriation to the department of corrections under section  
25 20.410 (1) (f) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$9,700 for fiscal year 2001-02 and the dollar amount is decreased by  
2 \$44,700 for fiscal year 2002-03 for the purpose of delaying the opening of the New  
3 Lisbon Correctional Institution, the Highview Correctional Institution, the Oshkosh  
4 Correctional Institution segregation unit, the Winnebago and Sturtevant  
5 workhouses, and the Racine probation and parole holding facilities that are  
6 authorized in 2001 Wisconsin Act 16.

7 (17) INSTITUTION DELAYS; INSTITUTIONAL OPERATIONS AND CHARGES. In the  
8 schedule under section 20.005 (3) of the statutes for the appropriation to the  
9 department of corrections under section 20.410 (1) (kk) of the statutes, as affected  
10 by the acts of 2001, the dollar amount is decreased by \$24,400 for fiscal year 2002-03  
11 to decrease the authorized FTE positions for the department by 0.8 PR positions on  
12 July 1, 2002, as the result of delaying the opening of the New Lisbon Correctional  
13 Institution, Highview Correctional Institution, the Oshkosh Correctional  
14 Institution segregation unit, the Winnebago and Sturtevant workhouses, and the  
15 Racine probation and parole holding facilities that are authorized in 2001 Wisconsin  
16 Act 16.

17 (18) INSTITUTION DELAYS; PRISON INDUSTRIES. In the schedule under section  
18 20.005 (3) of the statutes for the appropriation to the department of corrections under  
19 section 20.410 (1) (km) of the statutes, as affected by the acts of 2001, the dollar  
20 amount is decreased by \$98,100 for fiscal year 2002-03 to decrease the authorized  
21 FTE positions for the department by 3.0 PR positions on July 1, 2002, as the result  
22 of delaying the opening of the New Lisbon Correctional Institution, Highview  
23 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the  
24 Winnebago and Sturtevant workhouses, and the Racine probation and parole  
25 holding facilities that are authorized in 2001 Wisconsin Act 16.

1           (19) ADULT CORRECTIONS; GENERAL PROGRAM OPERATIONS. In the schedule under  
2 section 20.005 (3) of the statutes for the appropriation to the department of  
3 corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 2001,  
4 the dollar amount is decreased by \$6,566,100 for fiscal year 2002-03 to decrease the  
5 authorized FTE positions for the department by 3.0 GPR chaplains, 6.0 GPR  
6 teachers, 3.0 GPR teaching assistants, 50.0 GPR unit supervisors, 39.25 GPR  
7 officers, and 20.0 GPR positions that are vacant on July 1, 2002.

8           (20) ADULT CORRECTIONS; SERVICES FOR COMMUNITY CORRECTIONS. In the schedule  
9 under section 20.005 (3) of the statutes for the appropriation to the department of  
10 corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 2001,  
11 the dollar amount is decreased by \$3,698,700 for fiscal year 2002-03 to decrease the  
12 authorized FTE positions for the department by 3.0 GPR community corrections  
13 officers, 55.5 GPR probation and parole staff, by 3.0 GPR unit supervisors, and 8.0  
14 GPR positions that are vacant on July 1, 2002.

15           (21) PROBATION, PAROLE, AND EXTENDED SUPERVISION FEES. In the schedule under  
16 section 20.005 (3) of the statutes for the appropriation to the department of  
17 corrections under section 20.410 (1) (gf) of the statutes, as affected by the acts of 2001,  
18 the dollar amount is increased by \$5,884,800 for fiscal year 2002-03 to increase  
19 funding for the purpose for which the appropriation is made.

20           (22) INMATE ROOM AND BOARD; INMATE MEDICAL AND DENTAL COPAYMENTS. In the  
21 schedule under section 20.005 (3) of the statutes for the appropriation to the  
22 department of corrections under section 20.410 (1) (gi) of the statutes, as affected by  
23 the acts of 2001, the dollar amount is increased by \$1,635,500 for fiscal year 2002-03  
24 to increase funding for the purposes for which the appropriation is made.

25           **SECTION 9212. Appropriation changes; court of appeals.**

1           **SECTION 9213. Appropriation changes; district attorneys.**

2           **SECTION 9214. Appropriation changes; educational communications**  
3 **board.**

4           (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
5 the statutes for the appropriation to the educational communications board under  
6 section 20.225 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
7 is decreased by \$134,500 for fiscal year 2001-02 and the dollar amount is decreased  
8 by \$192,200 for fiscal year 2002-03 to decrease funding for the purposes for which  
9 the appropriation is made.

10          (2) MILWAUKEE AREA TECHNICAL COLLEGE. In the schedule under section 20.005  
11 (3) of the statutes for the appropriation to the educational communications board  
12 under section 20.225 (1) (d) of the statutes, as affected by the acts of 2001, the dollar  
13 amount is decreased by \$11,600 for fiscal year 2001-02 and the dollar amount is  
14 decreased by \$16,500 for fiscal year 2002-03 to decrease funding for the purpose for  
15 which the appropriation is made.

16          (3) TRANSMITTER OPERATION. In the schedule under section 20.005 (3) of the  
17 statutes for the appropriation to the educational communications board under  
18 section 20.225 (1) (er) of the statutes, as affected by the acts of 2001, the dollar  
19 amount is decreased by \$900 for fiscal year 2001-02 and the dollar amount is  
20 decreased by \$1,300 for fiscal year 2002-03 to decrease funding for the purpose for  
21 which the appropriation is made.

22          (4) PROGRAMMING. In the schedule under section 20.005 (3) of the statutes for  
23 the appropriation to the educational communications board under section 20.225 (1)  
24 (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
25 \$56,400 for fiscal year 2001-02 and the dollar amount is decreased by \$80,700 for

1 fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
2 is made.

3 **SECTION 9215. Appropriation changes; elections board.**

4 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
5 the statutes for the appropriation to the elections board under section 20.510 (1) (a)  
6 of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
7 \$32,400 for fiscal year 2001-02 and the dollar amount is decreased by \$46,400 for  
8 fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
9 is made.

10 (2) TRAINING OF CHIEF INSPECTORS. In the schedule under section 20.005 (3) of  
11 the statutes for the appropriation to the elections board under section 20.510 (1) (bm)  
12 of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
13 \$1,600 for fiscal year 2001-02 to decrease funding for the purpose for which the  
14 appropriation is made.

15 **SECTION 9216. Appropriation changes; employee trust funds.**

16 (1) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. In the schedule under  
17 section 20.005 (3) of the statutes for the appropriation to the department of employee  
18 trust funds under section 20.515 (2) (a) of the statutes, as affected by the acts of 2001,  
19 the dollar amount is decreased by \$6,000 for fiscal year 2001-02 to reduce spending  
20 for the purpose for which the appropriation is made.

21 **SECTION 9217. Appropriation changes; employment relations**  
22 **commission.**

23 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
24 the statutes for the appropriation to the employment relations commission under  
25 section 20.425 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount



1 is decreased by \$92,800 for fiscal year 2001-02 and the dollar amount is decreased  
2 by \$132,500 for fiscal year 2002-03 to reduce spending for the purpose for which the  
3 appropriation is made.

4 **SECTION 9218. Appropriation changes; employment relations**  
5 **department.**

6 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
7 the statutes for the appropriation to the department of employment relations under  
8 section 20.512 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
9 is decreased by \$205,000 for fiscal year 2001-02 and the dollar amount is decreased  
10 by \$292,900 for fiscal year 2002-03 to reduce spending for the purpose for which the  
11 appropriation is made.

12 **SECTION 9219. Appropriation changes; ethics board.**

13 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
14 the statutes for the appropriation to the ethics board under section 20.521 (1) (a) of  
15 the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$8,700  
16 for fiscal year 2001-02 and the dollar amount is decreased by \$12,400 for fiscal year  
17 2002-03 to decrease funding for the purpose for which the appropriation is made.

18 **SECTION 9220. Appropriation changes; financial institutions.**

19 **SECTION 9221. Appropriation changes; governor.**

20 (1) LITERACY IMPROVEMENT AIDS. In the schedule under section 20.005 (3) of the  
21 statutes for the appropriation to the office of the governor under section 20.525 (1)  
22 (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
23 \$1,400 for fiscal year 2001-02 and the dollar amount is decreased by \$2,800 for fiscal  
24 year 2002-03 to decrease funding for the purpose for which the appropriation is  
25 made.

1           **SECTION 9222. Appropriation changes; Health and Educational**  
2           **Facilities Authority.**

3           **SECTION 9223. Appropriation changes; health and family services.**

4           (1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of  
5 the statutes for the appropriation to the department of health and family services  
6 under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar  
7 amount is increased by \$500,000 for fiscal year 2002-03 to increase the authorized  
8 FTE positions for the department by 2.0 GPR project positions for the period ending  
9 on June 30, 2003, and to increase funding for the statewide trauma care system  
10 under section 146.56 of the statutes.

11          (2) SURVEILLANCE OF DISEASES AND POTENTIAL THREATS. In the schedule under  
12 section 20.005 (3) of the statutes for the appropriation to the department of health  
13 and family services under section 20.435 (1) (a) of the statutes, as affected by the acts  
14 of 2001, the dollar amount is increased by \$162,900 for fiscal year 2002-03 to  
15 increase the authorized FTE positions for the department by 2.5 GPR positions to  
16 perform surveillance of communicable and infectious diseases and biological and  
17 chemical potential threats to state residents.

18          (3) GENERAL PROGRAM OPERATIONS; PUBLIC HEALTH. In the schedule under section  
19 20.005 (3) of the statutes for the appropriation to the department of health and family  
20 services under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001,  
21 the dollar amount is decreased by \$185,900 for fiscal year 2001-02 and the dollar  
22 amount is decreased by \$265,500 for fiscal year 2002-03 to decrease funding for the  
23 purposes for which the appropriation is made.

24          (4) GENERAL PROGRAM OPERATIONS; CARE AND TREATMENT FACILITIES. In the  
25 schedule under section 20.005 (3) of the statutes for the appropriation to the

1 department of health and family services under section 20.435 (2) (a) of the statutes,  
2 as affected by the acts of 2001, the dollar amount is decreased by \$44,000 for fiscal  
3 year 2001-02 and the dollar amount is decreased by \$62,800 for fiscal year 2002-03  
4 to decrease funding for the purposes for which the appropriation is made.

5 (5) GENERAL PROGRAM OPERATIONS; CHILDREN AND FAMILY SERVICES. In the  
6 schedule under section 20.005 (3) of the statutes for the appropriation to the  
7 department of health and family services under section 20.435 (3) (a) of the statutes,  
8 as affected by the acts of 2001, the dollar amount is decreased by \$178,400 for fiscal  
9 year 2001-02 and the dollar amount is decreased by \$265,500 for fiscal year 2002-03  
10 to decrease funding for the purpose for which the appropriation is made.

11 (6) STATE FOSTER CARE AND ADOPTION SERVICES. In the schedule under section  
12 20.005 (3) of the statutes for the appropriation to the department of health and family  
13 services under section 20.435 (3) (dd) of the statutes, as affected by the acts of 2001,  
14 the dollar amount is increased by \$1,866,100 for fiscal year 2001-02 and the dollar  
15 amount is increased by \$2,500,000 for fiscal year 2002-03 to increase funding for the  
16 purposes for which the appropriation is made.

17 (7) GENERAL PROGRAM OPERATIONS; HEALTH CARE FINANCING. In the schedule  
18 under section 20.005 (3) of the statutes for the appropriation to the department of  
19 health and family services under section 20.435 (4) (a) of the statutes, as affected by  
20 the acts of 2001, the dollar amount is decreased by \$584,200 for fiscal year 2001-02  
21 and the dollar amount is decreased by \$834,600 for fiscal year 2002-03 to decrease  
22 funding for the purposes for which the appropriation is made.

23 (8) HEALTH INSURANCE RISK-SHARING PLAN; TRANSFER FOR COSTS. In the schedule  
24 under section 20.005 (3) of the statutes for the appropriation to the department of  
25 health and family services under section 20.435 (4) (af) of the statutes, as affected

1 by the acts of 2001, the dollar amount is decreased by \$500,000 for fiscal year  
2 2002-03 to decrease funding for the purpose for which the appropriation is made.

