

State of Misconsin 2001 - 2002 LEGISLATURE

LRB-4065/2 RLR:hmh:kjf

## 2001 ASSEMBLY BILL 673

December 7, 2001 – Introduced by Representatives WIECKERT, URBAN, DUFF, SUDER, MUSSER, JESKEWITZ, SYKORA, LADWIG, SKINDRUD, LIPPERT, OTT, ALBERS, TOWNSEND, KRAWCZYK, LASSA, LEIBHAM, OWENS, FREESE, PLOUFF, LOEFFELHOLZ, PETROWSKI, PETTIS, HINES, SINICKI, OLSEN, HAHN and PLALE, cosponsored by Senators GROBSCHMIDT, DARLING, COWLES, BURKE, SCHULTZ and ROESSLER. Referred to Committee on Criminal Justice.

1 AN ACT *to create* 947.017 and 973.06 (1) (ar) of the statutes; **relating to:** threats 2 to release or disseminate harmful chemical, biological, or radioactive 3 substances and providing a penalty.

## Analysis by the Legislative Reference Bureau

Current law prohibits making or conveying a threat to destroy property with explosives knowing that the threat is false. This bill prohibits intentionally making a threat to release or disseminate a harmful substance knowing that the threat is false, if the threat induces a reasonable expectation or fear that the person making the threat will release or disseminate a harmful substance. The bill defines "harmful substance" as a radioactive material that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a disease organism. A person who violates the prohibition against threats concerning harmful substances may be fined not more than \$10,000, sentenced to a period of confinement in prison followed by a term of extended supervision that together may not exceed five years, or both.

The bill also requires that courts assess against persons convicted of making threats related to harmful substances, certain costs incurred by state and local government agencies in responding to the threat, including the cost of supplying emergency law enforcement and medical personnel to respond to the threat, the cost of analyzing any alleged harmful substance, and the cost of treating alleged victims exposed to an alleged harmful substance.

## **ASSEMBLY BILL 673**

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

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

1	<b>SECTION 1.</b> 947.017 of the statutes is created to read:
2	947.017 Threats to release chemical, biological, or radioactive
3	substances. (1) In this section, "harmful substance" means radioactive material
4	that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a
5	disease organism.
6	(2) Whoever, knowing the threat to be false, intentionally threatens to release
7	or disseminate a harmful substance, if the threat induces a reasonable expectation
8	or fear that the person will release or disseminate a harmful substance, is guilty of
9	a Class E felony.
10	<b>SECTION 2.</b> 973.06 (1) (ar) of the statutes is created to read:
11	973.06 (1) (ar) If the defendant violated s. 947.017, the moneys expended by
12	a state or local government agency for the following activities in connection with a
13	threat under s. 947.017 (2):
14	1. The response to the threat by emergency medical personnel, as defined in
15	s. 941.37 (1) (c).
16	2. The analysis of any substance alleged to be a harmful substance, as defined
17	in s. 947.017 (1).
18	3. The medical treatment of persons who are alleged to have been exposed to
19	an alleged harmful substance, as defined under s. 947.017 (1).
20	(END)