3 (9) HEALTH INSURANCE RISK-SHARING PLAN; TRANSFER FOR SUBSIDIES. In the  
4 schedule under section 20.005 (3) of the statutes for the appropriation to the  
5 department of health and family services under section 20.435 (4) (ah) of the  
6 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$39,000  
7 for fiscal year 2002-03 to decrease funding for the purpose for which the  
8 appropriation is made.

9 (10) MEDICAL ASSISTANCE PROGRAM BENEFITS. In the schedule under section  
10 20.005 (3) of the statutes for the appropriation to the department of health and family  
11 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2001,  
12 the dollar amount is decreased by \$22,018,700 for fiscal year 2001-02 and the dollar  
13 amount is decreased by \$13,933,100 for fiscal year 2002-03 to decrease funding for  
14 the purposes for which the appropriation is made.

15 (11) MEDICAL ASSISTANCE PROGRAM BENEFITS; INCREASE. In the schedule under  
16 section 20.005 (3) of the statutes for the appropriation to the department of health  
17 and family services under section 20.435 (4) (b) of the statutes, as affected by the acts  
18 of 2001, the dollar amount is increased by \$37,187,100 for fiscal year 2001-02 and  
19 the dollar amount is increased by \$37,187,100 for fiscal year 2002-03 to increase  
20 funding for the purposes for which the appropriation is made.

21 (12) COMMUNITY INTEGRATION PROGRAMS FUNDING DECREASE. In the schedule  
22 under section 20.005 (3) of the statutes for the appropriation to the department of  
23 health and family services under section 20.435 (4) (b) of the statutes, as affected by  
24 the acts of 2001, the dollar amount is decreased by \$50,000,000 for fiscal year

1 2001-02 to decrease funding for the community integration programs under sections  
2 46.275, 46.277, and 46.278 of the statutes.

3 (13) BADGER CARE. In the schedule under section 20.005 (3) of the statutes for  
4 the appropriation to the department of health and family services under section  
5 20.435 (4) (bc) of the statutes, as affected by the acts of 2001, the dollar amount is  
6 decreased by \$4,116,400 for fiscal year 2001-02 and the dollar amount is decreased  
7 by \$834,800 for fiscal year 2002-03 to decrease funding for the purpose for which the  
8 appropriation is made.

9 (14) COMMUNITY INTEGRATION PROGRAMS FUNDING INCREASE. In the schedule  
10 under section 20.005 (3) of the statutes for the appropriation to the department of  
11 health and family services under section 20.435 (4) (w) of the statutes, as affected by  
12 the acts of 2001, the dollar amount is increased by \$50,000,000 for fiscal year  
13 2001-02 to increase funding for the community integration programs under sections  
14 46.275, 46.277, and 46.278 of the statutes.

15 (15) GENERAL PROGRAM OPERATIONS; DISABILITIES. In the schedule under section  
16 20.005 (3) of the statutes for the appropriation to the department of health and family  
17 services under section 20.435 (6) (a) of the statutes, as affected by the acts of 2001,  
18 the dollar amount is decreased by \$505,200 for fiscal year 2001-02 and the dollar  
19 amount is decreased by \$718,900 for fiscal year 2002-03 to decrease funding for the  
20 purposes for which the appropriation is made.

21 (16) STATE COMMUNITY AIDS. In the schedule under section 20.005 (3) of the  
22 statutes for the appropriation to the department of health and family services under  
23 section 20.435 (7) (b) of the statutes, as affected by the acts of 2001, the dollar amount  
24 is increased by \$133,200 for fiscal year 2001-02 and the dollar amount is increased

1 by \$37,600 for fiscal year 2002-03 to increase funding for the purposes for which the  
2 appropriation is made.

3 (17) FEDERAL COMMUNITY AIDS TRANSFER. There is transferred from the  
4 appropriation to the department of health and family services under section 20.435  
5 (7) (o) of the statutes, as affected by the acts of 2001, to the appropriation account to  
6 the department of workforce development under section 20.445 (3) (md) of the  
7 statutes, as affected by the acts of 2001, \$133,200 in fiscal year 2001-02 and \$37,600  
8 in fiscal year 2002-03 to increase funding for the purposes for which the  
9 appropriation under section 20.445 (3) (md) of the statutes is made.

10 (18) GENERAL PROGRAM OPERATIONS; GENERAL ADMINISTRATION. In the schedule  
11 under section 20.005 (3) of the statutes for the appropriation to the department of  
12 health and family services under section 20.435 (8) (a) of the statutes, as affected by  
13 the acts of 2001, the dollar amount is decreased by \$634,200 for fiscal year 2001-02  
14 and the dollar amount is decreased by \$894,500 for fiscal year 2002-03 to decrease  
15 funding to for the purposes for which the appropriation is made.

16 **SECTION 9224. Appropriation changes; higher educational aids board.**

17 (1) WISCONSIN HIGHER EDUCATION GRANTS; UNIVERSITY OF WISCONSIN SYSTEM  
18 STUDENTS. In the schedule under section 20.005 (3) of the statutes for the  
19 appropriation to the higher educational aids board under section 20.235 (1) (fe) of the  
20 statutes, as affected by the acts of 2001, the dollar amount is increased by \$1,200,000  
21 for fiscal year 2002-03 to increase funding for the purpose for which the  
22 appropriation is made.

23 (2) WISCONSIN HIGHER EDUCATION GRANTS; TECHNICAL COLLEGE STUDENTS. In the  
24 schedule under section 20.005 (3) of the statutes for the appropriation to the higher  
25 educational aids board under section 20.235 (1) (ff) of the statutes, as affected by the

1 acts of 2001, the dollar amount is increased by \$800,000 for fiscal year 2002-03 to  
2 increase funding for the purpose for which the appropriation is made.

3 (3) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
4 the statutes for the appropriation to the higher educational aids board under section  
5 20.235 (2) (aa) of the statutes, as affected by the acts of 2001, the dollar amount is  
6 decreased by \$28,100 for fiscal year 2001-02 and the dollar amount is decreased by  
7 \$40,100 for fiscal year 2002-03 to decrease funding for the purposes for which the  
8 appropriation is made.

9 **SECTION 9225. Appropriation changes; historical society.**

10 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
11 the statutes for the appropriation to the historical society under section 20.245 (1)  
12 (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
13 \$251,400 for fiscal year 2001-02 and the dollar amount is decreased by \$359,200 for  
14 fiscal year 2002-03 to decrease funding for the purposes for which the appropriation  
15 is made.

16 (2) GENERAL PROGRAM OPERATIONS; HISTORIC SITES AND MUSEUM SERVICES. In the  
17 schedule under section 20.005 (3) of the statutes for the appropriation to the  
18 historical society under section 20.245 (1) (ag) of the statutes, as affected by the acts  
19 of 2001, the dollar amount is decreased by \$102,800 for fiscal year 2001-02 and the  
20 dollar amount is decreased by \$146,900 for fiscal year 2002-03 to decrease funding  
21 for the purposes for which the appropriation is made.

22 **SECTION 9226. Appropriation changes; Housing and Economic**  
23 **Development Authority.**

24 **SECTION 9227. Appropriation changes; insurance.**

25 **SECTION 9228. Appropriation changes; investment board.**

1           **SECTION 9229. Appropriation changes; joint committee on finance.**

2           **SECTION 9230. Appropriation changes; judicial commission.**

3           **SECTION 9231. Appropriation changes; justice.**

4           (1) LEGAL SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section  
5           20.005 (3) of the statutes for the appropriation to the department of justice under  
6           section 20.455 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
7           is decreased by \$436,800 for fiscal year 2001-02 and the dollar amount is decreased  
8           by \$625,300 for fiscal year 2002-03 to decrease funding for the purpose for which the  
9           appropriation is made.

10          (2) LEGAL EXPENSES. In the schedule under section 20.005 (3) of the statutes for  
11          the appropriation to the department of justice under section 20.455 (1) (d) of the  
12          statutes, as affected by the acts of 2001, the dollar amount is decreased by \$31,000  
13          for fiscal year 2001-02 and the dollar amount is decreased by \$44,200 for fiscal year  
14          2002-03 to decrease funding for the purpose for which the appropriation is made.

15          (3) LAW ENFORCEMENT SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule  
16          under section 20.005 (3) of the statutes for the appropriation to the department of  
17          justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 2001, the  
18          dollar amount is decreased by \$480,400 for fiscal year 2001-02 and the dollar  
19          amount is decreased by \$705,000 for fiscal year 2002-03 to decrease funding for the  
20          purpose for which the appropriation is made.

21          (4) COMPUTERS FOR TRANSACTION INFORMATION FOR MANAGEMENT OF ENFORCEMENT  
22          SYSTEM. In the schedule under section 20.005 (3) of the statutes for the appropriation  
23          to the department of justice under section 20.455 (2) (cm) of the statutes, as affected  
24          by the acts of 2001, the dollar amount is decreased by \$36,400 for fiscal year 2001-02



1 and the dollar amount is decreased by \$51,900 for fiscal year 2002-03 to decrease  
2 funding for the purpose for which the appropriation is made.

3 (5) WEED AND SEED AND LAW ENFORCEMENT TECHNOLOGY. In the schedule under  
4 section 20.005 (3) of the statutes for the appropriation to the department of justice  
5 under section 20.455 (2) (dg) of the statutes, as affected by the acts of 2001, the dollar  
6 amount is decreased by \$17,500 for fiscal year 2001-02 and the dollar amount is  
7 decreased by \$25,000 for fiscal year 2002-03 to decrease funding for the purposes for  
8 which the appropriation is made.

9 (6) GAMING LAW ENFORCEMENT. In the schedule under section 20.005 (3) of the  
10 statutes for the appropriation to the department of justice under section 20.455 (2)  
11 (fm) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
12 by \$400 for fiscal year 2002-03 to decrease funding for the purpose for which the  
13 appropriation is made.

14 (7) ADMINISTRATIVE SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule  
15 under section 20.005 (3) of the statutes for the appropriation to the department of  
16 justice under section 20.455 (3) (a) of the statutes, as affected by the acts of 2001, the  
17 dollar amount is decreased by \$154,000 for fiscal year 2001-02 and the dollar  
18 amount is decreased by \$220,200 for fiscal year 2002-03 to decrease funding for the  
19 purpose for which the appropriation is made.

20 (8) VICTIMS AND WITNESSES; GENERAL PROGRAM OPERATIONS. In the schedule under  
21 section 20.005 (3) of the statutes for the appropriation to the department of justice  
22 under section 20.455 (5) (a) of the statutes, as affected by the acts of 2001, the dollar  
23 amount is decreased by \$31,900 for fiscal year 2001-02 and the dollar amount is  
24 decreased by \$45,700 for fiscal year 2002-03 to decrease funding for the purpose for  
25 which the appropriation is made.

1           (9) AWARDS FOR VICTIMS OF CRIMES. In the schedule under section 20.005 (3) of  
2 the statutes for the appropriation to the department of justice under section 20.455  
3 (5) (b) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
4 by \$46,300 for fiscal year 2001-02 and the dollar amount is decreased by \$66,200 for  
5 fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
6 is made.

7           (10) REIMBURSEMENT FOR VICTIM AND WITNESS SERVICES. In the schedule under  
8 section 20.005 (3) of the statutes for the appropriation to the department of justice  
9 under section 20.455 (5) (c) of the statutes, as affected by the acts of 2001, the dollar  
10 amount is decreased by \$52,400 for fiscal year 2001-02 and the dollar amount is  
11 decreased by \$74,900 for fiscal year 2002-03 to decrease funding for the purpose for  
12 which the appropriation is made.

13           **SECTION 9232. Appropriation changes; legislature.**

14           (1) RETIREMENT COMMITTEES. In the schedule under section 20.005 (3) of the  
15 statutes for the appropriation to the legislature under section 20.765 (2) (a) of the  
16 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$6,400 for  
17 fiscal year 2001-02 and the dollar amount is decreased by \$9,100 for fiscal year  
18 2002-03 to reduce spending for the purpose for which the appropriation is made.

19           (2) RETIREMENT ACTUARIAL STUDIES. In the schedule under section 20.005 (3) of  
20 the statutes for the appropriation to the legislature under section 20.765 (2) (ab) of  
21 the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$500  
22 for fiscal year 2001-02 and the dollar amount is decreased by \$700 for fiscal year  
23 2002-03 to reduce spending for the purpose for which the appropriation is made.

24           (3) REVISOR OF STATUTES BUREAU. In the schedule under section 20.005 (3) of the  
25 statutes for the appropriation to the legislature under section 20.765 (3) (a) of the

1 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$25,800  
2 for fiscal year 2001-02 and the dollar amount is decreased by \$36,900 for fiscal year  
3 2002-03 to reduce spending for the purpose for which the appropriation is made.

4 (4) LEGISLATIVE REFERENCE BUREAU. In the schedule under section 20.005 (3) of  
5 the statutes for the appropriation to the legislature under section 20.765 (3) (b) of the  
6 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$145,800  
7 for fiscal year 2001-02 and the dollar amount is decreased by \$224,900 for fiscal year  
8 2002-03 to reduce spending for the purpose for which the appropriation is made.

9 (5) LEGISLATIVE AUDIT BUREAU. In the schedule under section 20.005 (3) of the  
10 statutes for the appropriation to the legislature under section 20.765 (3) (c) of the  
11 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$153,900  
12 for fiscal year 2001-02 and the dollar amount is decreased by \$219,900 for fiscal year  
13 2002-03 to reduce spending for the purpose for which the appropriation is made.

14 (6) LEGISLATIVE FISCAL BUREAU. In the schedule under section 20.005 (3) of the  
15 statutes for the appropriation to the legislature under section 20.765 (3) (d) of the  
16 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$110,700  
17 for fiscal year 2001-02 and the dollar amount is decreased by \$155,400 for fiscal year  
18 2002-03 to reduce spending for the purpose for which the appropriation is made.

19 (7) LEGISLATIVE COUNCIL. In the schedule under section 20.005 (3) of the statutes  
20 for the appropriation to the legislature under section 20.765 (3) (e) of the statutes,  
21 as affected by the acts of 2001, the dollar amount is decreased by \$114,500 for fiscal  
22 year 2001-02 and the dollar amount is decreased by \$159,500 for fiscal year 2002-03  
23 to reduce spending for the purpose for which the appropriation is made.

24 (8) LEGISLATIVE TECHNOLOGY SERVICES BUREAU. In the schedule under section  
25 20.005 (3) of the statutes for the appropriation to the legislature under section 20.765

1 (3) (em) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
2 by \$74,200 for fiscal year 2001-02 and the dollar amount is decreased by \$102,400  
3 for fiscal year 2002-03 to reduce spending for the purpose for which the  
4 appropriation is made.

5 **SECTION 9233. Appropriation changes; lieutenant governor.**

6 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
7 the statutes for the appropriation to the office of the lieutenant governor under  
8 section 20.540 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
9 is decreased by \$19,700 for fiscal year 2001-02 and the dollar amount is decreased  
10 by \$28,200 for fiscal year 2002-03 to decrease funding for the purpose for which the  
11 appropriation is made.

12 **SECTION 9234. Appropriation changes; lower Wisconsin state riverway**  
13 **board.**

14 **SECTION 9235. Appropriation changes; Medical College of Wisconsin.**

15 **SECTION 9236. Appropriation changes; military affairs.**

16 **SECTION 9237. Appropriation changes; natural resources.**

17 (1) NONPOINT SOURCE RESEARCH AND EVALUATION, ENVIRONMENTAL FUND. In the  
18 schedule under section 20.005 (3) of the statutes for the appropriation to the  
19 department of natural resources under section 20.370 (3) (mt) of the statutes, as  
20 affected by the acts of 2001, the dollar amount is decreased by \$9,800 for fiscal year  
21 2001-02 and the dollar amount is decreased by \$19,500 for fiscal year 2002-03 to  
22 decrease funding for the purpose for which the appropriation is made.

23 (2) TRADING WATER POLLUTION CREDITS, ENVIRONMENTAL FUND. In the schedule  
24 under section 20.005 (3) of the statutes for the appropriation to the department of  
25 natural resources under section 20.370 (4) (as) of the statutes, as affected by the acts

1 of 2001, the dollar amount is decreased by \$1,300 for fiscal year 2001-02 and the  
2 dollar amount is decreased by \$2,500 for fiscal year 2002-03 to decrease funding for  
3 the purpose for which the appropriation is made.

4 (3) NONPOINT SOURCE CONTRACTS, ENVIRONMENTAL FUND. In the schedule under  
5 section 20.005 (3) of the statutes for the appropriation to the department of natural  
6 resources under section 20.370 (4) (at) of the statutes, as affected by the acts of 2001,  
7 the dollar amount is decreased by \$81,700 for fiscal year 2002-03 to decrease funding  
8 for the purpose for which the appropriation is made.

9 (4) WATER OPERATIONS, ENVIRONMENTAL FUND. In the schedule under section  
10 20.005 (3) of the statutes for the appropriation to the department of natural  
11 resources under section 20.370 (4) (mq) of the statutes, as affected by the acts of 2001,  
12 the dollar amount is decreased by \$8,600 for fiscal year 2002-03 to decrease funding  
13 for the purpose for which the appropriation is made.

14 (5) NONPOINT SOURCE OPERATIONS, ENVIRONMENTAL FUND. In the schedule under  
15 section 20.005 (3) of the statutes for the appropriation to the department of natural  
16 resources under section 20.370 (4) (mr) of the statutes, as affected by the acts of 2001,  
17 the dollar amount is decreased by \$44,000 for fiscal year 2002-03 to decrease funding  
18 for the purpose for which the appropriation is made.

19 (6) RIVER PROTECTION AIDS, ENVIRONMENTAL FUND. In the schedule under section  
20 20.005 (3) of the statutes for the appropriation to the department of natural  
21 resources under section 20.370 (6) (au) of the statutes, as affected by the acts of 2001,  
22 the dollar amount is decreased by \$3,800 for fiscal year 2001-02 and the dollar  
23 amount is decreased by \$7,600 for fiscal year 2002-03 to decrease funding for the  
24 purpose for which the appropriation is made.

1           (7) URBAN NONPOINT SOURCE AND MUNICIPAL FLOOD CONTROL AIDS, ENVIRONMENTAL  
2 FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation  
3 to the department of natural resources under section 20.370 (6) (dq) of the statutes,  
4 as affected by the acts of 2001, the dollar amount is decreased by \$50,500 for fiscal  
5 year 2001-02 and the dollar amount is decreased by \$101,000 for fiscal year 2002-03  
6 to decrease funding for the purpose for which the appropriation is made.

7           (8) ADMINISTRATION AND TECHNOLOGY, ENVIRONMENTAL FUND. In the schedule  
8 under section 20.005 (3) of the statutes for the appropriation to the department of  
9 natural resources under section 20.370 (8) (mv) of the statutes, as affected by the acts  
10 of 2001, the dollar amount is decreased by \$18,200 for fiscal year 2001-02 and the  
11 dollar amount is decreased by \$36,300 for fiscal year 2002-03 to decrease funding  
12 for the purpose for which the appropriation is made.

13           (9) CUSTOMER ASSISTANCE, ENVIRONMENTAL FUND. In the schedule under section  
14 20.005 (3) of the statutes for the appropriation to the department of natural  
15 resources under section 20.370 (9) (mv) of the statutes, as affected by the acts of 2001,  
16 the dollar amount is decreased by \$2,000 for fiscal year 2001-02 and the dollar  
17 amount is decreased by \$4,000 for fiscal year 2002-03 to decrease funding for the  
18 purpose for which the appropriation is made.

19           (10) ENVIRONMENTAL FUND TRANSFER IN FISCAL YEAR 2001-02. There is transferred  
20 from the environmental fund to the general fund \$385,000 in fiscal year 2001-02.

21           (11) ENFORCEMENT AND SCIENCE, ENVIRONMENTAL FUND. In the schedule under  
22 section 20.005 (3) of the statutes for the appropriation to the department of natural  
23 resources under section 20.370 (3) (mq) of the statutes, as affected by the acts of 2001,  
24 the dollar amount is decreased by \$39,800 for fiscal year 2001-02 and the dollar

1 amount is decreased by \$56,900 for fiscal year 2002-03 to decrease funding for the  
2 purposes for which the appropriation is made.

3 (12) WATER ADMINISTRATION, ENVIRONMENTAL FUND. In the schedule under  
4 section 20.005 (3) of the statutes for the appropriation to the department of natural  
5 resources under section 20.370 (4) (mq) of the statutes, as affected by the acts of 2001,  
6 the dollar amount is decreased by \$87,900 for fiscal year 2001-02 and the dollar  
7 amount is decreased by \$125,600 for fiscal year 2002-03 to decrease funding for the  
8 purpose for which the appropriation is made.

9 (13) NONPOINT SOURCE ADMINISTRATION, ENVIRONMENTAL FUND. In the schedule  
10 under section 20.005 (3) of the statutes for the appropriation to the department of  
11 natural resources under section 20.370 (4) (mr) of the statutes, as affected by the acts  
12 of 2001, the dollar amount is decreased by \$15,600 for fiscal year 2001-02 and the  
13 dollar amount is decreased by \$22,300 for fiscal year 2002-03 to decrease funding  
14 for the purpose for which the appropriation is made.

15 (14) RECYCLING ADMINISTRATION, RECYCLING FUND. In the schedule under section  
16 20.005 (3) of the statutes for the appropriation to the department of natural  
17 resources under section 20.370 (8) (iw) of the statutes, as affected by the acts of 2001,  
18 the dollar amount is decreased by \$2,900 for fiscal year 2001-02 and the dollar  
19 amount is decreased by \$4,200 for fiscal year 2002-03 to decrease funding for the  
20 purpose for which the appropriation is made.

21 (15) MOBILE AIR POLLUTION SOURCE ADMINISTRATION, PETROLEUM INSPECTION FUND.  
22 In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
23 department of natural resources under section 20.370 (8) (mq) of the statutes, as  
24 affected by the acts of 2001, the dollar amount is decreased by \$1,800 for fiscal year

1 2001-02 and the dollar amount is decreased by \$2,500 for fiscal year 2002-03 to  
2 decrease funding for the purpose for which the appropriation is made.

3 (16) ADMINISTRATION AND TECHNOLOGY OPERATIONS, ENVIRONMENTAL FUND. In the  
4 schedule under section 20.005 (3) of the statutes for the appropriation to the natural  
5 resources under section 20.370 (8) (mv) of the statutes, as affected by the acts of 2001,  
6 the dollar amount is decreased by \$134,300 for fiscal year 2001-02 and the dollar  
7 amount is decreased by \$191,900 for fiscal year 2002-03 to decrease funding for the  
8 purpose for which the appropriation is made.

9 (17) CUSTOMER SERVICE, ENVIRONMENTAL FUND. In the schedule under section  
10 20.005 (3) of the statutes for the appropriation to the natural resources under section  
11 20.370 (9) (mv) of the statutes, as affected by the acts of 2001, the dollar amount is  
12 decreased by \$21,200 for fiscal year 2001-02 and the dollar amount is decreased by  
13 \$30,300 for fiscal year 2002-03 to decrease funding for the purpose for which the  
14 appropriation is made.

15 (18) ENVIRONMENTAL FUND TRANSFER. There is transferred from the  
16 environmental fund to the general fund \$298,800 in fiscal year 2001-02 and  
17 \$427,000 in fiscal year 2002-03.

18 (19) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to  
19 the general fund \$2,900 in fiscal year 2001-02 and \$4,200 in fiscal year 2002-03.

20 (20) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the  
21 petroleum inspection fund to the general fund \$1,800 in fiscal year 2001-02 and  
22 \$2,500 in fiscal year 2002-03.

23 (21) GENERAL PROGRAM OPERATIONS, PARKS. In the schedule under section 20.005  
24 (3) of the statutes for the appropriation to the department of natural resources under  
25 section 20.370 (1) (ea) of the statutes, as affected by the acts of 2001, the dollar



1 amount is decreased by \$207,400 for fiscal year 2001-02 and the dollar amount is  
2 decreased by \$288,800 for fiscal year 2002-03 to decrease funding for the purpose for  
3 which the appropriation is made.

4 (22) **ENDANGERED RESOURCES, NATURAL HERITAGE INVENTORY PROGRAM.** In the  
5 schedule under section 20.005 (3) of the statutes for the appropriation to the  
6 department of natural resources under section 20.370 (1) (fd) of the statutes, as  
7 affected by the acts of 2001, the dollar amount is decreased by \$8,800 for fiscal year  
8 2001-02 and the dollar amount is decreased by \$12,500 for fiscal year 2002-03 to  
9 decrease funding for the purpose for which the appropriation is made.

10 (23) **GENERAL PROGRAM OPERATIONS, LAND.** In the schedule under section 20.005  
11 (3) of the statutes for the appropriation to the department of natural resources under  
12 section 20.370 (1) (ma) of the statutes, as affected by the acts of 2001, the dollar  
13 amount is decreased by \$21,400 for fiscal year 2001-02 and the dollar amount is  
14 decreased by \$30,600 for fiscal year 2002-03 to decrease funding for the purpose for  
15 which the appropriation is made.

16 (24) **MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE.** In the schedule  
17 under section 20.005 (3) of the statutes for the appropriation to the department of  
18 natural resources under section 20.370 (2) (cf) of the statutes, as affected by the acts  
19 of 2001, the dollar amount is decreased by \$2,400 for fiscal year 2001-02 and the  
20 dollar amount is decreased by \$3,400 for fiscal year 2002-03 to decrease funding for  
21 the purpose for which the appropriation is made.

22 (25) **GENERAL PROGRAM OPERATIONS, SOLID WASTE.** In the schedule under section  
23 20.005 (3) of the statutes for the appropriation to the department of natural  
24 resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 2001,  
25 the dollar amount is decreased by \$149,300 for fiscal year 2001-02 and the dollar

1 amount is decreased by \$176,100 for fiscal year 2002-03 to decrease funding for the  
2 purposes for which the appropriation is made.

3 (26) GENERAL PROGRAM OPERATIONS, ENFORCEMENT AND SCIENCE. In the schedule  
4 under section 20.005 (3) of the statutes for the appropriation to the department of  
5 natural resources under section 20.370 (3) (ma) of the statutes, as affected by the acts  
6 of 2001, the dollar amount is decreased by \$170,400 for fiscal year 2001-02 and the  
7 dollar amount is decreased by \$303,000 for fiscal year 2002-03 to decrease funding  
8 for the purposes for which the appropriation is made.

9 (27) WATER RESOURCES, REMEDIAL ACTION. In the schedule under section 20.005  
10 (3) of the statutes for the appropriation to the department of natural resources under  
11 section 20.370 (4) (af) of the statutes, as affected by the acts of 2001, the dollar  
12 amount is decreased by \$5,300 for fiscal year 2001-02 and the dollar amount is  
13 decreased by \$7,500 for fiscal year 2002-03 to decrease funding for the purpose for  
14 which the appropriation is made.

15 (28) GENERAL PROGRAM OPERATIONS, WATER AND FISHERIES. In the schedule under  
16 section 20.005 (3) of the statutes for the appropriation to the department of natural  
17 resources under section 20.370 (4) (ma) of the statutes, as affected by the acts of 2001,  
18 the dollar amount is decreased by \$598,400 for fiscal year 2001-02 and the dollar  
19 amount is decreased by \$854,900 for fiscal year 2002-03 to decrease funding for the  
20 purpose for which the appropriation is made.

21 (29) ENVIRONMENTAL AIDS, NONPOINT SOURCE. In the schedule under section  
22 20.005 (3) of the statutes for the appropriation to the department of natural  
23 resources under section 20.370 (6) (aa) of the statutes, as affected by the acts of 2001,  
24 the dollar amount is decreased by \$30,900 for fiscal year 2001-02 and the dollar

1 amount is decreased by \$44,200 for fiscal year 2002-03 to decrease funding for the  
2 purpose for which the appropriation is made.

3 (30) ENVIRONMENTAL PLANNING AIDS, LOCAL WATER QUALITY PLANNING. In the  
4 schedule under section 20.005 (3) of the statutes for the appropriation to the  
5 department of natural resources under section 20.370 (6) (da) of the statutes, as  
6 affected by the acts of 2001, the dollar amount is decreased by \$9,900 for fiscal year  
7 2001-02 and the dollar amount is decreased by \$14,200 for fiscal year 2002-03 to  
8 decrease funding for the purpose for which the appropriation is made.

9 (31) RESOURCE MAINTENANCE AND DEVELOPMENT, DEBT SERVICE AND DEVELOPMENT.  
10 In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
11 department of natural resources under section 20.370 (7) (fa) of the statutes, as  
12 affected by the acts of 2001, the dollar amount is decreased by \$44,700 for fiscal year  
13 2001-02 and the dollar amount is decreased by \$58,200 for fiscal year 2002-03 to  
14 decrease funding for the purpose for which the appropriation is made.

15 (32) FACILITIES ACQUISITION, DEBT SERVICE AND DEVELOPMENT. In the schedule  
16 under section 20.005 (3) of the statutes for the appropriation to the department of  
17 natural resources under section 20.370 (7) (ha) of the statutes, as affected by the acts  
18 of 2001, the dollar amount is decreased by \$6,400 for fiscal year 2001-02 and the  
19 dollar amount is decreased by \$9,100 for fiscal year 2002-03 to decrease funding for  
20 the purpose for which the appropriation is made.

21 (33) RESOURCE MAINTENANCE AND DEVELOPMENT, STATE PARK, FOREST, AND RIVERWAY  
22 DEVELOPMENT, DEBT SERVICE AND DEVELOPMENT. In the schedule under section 20.005  
23 (3) of the statutes for the appropriation to the department of natural resources under  
24 section 20.370 (7) (mc) of the statutes, as affected by the acts of 2001, the dollar  
25 amount is decreased by \$159,400 for fiscal year 2001-02 and the dollar amount is

1 decreased by \$181,500 for fiscal year 2002-03 to decrease funding for the purpose for  
2 which the appropriation is made.

3 (34) GENERAL PROGRAM OPERATIONS, ADMINISTRATION AND TECHNOLOGY. In the  
4 schedule under section 20.005 (3) of the statutes for the appropriation to the  
5 department of natural resources under section 20.370 (8) (ma) of the statutes, as  
6 affected by the acts of 2001, the dollar amount is decreased by \$270,500 for fiscal year  
7 2001-02 and the dollar amount is decreased by \$392,400 for fiscal year 2002-03 to  
8 decrease funding for the purpose for which the appropriation is made.

9 (35) GENERAL PROGRAM OPERATIONS, CUSTOMER SERVICE. In the schedule under  
10 section 20.005 (3) of the statutes for the appropriation to the department of natural  
11 resources under section 20.370 (9) (ma) of the statutes, as affected by the acts of 2001,  
12 the dollar amount is decreased by \$84,700 for fiscal year 2001-02 and the dollar  
13 amount is decreased by \$122,400 for fiscal year 2002-03 to decrease funding for the  
14 purposes for which the appropriation is made.

15 **SECTION 9238. Appropriation changes; personnel commission.**

16 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
17 the statutes for the appropriation to the personnel commission under section 20.547  
18 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
19 by \$30,100 for fiscal year 2001-02 and the dollar amount is decreased by \$43,100 for  
20 fiscal year 2002-03 to reduce spending for the purpose for which the appropriation  
21 is made.

22 **SECTION 9239. Appropriation changes; public defender board.**

23 (1) PROGRAM ADMINISTRATION. In the schedule under section 20.005 (3) of the  
24 statutes for the appropriation to the public defender board under section 20.550 (1)  
25 (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by

1       \$83,100 for fiscal year 2001-02 and the dollar amount is decreased by \$119,400 for  
2       fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
3       is made.

4               **SECTION 9240. Appropriation changes; public instruction.**

5               (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
6       the statutes for the appropriation to the department of public instruction under  
7       section 20.255 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
8       is decreased by \$777,500 for fiscal year 2001-02 and the dollar amount is decreased  
9       by \$1,120,500 for fiscal year 2002-03 to decrease funding for the purposes for which  
10      the appropriation is made.

11              (2) PUPIL ASSESSMENT. In the schedule under section 20.005 (3) of the statutes  
12      for the appropriation to the department of public instruction under section 20.255  
13      (1) (dw) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
14      by \$183,400 for fiscal year 2001-02 and the dollar amount is decreased by \$308,400  
15      for fiscal year 2002-03 to decrease funding for the purpose for which the  
16      appropriation is made.

17              (3) AID TO PUBLIC LIBRARY SYSTEMS. In the schedule under section 20.005 (3) of  
18      the statutes for the appropriation to the department of public instruction under  
19      section 20.255 (3) (e) of the statutes, as affected by the acts of 2001, the dollar amount  
20      is decreased by \$737,500 for fiscal year 2002-03 to decrease funding for the purpose  
21      for which the appropriation is made.

22              (4) LIBRARY SERVICE CONTRACTS. In the schedule under section 20.005 (3) of the  
23      statutes for the appropriation to the department of public instruction under section  
24      20.255 (3) (ea) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$52,400 for fiscal year 2002-03 to decrease funding for the purpose for  
2 which the appropriation is made.

3 **SECTION 9241. Appropriation changes; public lands, board of**  
4 **commissioners of.**

5 **SECTION 9242. Appropriation changes; public service commission.**

6 **SECTION 9243. Appropriation changes; regulation and licensing.**

7 **SECTION 9244. Appropriation changes; revenue.**

8 (1) GENERAL PROGRAM OPERATIONS; TAX COLLECTION. In the schedule under  
9 section 20.005 (3) of the statutes for the appropriation to the department of revenue  
10 under section 20.566 (1) (a) of the statutes, as affected by the acts of 2001, the dollar  
11 amount is decreased by \$1,616,300 for fiscal year 2001-02 and the dollar amount is  
12 decreased by \$2,362,900 for fiscal year 2002-03 to decrease funding for the purpose  
13 for which the appropriation is made.

14 (2) GENERAL PROGRAM OPERATIONS; STATE AND LOCAL FINANCE. In the schedule  
15 under section 20.005 (3) of the statutes for the appropriation to the department of  
16 revenue under section 20.566 (2) (a) of the statutes, as affected by the acts of 2001,  
17 the dollar amount is decreased by \$354,800 for fiscal year 2001-02 and the dollar  
18 amount is decreased by \$497,400 for fiscal year 2002-03 to decrease funding for the  
19 purpose for which the appropriation is made.

20 (3) GENERAL PROGRAM OPERATIONS; ADMINISTRATIVE SERVICES AND SPACE RENTAL.  
21 In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
22 department of revenue under section 20.566 (3) (a) of the statutes, as affected by the  
23 acts of 2001, the dollar amount is decreased by \$717,400 for fiscal year 2001-02 and  
24 the dollar amount is decreased by \$1,032,000 for fiscal year 2002-03 to decrease  
25 funding for the purpose for which the appropriation is made.

1           (4) INTEGRATED TAX SYSTEM TECHNOLOGY. In the schedule under section 20.005  
2           (3) of the statutes for the appropriation to the department of revenue under section  
3           20.566 (3) (b) of the statutes, as affected by the acts of 2001, the dollar amount is  
4           decreased by \$179,500 for fiscal year 2001-02 and the dollar amount is decreased by  
5           \$256,400 for fiscal year 2002-03 to decrease funding for the purpose for which the  
6           appropriation is made.

7           (5) EXPERT PROFESSIONAL SERVICES. In the schedule under section 20.005 (3) of  
8           the statutes for the appropriation to the department of revenue under section 20.566  
9           (3) (c) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
10          by \$1,100 for fiscal year 2001-02 and the dollar amount is decreased by \$1,500 for  
11          fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
12          is made.

13           **SECTION 9245. Appropriation changes; secretary of state.**

14           **SECTION 9246. Appropriation changes; state fair park board.**

15           **SECTION 9247. Appropriation changes; supreme court.**

16          (1) DIRECTOR OF STATE COURTS. In the schedule under section 20.005 (3) of the  
17          statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the  
18          statutes, as affected by the acts of 2001, the dollar amount is decreased by \$181,200  
19          for fiscal year 2001-02 and the dollar amount is decreased by \$258,800 for fiscal year  
20          2002-03 for the purpose for which the appropriation is made.

21          (2) LAW LIBRARY. In the schedule under section 20.005 (3) of the statutes for the  
22          appropriation to the supreme court under section 20.680 (4) (a) of the statutes, as  
23          affected by the acts of 2001, the dollar amount is decreased by \$64,300 for fiscal year  
24          2001-02 and the dollar amount is decreased by \$91,900 for fiscal year 2002-03 for  
25          the purpose for which the appropriation is made.

1           **SECTION 9248. Appropriation changes; technical college system.**

2           (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
3 the statutes for the appropriation to the technical college system under section  
4 20.292 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is  
5 decreased by \$34,900 for fiscal year 2001-02 and the dollar amount is decreased by  
6 \$156,900 for fiscal year 2002-03 to decrease funding for the purposes for which the  
7 appropriation is made.

8           (2) FEE REMISSIONS. In the schedule under section 20.005 (3) of the statutes for  
9 the appropriation to the technical college system under section 20.292 (1) (am) of the  
10 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$700 for  
11 fiscal year 2002-03 to decrease funding for the purpose for which the appropriation  
12 is made.

13           (3) DISPLACED HOMEMAKERS' PROGRAM. In the schedule under section 20.005 (3)  
14 of the statutes for the appropriation to the technical college system under section  
15 20.292 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is  
16 decreased by \$38,300 for fiscal year 2002-03 to decrease funding for the purpose for  
17 which the appropriation is made.

18           (4) MINORITY STUDENT PARTICIPATION AND RETENTION GRANTS. In the schedule  
19 under section 20.005 (3) of the statutes for the appropriation to the technical college  
20 system under section 20.292 (1) (c) of the statutes, as affected by the acts of 2001, the  
21 dollar amount is decreased by \$27,800 for fiscal year 2002-03 to decrease funding  
22 for the purpose for which the appropriation is made.

23           (5) CAPACITY BUILDING PROGRAM. In the schedule under section 20.005 (3) of the  
24 statutes for the appropriation to the technical college system under section 20.292  
25 (1) (cm) of the statutes, as affected by the acts of 2001, the dollar amount is decreased



1 by \$90,000 for fiscal year 2002-03 to decrease funding for the purpose for which the  
2 appropriation is made.

3 (6) INCENTIVE GRANTS. In the schedule under section 20.005 (3) of the statutes  
4 for the appropriation to the technical college system under section 20.292 (1) (dc) of  
5 the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
6 \$355,000 for fiscal year 2002-03 to decrease funding for the purpose for which the  
7 appropriation is made.

8 (7) FARM TRAINING PROGRAM TUITION GRANTS. In the schedule under section  
9 20.005 (3) of the statutes for the appropriation to the technical college system under  
10 section 20.292 (1) (dd) of the statutes, as affected by the acts of 2001, the dollar  
11 amount is decreased by \$6,800 for fiscal year 2002-03 to decrease funding for the  
12 purpose for which the appropriation is made.

13 (8) SERVICES FOR HANDICAPPED STUDENTS; LOCAL ASSISTANCE. In the schedule  
14 under section 20.005 (3) of the statutes for the appropriation to the technical college  
15 system under section 20.292 (1) (de) of the statutes, as affected by the acts of 2001,  
16 the dollar amount is decreased by \$18,000 for fiscal year 2002-03 to decrease funding  
17 for the purpose for which the appropriation is made.

18 (9) AID FOR SPECIAL COLLEGIATE TRANSFER PROGRAMS. In the schedule under  
19 section 20.005 (3) of the statutes for the appropriation to the technical college system  
20 under section 20.292 (1) (dm) of the statutes, as affected by the acts of 2001, the dollar  
21 amount is decreased by \$50,600 for fiscal year 2002-03 to decrease funding for the  
22 purpose for which the appropriation is made.

23 (10) TECHNICAL COLLEGE INSTRUCTOR OCCUPATIONAL COMPETENCY PROGRAM. In the  
24 schedule under section 20.005 (3) of the statutes for the appropriation to the  
25 technical college system under section 20.292 (1) (e) of the statutes, as affected by the

1 acts of 2001, the dollar amount is decreased by \$3,200 for fiscal year 2002-03 to  
2 decrease funding for the purpose for which the appropriation is made.

3 (11) FACULTY DEVELOPMENT GRANTS. In the schedule under section 20.005 (3) of  
4 the statutes for the appropriation to the technical college system under section  
5 20.292 (1) (eg) of the statutes, as affected by the acts of 2001, the dollar amount is  
6 decreased by \$37,400 for fiscal year 2002-03 to decrease funding for the purpose for  
7 which the appropriation is made.

8 (12) APPRENTICESHIP CURRICULUM DEVELOPMENT. In the schedule under section  
9 20.005 (3) of the statutes for the appropriation to the technical college system under  
10 section 20.292 (1) (em) of the statutes, as affected by the acts of 2001, the dollar  
11 amount is decreased by \$3,400 for fiscal year 2002-03 to decrease funding for the  
12 purpose for which the appropriation is made.

13 (13) GRANTS FOR ADDITIONAL COURSE SECTIONS. In the schedule under section  
14 20.005 (3) of the statutes for the appropriation to the technical college system under  
15 section 20.292 (1) (er) of the statutes, as affected by the acts of 2001, the dollar  
16 amount is decreased by \$110,300 for fiscal year 2002-03 to decrease funding for the  
17 purpose for which the appropriation is made.

18 (14) ALCOHOL AND OTHER DRUG ABUSE PREVENTION AND INTERVENTION. In the  
19 schedule under section 20.005 (3) of the statutes for the appropriation to the  
20 technical college system under section 20.292 (1) (f) of the statutes, as affected by the  
21 acts of 2001, the dollar amount is decreased by \$23,600 for fiscal year 2002-03 to  
22 decrease funding for the purpose for which the appropriation is made.

23 (15) DRIVER EDUCATION, LOCAL ASSISTANCE. In the schedule under section 20.005  
24 (3) of the statutes for the appropriation to the technical college system under section  
25 20.292 (1) (fc) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$14,500 for fiscal year 2002-03 to decrease funding for the purpose for  
2 which the appropriation is made.

3 (16) CHAUFFEUR TRAINING GRANTS. In the schedule under section 20.005 (3) of  
4 the statutes for the appropriation to the technical college system under section  
5 20.292 (1) (fg) of the statutes, as affected by the acts of 2001, the dollar amount is  
6 decreased by \$9,000 for fiscal year 2002-03 to decrease funding for the purpose for  
7 which the appropriation is made.

8 (17) SUPPLEMENTAL AID. In the schedule under section 20.005 (3) of the statutes  
9 for the appropriation to the technical college system under section 20.292 (1) (fm) of  
10 the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
11 \$67,500 for fiscal year 2002-03 to decrease funding for the purpose for which the  
12 appropriation is made.

13 (18) AGRICULTURAL EDUCATION CONSULTANT. In the schedule under section 20.005  
14 (3) of the statutes for the appropriation to the technical college system under section  
15 20.292 (1) (q) of the statutes, as affected by the acts of 2001, the dollar amount is  
16 decreased by \$600 for fiscal year 2001-02 and the dollar amount is decreased by  
17 \$2,700 for fiscal year 2002-03 to decrease funding for the purpose for which the  
18 appropriation is made.

19 (19) STATE AID FOR TECHNICAL COLLEGES. In the schedule under section 20.005  
20 (3) of the statutes for the appropriation to the technical college system board under  
21 section 20.292 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount  
22 is decreased by \$5,328,700 for fiscal year 2002-03 to decrease funding for the  
23 purposes for which the appropriation is made. The technical college system board  
24 shall encourage district boards to accommodate this reduction in state aid without  
25 negatively affecting their instructional programs.

1           **SECTION 9249. Appropriation changes; technology for educational**  
2           **achievement in Wisconsin board.**

3           (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of  
4           the statutes for the appropriation to the technology for educational achievement in  
5           Wisconsin board under section 20.275 (1) (a) of the statutes, as affected by the acts  
6           of 2001, the dollar amount is decreased by \$23,200 for fiscal year 2001-02 and the  
7           dollar amount is decreased by \$32,000 for fiscal year 2002-03 to decrease funding  
8           for the purposes for which the appropriation is made.

9           **SECTION 9250. Appropriation changes; tobacco control board.**

10          **SECTION 9251. Appropriation changes; tourism.**

11          (1) STATE OPERATIONS LAPSES. Notwithstanding section 20.001 (3) (a) and (b) of  
12          the statutes, the secretary of administration shall lapse to the general fund \$147,200  
13          in the aggregate before June 30, 2002, and \$210,200 in the aggregate in fiscal year  
14          2002-03, from one or more of the appropriation accounts to the department of  
15          tourism under section 20.380 (1) (a), (b), and (bm) and (2) (c) of the statutes, as  
16          affected by the acts of 2001. Subject to the aggregate amount required to be lapsed,  
17          the amount lapsed from any of the specified appropriations shall be determined by  
18          the secretary of tourism.

19          **SECTION 9252. Appropriation changes; transportation.**

20          **SECTION 9253. Appropriation changes; treasurer.**

21          (1) COLLEGE TUITION AND EXPENSES PROGRAM. In the schedule under section  
22          20.005 (3) of the statutes for the appropriation to the office of state treasurer under  
23          section 20.585 (2) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
24          is decreased by \$1,900 for fiscal year 2001-02 and the dollar amount is decreased by

1       \$1,400 for fiscal year 2002-03 to reduce spending for the purpose for which the  
2       appropriation is made.

3               **SECTION 9254. Appropriation changes; University of Wisconsin**  
4       **Hospitals and Clinics Authority.**

5               **SECTION 9255. Appropriation changes; University of Wisconsin**  
6       **Hospitals and Clinics Board.**

7               **SECTION 9256. Appropriation changes; University of Wisconsin**  
8       **System.**

9               (1) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3) of  
10       the statutes for the appropriation to the board of regents of the University of  
11       Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts  
12       of 2001, the dollar amount is increased by \$310,000 for fiscal year 2002-03 to  
13       increase the authorized FTE positions for the University of Wisconsin System by 1.0  
14       GPR microbiologist position for the state laboratory of hygiene and to fund related  
15       laboratory expenses.

16              (2) UNIVERSITY EDUCATION, RESEARCH, AND PUBLIC SERVICE; GENERAL PROGRAM  
17       OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the  
18       appropriation to the board of regents of the University of Wisconsin System under  
19       section 20.285 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount  
20       is decreased by \$10,000,000 for fiscal year 2001-02 and the dollar amount is  
21       decreased by \$40,000,000 for fiscal year 2002-03 to decrease funding for the  
22       purposes for which the appropriation is made.

23              (3) UNIVERSITY OF WISCONSIN SYSTEM. In the schedule under section 20.005 (3)  
24       of the statutes for the appropriation to the board of regents of the University of  
25       Wisconsin System under section 20.285 (3) (a) of the statutes, as affected by the acts

1 of 2001, the dollar amount is decreased by \$97,000 for fiscal year 2001-02 and the  
2 dollar amount is decreased by \$436,400 for fiscal year 2002-03 to decrease funding  
3 for the purpose for which the appropriation is made.

4 **SECTION 9257. Appropriation changes; veterans affairs.**

5 (1) VETERANS MUSEUM. In the schedule under section 20.005 (3) of the statutes  
6 for the appropriation to the department of veterans affairs under section 20.485 (2)  
7 (c) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by  
8 \$9,200 for fiscal year 2002-03 for the purpose for which the appropriation is made.

9 (2) VETERANS MEMORIAL GRANTS. In the schedule under section 20.005 (3) of the  
10 statutes for the appropriation to the department of veterans affairs under section  
11 20.485 (2) (e) of the statutes, as affected by the acts of 2001, the dollar amount is  
12 decreased by \$3,000 for fiscal year 2001-02 for the purpose for which the  
13 appropriation is made.

14 (3) VICTORIOUS CHARGE MONUMENT GRANT. In the schedule under section 20.005  
15 (3) of the statutes for the appropriation to the department of veterans affairs under  
16 section 20.485 (2) (eg) of the statutes, as affected by the acts of 2001, the dollar  
17 amount is decreased by \$50,000 for fiscal year 2001-02 for the purpose for which the  
18 appropriation is made.

19 **SECTION 9258. Appropriation changes; workforce development.**

20 (1) WORKFORCE DEVELOPMENT GENERAL PROGRAM OPERATIONS. In the schedule  
21 under section 20.005 (3) of the statutes for the appropriation to the department of  
22 workforce development under section 20.445 (1) (a) of the statutes, as affected by the  
23 acts of 2001, the dollar amount is decreased by \$255,100 for fiscal year 2001-02 and  
24 the dollar amount is decreased by \$364,400 for fiscal year 2002-03 to decrease  
25 funding for the purpose for which the appropriation is made.

1           (2) WISCONSIN SERVICE CORPS MEMBER COMPENSATION AND SUPPORT. In the  
2 schedule under section 20.005 (3) of the statutes for the appropriation to the  
3 department of workforce development under section 20.445 (1) (cm) of the statutes,  
4 as affected by the acts of 2001, the dollar amount is decreased by \$3,300 for fiscal year  
5 2001-02 and the dollar amount is decreased by \$4,700 for fiscal year 2002-03 to  
6 decrease funding for the purposes for which the appropriation is made.

7           (3) EMPLOYMENT TRANSIT AIDS; STATE FUNDS. In the schedule under section 20.005  
8 (3) of the statutes for the appropriation to the department of workforce development  
9 under section 20.445 (1) (fg) of the statutes, as affected by the acts of 2001, the dollar  
10 amount is decreased by \$20,300 for fiscal year 2001-02 and the dollar amount is  
11 decreased by \$29,000 for fiscal year 2002-03 to decrease funding for the purpose for  
12 which the appropriation is made.

13           (4) LABOR AND INDUSTRY REVIEW COMMISSION GENERAL PROGRAM OPERATIONS. In  
14 the schedule under section 20.005 (3) of the statutes for the appropriation to the  
15 department of workforce development under section 20.445 (2) (a) of the statutes, as  
16 affected by the acts of 2001, the dollar amount is decreased by \$7,000 for fiscal year  
17 2001-02 and the dollar amount is decreased by \$10,000 for fiscal year 2002-03 to  
18 decrease funding for the purpose for which the appropriation is made.

19           (5) ECONOMIC SUPPORT GENERAL PROGRAM OPERATIONS. In the schedule under  
20 section 20.005 (3) of the statutes for the appropriation to the department of workforce  
21 development under section 20.445 (3) (a) of the statutes, as affected by the acts of  
22 2001, the dollar amount is decreased by \$420,400 for fiscal year 2001-02 and the  
23 dollar amount is decreased by \$573,000 for fiscal year 2002-03 to decrease funding  
24 for the purposes for which the appropriation is made.

1           (6) STATE SUPPLEMENT TO EMPLOYMENT OPPORTUNITY DEMONSTRATION PROJECTS.  
2           In the schedule under section 20.005 (3) of the statutes for the appropriation to the  
3           department of workforce development under section 20.445 (3) (cr) of the statutes,  
4           as affected by the acts of 2001, the dollar amount is decreased by \$8,800 for fiscal year  
5           2001-02 and the dollar amount is decreased by \$12,500 for fiscal year 2002-03 to  
6           decrease funding for the purpose for which the appropriation is made.

7           (7) GOVERNOR'S WORK-BASED LEARNING BOARD GENERAL PROGRAM OPERATIONS. In  
8           the schedule under section 20.005 (3) of the statutes for the appropriation to the  
9           department of workforce development under section 20.445 (7) (a) of the statutes, as  
10          affected by the acts of 2001, the dollar amount is decreased by \$105,500 for fiscal year  
11          2001-02 and the dollar amount is decreased by \$50,700 for fiscal year 2002-03 to  
12          decrease funding for the purpose for which the appropriation is made.

13          (8) LOCAL YOUTH APPRENTICESHIP GRANTS. In the schedule under section 20.005  
14          (3) of the statutes for the appropriation to the department of workforce development  
15          under section 20.445 (7) (b) of the statutes, as affected by the acts of 2001, the dollar  
16          amount is decreased by \$100,000 for fiscal year 2002-03 to decrease funding for the  
17          purpose for which the appropriation is made.

18          (9) SCHOOL-TO-WORK PROGRAMS FOR CHILDREN AT RISK. In the schedule under  
19          section 20.005 (3) of the statutes for the appropriation to the department of workforce  
20          development under section 20.445 (7) (ef) of the statutes, as affected by the acts of  
21          2001, the dollar amount is decreased by \$10,500 for fiscal year 2001-02 and the  
22          dollar amount is decreased by \$15,000 for fiscal year 2002-03 to decrease funding  
23          for the purpose for which the appropriation is made.

24          (10) STATE PUBLIC ASSISTANCE. In the schedule under section 20.005 (3) of the  
25          statutes for the appropriation to the department of workforce development under



1 section 20.445 (3) (dz) of the statutes, as affected by the acts of 2001, the dollar  
2 amount is decreased by \$133,200 for fiscal year 2001-02 and the dollar amount is  
3 decreased by \$37,600 for fiscal year 2002-03 to decrease funding for the purposes for  
4 which the appropriation is made.

5 (11) FEDERAL PUBLIC ASSISTANCE. In the schedule under section 20.005 (3) of the  
6 statutes for the appropriation to the department of workforce development under  
7 section 20.445 (3) (md) of the statutes, as affected by the acts of 2001, the dollar  
8 amount is increased by \$133,200 for fiscal year 2001-02 and the dollar amount is  
9 increased by \$37,600 for fiscal year 2002-03 to increase funding for the purposes for  
10 which the appropriation is made.

11 **SECTION 9259. Appropriation changes; other.**

12 (1) STATE AGENCY APPROPRIATION LAPSES AND TRANSFERS TO THE GENERAL FUND.

13 (a) *Appropriation lapses and transfers to the general fund.* Subject to  
14 paragraph (b), in the 2001-02 fiscal year and the 2002-03 fiscal year, from the  
15 following appropriation accounts, the secretary of administration shall lapse to the  
16 general fund or transfer to the general fund, whichever is appropriate, the amounts  
17 indicated for that fiscal year:

Agency	2001-02 Fiscal Year	2002-03 Fiscal Year
<b>20.505 Administration, department of</b>		
(1) (im)	50,000	50,000
(1) (ka)	87,500	125,000
(1) (kj)	140,000	200,000
(2) (ki)	140,000	200,000

1	(4) (k)	20,000	50,000
2	(5) (ka)	700,000	1,000,000
3	(5) (kb)	42,000	60,000
4	<b>20.115</b> <i>Agriculture, trade and consumer</i>		
5	<i>protection, department of</i>		
6	(1) (g)	5,000	-0-
7	(1) (gb)	-0-	118,100
8	(1) (hm)	22,100	31,600
9	(1) (i)	4,000	-0-
10	(1) (jb)	4,000	-0-
11	(2) (j)	4,700	-0-
12	(3) (i)	10,000	-0-
13	(3) (L)	5,000	-0-
14	(7) (h)	35,000	-0-
15	(7) (ja)	24,300	34,700
16	(8) (ha)	7,600	10,800
17	(8) (ks)	15,000	-0-
18	<b>20.433</b> <i>Child abuse and neglect prevention</i>		
19	<i>board</i>		
20	(1) (g)	11,200	16,000
21	<b>20.143</b> <i>Commerce, department of</i>		
22	(1) (g)	100,000	-0-
23	(1) (gm)	50,000	-0-
24	(1) (kg)	50,000	-0-
25	(3) (ga)	35,000	50,000
26	(3) (j)	207,500	439,300
27	(4) (k)	70,000	100,000

1	<b>20.530</b>	<b><i>Electronic government, department</i></b>		
2		<b><i>of</i></b>		
3	(1) (g)		2,176,900	3,109,900
4	(1) (ke)		875,000	1,250,000
5	<b>20.144</b>	<b><i>Financial institutions, department</i></b>		
6		<b><i>of</i></b>		
7	(1) (g)		531,400	759,100
8	<b>20.435</b>	<b><i>Health and family services, depart-</i></b>		
9		<b><i>ment of</i></b>		
10	(8) (mb)		332,700	475,300
11	<b>20.245</b>	<b><i>Historical society</i></b>		
12	(1) (g)		121,900	174,200
13	<b>20.145</b>	<b><i>Insurance, office of the commis-</i></b>		
14		<b><i>sioner of</i></b>		
15	(1) (g)		5,457,500	653,500
16	<b>20.370</b>	<b><i>Natural resources, department of</i></b>		
17	(2) (dv)		153,000	218,600
18	<b>20.255</b>	<b><i>Public instruction, department of</i></b>		
19	(1) (hg)		47,500	67,800
20	(1) (kd)		47,400	67,700
21	<b>20.155</b>	<b><i>Public service commission</i></b>		
22	(1) (g)		291,400	416,300
23	(1) (q)		140,000	200,000
24	(2) (g)		35,000	50,000
25	<b>20.165</b>	<b><i>Regulation and licensing, depart-</i></b>		
26		<b><i>ment of</i></b>		

1 (1) (g) 348,500 497,800

2 **20.190 State fair park board**

3 (1) (h) 447,000 638,600

4 **20.485 Veterans affairs, department of**

5 (3) (q) 156,700 223,800

6 (b) *Prohibited appropriation lapses and transfers.* The secretary of  
7 administration may not lapse or transfer moneys to the general fund from any  
8 appropriation account specified in paragraph (a) if the lapse or transfer would violate  
9 a condition imposed by the federal government on the expenditure of the moneys or  
10 if the lapse or transfer would violate the federal or state constitution.

11 (2) FINANCIAL SERVICES. In the schedule under section 20.005 (3) of the statutes  
12 for the appropriation to various state agencies under section 20.865 (1) (em) of the  
13 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$6,000 for  
14 fiscal year 2001-02 and the dollar amount is decreased by \$22,600 for fiscal year  
15 2002-03 to reduce spending for the purpose for which the appropriation is made.

16 (3) PRIVATE FACILITY RENTAL INCREASES. In the schedule under section 20.005 (3)  
17 of the statutes for the appropriation to various state agencies under section 20.865  
18 (2) (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased  
19 by \$42,700 for fiscal year 2001-02 and the dollar amount is decreased by \$94,800 for  
20 fiscal year 2002-03 to reduce spending for the purpose for which the appropriation  
21 is made.

22 (4) STATE-OWNED OFFICE RENT SUPPLEMENT. In the schedule under section 20.005  
23 (3) of the statutes for the appropriation to various state agencies under section  
24 20.865 (2) (ag) of the statutes, as affected by the acts of 2001, the dollar amount is  
25 decreased by \$72,900 for fiscal year 2001-02 and the dollar amount is decreased by

1       \$144,800 for fiscal year 2002-03 to reduce spending for the purpose for which the  
2       appropriation is made.

3           (5) MAINTENANCE OF CAPITOL AND EXECUTIVE RESIDENCE. In the schedule under  
4       section 20.005 (3) of the statutes for the appropriation to various state agencies  
5       under section 20.865 (2) (e) of the statutes, as affected by the acts of 2001, the dollar  
6       amount is decreased by \$218,500 for fiscal year 2001-02 and the dollar amount is  
7       decreased by \$317,100 for fiscal year 2002-03 to reduce spending for the purpose for  
8       which the appropriation is made.

9           (6) EXECUTIVE RESIDENCE FURNISHINGS REPLACEMENT. In the schedule under  
10       section 20.005 (3) of the statutes for the appropriation to various state agencies  
11       under section 20.865 (2) (eb) of the statutes, as affected by the acts of 2001, the dollar  
12       amount is decreased by \$900 for fiscal year 2001-02 and the dollar amount is  
13       decreased by \$1,300 for fiscal year 2002-03 to reduce spending for the purpose for  
14       which the appropriation is made.

15           (7) GROUNDWATER SURVEY AND ANALYSIS. In the schedule under section 20.005  
16       (3) of the statutes for the appropriation to various state agencies under section  
17       20.865 (2) (em) of the statutes, as affected by the acts of 2001, the dollar amount is  
18       decreased by \$8,100 for fiscal year 2001-02 and the dollar amount is decreased by  
19       \$11,600 for fiscal year 2002-03 to reduce spending for the purpose for which the  
20       appropriation is made.

21           (8) SUM SUFFICIENT APPROPRIATION EXPENDITURE ESTIMATE REDUCTIONS. When  
22       amending the schedule under section 20.004 (2) of the statutes, in addition to making  
23       any other reduction required by law, the department of administration shall reduce  
24       the estimated expenditure amount that appears in the schedule under section 20.005

1 (3) of the statutes in 2001 Wisconsin Act 16 for each of the following appropriation  
 2 accounts by the amounts indicated for that fiscal year:

3	<b>Appropriation</b>	<b>2001-02 Fiscal Year</b>	<b>2002-03 Fiscal Year</b>
5	<b>20.505 Administration, department of</b>		
6	(4) (d)	900	1,300
7	<b>20.525 Governor, office of the</b>		
8	(1) (a)	157,500	314,900
9	(1) (b)	1,100	2,200
10	(1) (c)	5,600	11,100
11	(2) (a)	9,800	19,500
12	<b>20.455 Justice, department of</b>		
13	(1) (b)	29,800	42,500
14	(2) (am)	1,800	2,500
15	<b>20.765 Legislature</b>		
16	(1) (a)	1,746,700	2,046,300
17	(1) (b)	1,522,800	1,724,500
18	(1) (d)	275,500	393,600
19	(3) (fa)	5,600	7,900
20	<b>20.855 Miscellaneous appropriations</b>		
21	(1) (a)	-0-	6,100,000
22	(3) (a)	154,600	55,200
23	<b>20.865 Program supplements</b>		
24	(1) (a)	1,800	2,500
25	<b>20.835 Shared revenue and tax relief</b>		
26	(1) (b)	-0-	6,750,100

1	(1) (c)	-0-	33,663,800
2	(1) (d)	-0-	668,614,700
3	(1) (f)	-0-	20,971,400

4           **SECTION 9301. Initial applicability; administration.**

5           **SECTION 9302. Initial applicability; adolescent pregnancy prevention**  
6 **and pregnancy services board.**

7           **SECTION 9303. Initial applicability; aging and long-term care board.**

8           **SECTION 9304. Initial applicability; agriculture, trade and consumer**  
9 **protection.**

10           (1) ELECTRONIC MAIL. The treatment of section 141.02 (1) (a), (1m), and (2) of  
11 the statutes first applies to electronic mail messages sent on the effective date of this  
12 subsection.

13           (2) INTERNET PRIVACY.

14           (a) The treatment of section 141.03 (1) (a) of the statutes first applies to  
15 disclosures made on the effective date of this paragraph.

16           (b) The treatment of section 141.03 (1) (b) of the statutes first applies to  
17 requests made on the effective date of this paragraph.

18           **SECTION 9305. Initial applicability; arts board.**

19           **SECTION 9306. Initial applicability; boundary area commission,**  
20 **Minnesota-Wisconsin.**

21           **SECTION 9307. Initial applicability; building commission.**

22           **SECTION 9308. Initial applicability; child abuse and neglect prevention**  
23 **board.**

24           **SECTION 9309. Initial applicability; circuit courts.**

1 (1) COURT SUPPORT SERVICES FEE. The treatment of section 814.634 (1) (a), (b),  
2 and (c) of the statutes first applies to actions commenced on July 1, 2002.

3 **SECTION 9310. Initial applicability; commerce.**

4 **SECTION 9311. Initial applicability; corrections.**

5 **SECTION 9312. Initial applicability; court of appeals.**

6 **SECTION 9313. Initial applicability; district attorneys.**

7 **SECTION 9314. Initial applicability; educational communications**  
8 **board.**

9 **SECTION 9315. Initial applicability; elections board.**

10 **SECTION 9316. Initial applicability; employee trust funds.**

11 **SECTION 9317. Initial applicability; employment relations commission.**

12 **SECTION 9318. Initial applicability; employment relations department.**

13 **SECTION 9319. Initial applicability; ethics board.**

14 **SECTION 9320. Initial applicability; financial institutions.**

15 **SECTION 9321. Initial applicability; governor.**

16 **SECTION 9322. Initial applicability; Health and Educational Facilities**  
17 **Authority.**

18 **SECTION 9323. Initial applicability; health and family services.**

19 (1) TERRORISM RESPONSE TRAINING. The treatment of sections 146.50 (1) (a), (ag),  
20 (hr), and (ig), (6) (a) 2. and (b) 2., and (8) (b) 3. and (c), 146.55 (1) (a), 940.20 (7) (a)  
21 1e., and 941.37 (1) (a) of the statutes first applies to applications for initial licensure  
22 or licensure renewal of emergency medical technicians and applications for initial  
23 certification or renewal of certification of first responders submitted on January 1,  
24 2003.

25 **SECTION 9324. Initial applicability; higher educational aids board.**



1           **SECTION 9325. Initial applicability; historical society.**

2           **SECTION 9326. Initial applicability; Housing and Economic**  
3 **Development Authority.**

4           **SECTION 9327. Initial applicability; insurance.**

5           **SECTION 9328. Initial applicability; investment board.**

6           **SECTION 9329. Initial applicability; joint committee on finance.**

7           **SECTION 9330. Initial applicability; judicial commission.**

8           **SECTION 9331. Initial applicability; justice.**

9           **SECTION 9332. Initial applicability; legislature.**

10           (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section  
11 13.525 (5) of the statutes first applies to bills introduced on the effective date of this  
12 subsection.

13           **SECTION 9333. Initial applicability; lieutenant governor.**

14           **SECTION 9334. Initial applicability; lower Wisconsin state riverway**  
15 **board.**

16           **SECTION 9335. Initial applicability; Medical College of Wisconsin.**

17           **SECTION 9336. Initial applicability; military affairs.**

18           **SECTION 9337. Initial applicability; natural resources.**

19           **SECTION 9338. Initial applicability; personnel commission.**

20           **SECTION 9339. Initial applicability; public defender board.**

21           **SECTION 9340. Initial applicability; public instruction.**

22           (1) PRIMARY GUARANTEED VALUATION. The treatment of section 121.07 (7) (a) of  
23 the statutes first applies to school aid paid in the 2002-03 school year.

24           **SECTION 9341. Initial applicability; public lands, board of**  
25 **commissioners of.**

1           **SECTION 9342. Initial applicability; public service commission.**

2           **SECTION 9343. Initial applicability; regulation and licensing.**

3           **SECTION 9344. Initial applicability; revenue.**

4           (1) DEPRECIATION DEDUCTIONS.

5           (a) The renumbering and amendment of sections 71.01 (7r), 71.26 (3) (y), 71.365  
6 (1m), and 71.45 (2) (a) 13. of the statutes first applies to property placed in service  
7 in taxable years beginning on January 1, 2001.

8           (b) The treatment of sections 71.01 (7r) (b), 71.26 (3) (y) 2., 71.365 (1m) (b), and  
9 71.45 (2) (a) 13. b. of the statutes first applies to property placed in service in taxable  
10 years beginning on January 1, 2002.

11           **SECTION 9345. Initial applicability; secretary of state.**

12           **SECTION 9346. Initial applicability; state fair park board.**

13           **SECTION 9347. Initial applicability; supreme court.**

14           **SECTION 9348. Initial applicability; technical college system.**

15           **SECTION 9349. Initial applicability; technology for educational**  
16 **achievement in Wisconsin board.**

17           **SECTION 9350. Initial applicability; tobacco control board.**

18           **SECTION 9351. Initial applicability; tourism.**

19           **SECTION 9352. Initial applicability; transportation.**

20           **SECTION 9353. Initial applicability; treasurer.**

21           **SECTION 9354. Initial applicability; University of Wisconsin Hospitals**  
22 **and Clinics Authority.**

23           **SECTION 9355. Initial applicability; University of Wisconsin Hospitals**  
24 **and Clinics Board.**

25           **SECTION 9356. Initial applicability; University of Wisconsin System.**

1           **SECTION 9357. Initial applicability; veterans affairs.**

2           **SECTION 9358. Initial applicability; workforce development.**

3           **SECTION 9359. Initial applicability; other.**

4           (1) **RETAINAGE AMOUNT ON PUBLIC WORKS CONTRACTS.** The treatment of sections  
5           16.855 (19) and 66.0901 (9) (a) of the statutes first applies with respect to contracts  
6           entered into on the first day of the 3rd month beginning after the effective date of this  
7           subsection.

8           (2) **ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES.** The treatment of sections  
9           137.01 (3) (a) and (4) (a) and (b), 137.04, 137.05 (title), 137.06, 137.11 to 137.24,  
10           224.30 (2), 889.29 (1), 910.01 (1), 910.02, and 910.03, subchapters I (title) and II  
11           (title) of chapter 137, and chapter 137 (title) of the statutes, the renumbering and  
12           amendment of section 137.05 of the statutes, and the creation of section 137.25 (2)  
13           of the statutes first apply to electronic records or electronic signatures that are  
14           created, generated, sent, communicated, received, or initially stored on the effective  
15           date of this subsection.

16           (3) **PENALTY PROVISIONS GENERALLY.** The repeal of sections 351.07 (2) (b), 939.32  
17           (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),  
18           939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195  
19           (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),  
20           943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,  
21           948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)  
22           (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41  
23           (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)  
24           6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41  
25           (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)

1 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48  
2 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.  
3 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the  
4 renumbering and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3)  
5 (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a)  
6 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d)  
7 of the statutes; the amendment of sections 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a),  
8 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c),  
9 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80  
10 (3m), 36.25 (6) (d), 47.03 (3) (d), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141  
11 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a),  
12 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9) (c), 49.795  
13 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b),  
14 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4),  
15 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.10  
16 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85  
17 (3), 108.225 (11), 108.225 (18), 114.20 (18) (c), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66  
18 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4),  
19 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),  
20 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9)  
21 (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3),  
22 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21  
23 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004  
24 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53  
25 (4) (c) 2., 301.45 (6) (a) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155

1 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3)  
2 (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b),  
3 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e),  
4 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,  
5 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),  
6 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),  
7 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07,  
8 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b),  
9 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.),  
10 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),  
11 939.62 (1) (b), 939.62 (1) (c), 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2),  
12 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2)  
13 (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1)  
14 (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5),  
15 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195  
16 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b),  
17 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2)  
18 (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22  
19 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23  
20 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m.,  
21 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,  
22 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305  
23 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m),  
24 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.),  
25 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a),

1 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e),  
2 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1),  
3 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2)  
4 (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3),  
5 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 942.09 (2) (intro.), 943.01 (2) (intro.) and (d),  
6 943.01 (2d) (b) (intro.), 943.01 (2g) (intro.) and (c), 943.011 (2) (intro.), 943.012  
7 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.) and  
8 (d), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1),  
9 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (c),  
10 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2),  
11 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208  
12 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (a) and (b), 943.23 (1g), 943.23 (2),  
13 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (1) and (2), 943.25 (1), 943.25 (2) (intro.),  
14 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3),  
15 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (a) and (c),  
16 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (a) and (b), 943.40 (intro.),  
17 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4)  
18 (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50  
19 (4) (a) and (c), 943.60 (1), 943.61 (5) (a) and (c), 943.62 (4) (a) and (c), 943.70 (2) (b)  
20 2., 943.70 (2) (b) 3g., 943.70 (2) (b) 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b)  
21 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2)  
22 (b), 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32,  
23 944.33 (2), 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02  
24 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.),  
25 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.),

1 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425  
2 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.),  
3 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1)  
4 (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r)  
5 (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2),  
6 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x)  
7 (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c),  
8 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1),  
9 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b),  
10 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.),  
11 948.11 (2) (am) (intro.), 948.12 (1m) (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20,  
12 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.),  
13 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3)  
14 (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62  
15 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m),  
16 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)  
17 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41  
18 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1.,  
19 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f)  
20 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1)  
21 (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41  
22 (1) (h) 3., 961.41 (1) (hm) (intro.), 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm)  
23 3., 961.41 (1) (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41  
24 (1) (im) 2., 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.),  
25 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41

1 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41  
2 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m)  
3 (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.),  
4 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41  
5 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m)  
6 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m)  
7 (hm) 1., 961.41 (1m) (hm) 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m)  
8 (i), 961.41 (1m) (im) (intro.), 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im)  
9 3., 961.41 (1m) (im) 4., 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2) (intro.), 961.41 (2)  
10 (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),  
11 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43  
12 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)  
13 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 968.255 (1) (a)  
14 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 973.01 (2)  
15 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01  
16 (2) (b) 5., 973.03 (3) (e) 1. and 2., 973.075 (1) (b) 1m. e. and (2) (d), 973.09 (2) (b) 1.,  
17 and 977.06 (2) (b) of the statutes; the repeal and recreation of section 944.15 (title)  
18 of the statutes; and the creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04  
19 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title),  
20 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3)  
21 (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm),  
22 943.23 (3m), 943.34 (1) (bf) and (bm), 943.50 (4) (bf) and (bm), 943.61 (5) (bf), 943.62  
23 (4) (bf), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2)  
24 (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h)  
25 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b),



1 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b)  
2 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., and 973.017 of the statutes first  
3 apply to offenses committed on the effective date of this subsection.

4 (4) RETURNING PERSONS TO PRISON UPON REVOCATION. The treatment of sections  
5 302.113 (9) (a), (at), (b), (c), and (g) and 302.114 (9) (a), (b), (bm), and (f) of the statutes  
6 first applies to persons who are the subjects of extended supervision revocation  
7 proceedings that are commenced by the department of corrections on the effective  
8 date of this subsection.

9 (5) CONCURRENT AND CONSECUTIVE SENTENCES. The treatment of section 973.15  
10 (2m) of the statutes first applies to persons sentenced for crimes committed on the  
11 effective date of this subsection.

12 (6) TERRORISM RESPONSE TRAINING FOR LAW ENFORCEMENT OFFICERS. The  
13 treatment of section 165.85 (4) (b) 1. and 1d. of the statutes first applies to persons  
14 being appointed law enforcement officers or tribal law enforcement officers on  
15 January 1, 2003.

16 (7) LIMIT ON OPERATING LEVY INCREASE. The treatment of section 66.0602 of the  
17 statutes first applies to the property tax assessment as of January 1, 2002.

18 **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
19 SECTIONS 9401 to 9459 of this act, this act takes effect on the day after publication.

20 **SECTION 9401. Effective dates; administration.**

21 (1) GRANTS TO WISCONSIN PATIENT SAFETY INSTITUTE, INC. The treatment of  
22 sections 16.40 (24) and 20.505 (1) (fe) of the statutes takes effect on July 1, 2002.

23 (2) TERRORISM PREPARATION AND RESPONSE GRANTS. The repeal of sections 16.964  
24 (9) and 20.505 (6) (e) of the statutes takes effect on July 1, 2003.

1           (3) UTILITY PUBLIC BENEFITS FUND. The repeal and recreation of section 20.505  
2 (3) (s) of the statutes takes effect on July 1, 2003.

3           **SECTION 9402. Effective dates; adolescent pregnancy prevention and**  
4 **pregnancy services board.**

5           **SECTION 9403. Effective dates; aging and long-term care board.**

6           **SECTION 9404. Effective dates; agriculture, trade and consumer**  
7 **protection.**

8           (1) ELECTRONIC MAIL; INTERNET PRIVACY. The treatment of chapter 141 of the  
9 statutes and SECTION 9304 (1) and (2) of this act take effect on the first day of the 7th  
10 month beginning after the effective date of this subsection.

11           **SECTION 9405. Effective dates; arts board.**

12           **SECTION 9406. Effective dates; boundary area commission,**  
13 **Minnesota-Wisconsin.**

14           **SECTION 9407. Effective dates; building commission.**

15           **SECTION 9408. Effective dates; child abuse and neglect prevention**  
16 **board.**

17           **SECTION 9409. Effective dates; circuit courts.**

18           **SECTION 9410. Effective dates; commerce.**

19           **SECTION 9411. Effective dates; corrections.**

20           (1) ANTIANDROGEN TREATMENT. The treatment of sections 20.410 (1) (bm), 301.03  
21 (11), 302.11 (1g) (b) 2., 304.06 (1q), 980.08 (4) and (5), and 980.12 (title), (1), and (2)  
22 of the statutes and SECTION 9111 (1) of this act take effect on July 1, 2002.

23           (2) INMATE SECURE WORK PROGRAM. The treatment of sections 303.063 and 303.21  
24 (1) (b) of the statutes takes effect on July 1, 2002.

25           **SECTION 9412. Effective dates; court of appeals.**

1           **SECTION 9413. Effective dates; district attorneys.**

2           **SECTION 9414. Effective dates; educational communications board.**

3           **SECTION 9415. Effective dates; elections board.**

4           **SECTION 9416. Effective dates; employee trust funds.**

5           **SECTION 9417. Effective dates; employment relations commission.**

6           **SECTION 9418. Effective dates; employment relations department.**

7           **SECTION 9419. Effective dates; ethics board.**

8           **SECTION 9420. Effective dates; financial institutions.**

9           **SECTION 9421. Effective dates; governor.**

10          **SECTION 9422. Effective dates; Health and Educational Facilities**

11          **Authority.**

12          **SECTION 9423. Effective dates; health and family services.**

13           (1) CONTRIBUTION FOR CHILD WELFARE SERVICES. The treatment of section 48.561

14           (3) (a) (intro.), 1., 2., and 3. and (b) of the statutes takes effect on July 1, 2004.

15           (2) COMMUNITY HEALTH CENTER GRANTS. The treatment of sections 20.435 (5) (fh)

16           and 250.15 of the statutes takes effect on July 1, 2002.

17          **SECTION 9424. Effective dates; higher educational aids board.**

18          **SECTION 9425. Effective dates; historical society.**

19          **SECTION 9426. Effective dates; Housing and Economic Development**

20          **Authority.**

21          **SECTION 9427. Effective dates; insurance.**

22          **SECTION 9428. Effective dates; investment board.**

23          **SECTION 9429. Effective dates; joint committee on finance.**

24          **SECTION 9430. Effective dates; judicial commission.**

25          **SECTION 9431. Effective dates; justice.**

1           **SECTION 9432. Effective dates; legislature.**

2           (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES.

3           (a) The treatment of section 13.525 (5) and (5m) of the statutes and SECTION  
4 9332 (1) of this act take effect on January 1, 2003.

5           (b) The repeal of section 13.525 (5m) of the statutes takes effect on January 1,  
6 2004.

7           **SECTION 9433. Effective dates; lieutenant governor.**

8           **SECTION 9434. Effective dates; lower Wisconsin state riverway board.**

9           **SECTION 9435. Effective dates; Medical College of Wisconsin.**

10          **SECTION 9436. Effective dates; military affairs.**

11          (1) YOUTH CHALLENGE PROGRAM. The treatment of sections 20.465 (4) (c) and  
12 21.26 of the statutes takes effect on July 1, 2002.

13          **SECTION 9437. Effective dates; natural resources.**

14          **SECTION 9438. Effective dates; personnel commission.**

15          **SECTION 9439. Effective dates; public defender board.**

16          **SECTION 9440. Effective dates; public instruction.**

17          (1) GENERAL SCHOOL AID. The treatment of section 20.255 (2) (ac) of the statutes  
18 takes effect on July 1, 2002.

19          (2) MILWAUKEE PUBLIC MUSEUM. The treatment of sections 20.255 (3) (eg) and  
20 115.28 (40) of the statutes takes effect on July 1, 2002.

21          **SECTION 9441. Effective dates; public lands, board of commissioners of.**

22          **SECTION 9442. Effective dates; public service commission.**

23          **SECTION 9443. Effective dates; regulation and licensing.**

24          **SECTION 9444. Effective dates; revenue.**

25          **SECTION 9445. Effective dates; secretary of state.**

1           **SECTION 9446. Effective dates; state fair park board.**

2           **SECTION 9447. Effective dates; supreme court.**

3           **SECTION 9448. Effective dates; technical college system.**

4           (1) GRANTS TO STUDENTS. The treatment of sections 20.292 (1) (ep), 38.28 (1m)  
5 (a) 1., and 38.305 of the statutes takes effect on July 1, 2002.

6           **SECTION 9449. Effective dates; technology for educational**  
7 **achievement in Wisconsin board.**

8           **SECTION 9450. Effective dates; tobacco control board.**

9           **SECTION 9451. Effective dates; tourism.**

10          **SECTION 9452. Effective dates; transportation.**

11          (1) TRANSFERS TO GENERAL FUND. The repeal of section 20.855 (4) (v) of the  
12 statutes takes effect on June 30, 2003.

13          **SECTION 9453. Effective dates; treasurer.**

14          **SECTION 9454. Effective dates; University of Wisconsin Hospitals and**  
15 **Clinics Authority.**

16          **SECTION 9455. Effective dates; University of Wisconsin Hospitals and**  
17 **Clinics Board.**

18          **SECTION 9456. Effective dates; University of Wisconsin System.**

19          **SECTION 9457. Effective dates; veterans affairs.**

20          **SECTION 9458. Effective dates; workforce development.**

21          **SECTION 9459. Effective dates; other.**

22          (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32  
23 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),  
24 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195  
25 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),

1 943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,  
2 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)  
3 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41  
4 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)  
5 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41  
6 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)  
7 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48  
8 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.  
9 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the  
10 renumbering and amendment of sections 49.95 (1), 125.075 (2), 302.113 (9) (a),  
11 302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)  
12 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2)  
13 (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections 6.18,  
14 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  
15 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),  
16 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3.,  
17 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2.,  
18 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a),  
19 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49  
20 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9)  
21 (c), 49.795 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 50.065 (1) (e) 1., 51.15 (12), 55.06  
22 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),  
23 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),  
24 100.26 (7), 101.10 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),  
25 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c),

1 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)  
2 (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)  
3 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85  
4 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
5 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129  
6 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06  
7 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b),  
8 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.048  
9 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11 (1g) (a) 2., 302.11  
10 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b), 302.114 (9) (bm),  
11 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
12 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),  
13 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175  
14 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
15 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),  
16 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13  
17 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),  
18 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208  
19 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78  
20 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50  
21 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62  
22 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2),  
23 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02  
24 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
25 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),

1 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),  
2 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20  
3 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b)  
4 (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.),  
5 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a),  
6 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.),  
7 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29,  
8 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295  
9 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2)  
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13 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),  
14 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),  
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25 943.24 (1) and (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28



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5 (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (a) and (c), 943.60 (1),  
6 943.61 (5) (a) and (c), 943.62 (4) (a) and (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3g., 943.70  
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12 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.),  
13 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m)  
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15 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2),  
16 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r)  
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2 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.),  
3 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm)  
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6 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f)  
7 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1)  
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10 (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41 (1) (im) 2.,  
11 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m)  
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18 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m) (hm) 1.,  
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2 969.08 (10) (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1),  
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4 4., 973.01 (2) (b) 5., 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2.,  
5 973.075 (1) (b) 1m. e. and (2) (d), 973.09 (2) (b) 1., 977.06 (2) (b), 978.13 (1) (intro.),  
6 978.13 (1) (b), 978.13 (1) (c), and 978.13 (1) (d) of the statutes; the repeal and  
7 recreation of section 944.15 (title) of the statutes; the creation of sections 49.95 (1)  
8 (e) and (f), 125.075 (2) (b), 302.113 (7m), 302.113 (9) (ag), 302.113 (9) (at), 302.113 (9)  
9 (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114 (9) (ag), 302.114 (9) (d),  
10 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32 (1) (bm),  
11 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1)  
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14 (4) (bf) and (bm), 943.61 (5) (bf), 943.62 (4) (bf), 946.50 (5d), 946.50 (5h), 946.50 (5p),  
15 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v)  
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17 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b)  
18 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01  
19 (2) (d) 1. to 6., 973.017, 973.15 (2m), and 978.13 (1m) of the statutes; and SECTION  
20 9359 (3), (4), and (5) of this act take effect on the first day of the 7th month beginning  
21 after publication.

22 (2) PERMANENT ENDOWMENT FUND MONEYS. The repeal of section 20.855 (4) (rb)  
23 of the statutes and the repeal and recreation of section 25.69 of the statutes take  
24 effect on July 1, 2003.

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(END)