



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1635/1  
PJH:wlj&kjf:jf

## 2015 ASSEMBLY BILL 128

March 27, 2015 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Corrections.

1        **AN ACT to repeal** 70.40 (2), 93.135 (1) (am), 93.35, 100.15, 120.13 (35) (b), 134.35,  
2            134.36, 134.37, 134.38, 134.39, 139.95 (4), 167.13, 167.18, 175.09 (2), 175.09 (3),  
3            175.15, 199.105, 199.14, 230.43 (3), 343.05 (5) (am) 1., 343.05 (5) (am) 2., 343.05  
4            (5) (am) 3., 343.12 (9) (a), 343.12 (9) (b), 343.12 (9) (c), 343.43 (3) (a), 343.43 (3)  
5            (b), 343.43 (3) (c), 553.03 (5m) (c), 778.25 (1) (a) 1., 778.25 (1) (a) 1m., 778.25 (1)  
6            (a) 2., 778.25 (1) (a) 3., 778.25 (1) (a) 4., 778.25 (1) (a) 5., 778.25 (1) (a) 6., 778.25  
7            (1) (a) 7. and 778.25 (1) (a) 8.; **to renumber** 120.13 (35) (a) and 175.09 (1); **to**  
8            **renumber and amend** 103.20, 343.05 (5) (am) (intro.), 343.12 (9) (intro.),  
9            343.43 (3) (intro.) and 778.25 (1) (a) (intro.); **to amend** 16.009 (5) (b), 16.845 (1),  
10           16.846 (1) (a), 19.24, 23.095 (3) (d) 2., 23.22 (8) (b), 23.22 (8) (c), 23.24 (6) (b),  
11           26.14 (5), 26.14 (6), 26.14 (7), 26.19 (1), 26.20 (9) (b), 26.985 (2), 26.985 (3),  
12           29.088 (2), 29.331 (5) (b), 29.341 (2), 29.501 (10), 29.601 (1) (b), 29.601 (3) (c) 2.,  
13           29.604 (5) (a) 1., 29.604 (5) (a) 2., 29.957, 29.964 (1), 29.967 (1) (b), 29.967 (3),  
14           29.971 (1) (b), 29.971 (1m) (b), 29.971 (5), 29.971 (5g), 29.971 (5m), 29.971 (7),

**ASSEMBLY BILL 128**

1 29.971 (11), 29.971 (11g) (a), 29.971 (11m) (a), 29.971 (11p) (a), 29.974 (1), 29.974  
2 (2) (b), 30.12 (5), 30.80 (2), 30.80 (2g) (a), 30.80 (2g) (b), 31.34, 32.29, 34.11, 36.11  
3 (1) (a), 36.35 (3), 38.50 (8) (i), 42.05 (3), 42.07 (2), 44.47 (7) (a) 2., 45.03 (16) (b),  
4 45.06 (2), 46.10 (14) (e) 4., 46.90 (6) (d), 46.90 (9) (d), 46.90 (9) (e), 47.02 (7) (c),  
5 47.03 (3) (d), 48.025 (6) (b), 48.42 (5), 48.658 (3) (a), 48.76, 48.825 (5), 48.981 (6),  
6 48.981 (7) (f), 50.032 (6), 50.033 (6), 50.07 (2), 50.49 (8), 50.55 (2), 51.30 (10) (a)  
7 (intro.), 51.61 (5) (d), 51.61 (7m) (intro.), 54.62 (8), 55.043 (9m) (d), 55.043 (9m)  
8 (e), 59.39, 59.66 (2) (c), 59.74 (2) (e) 1., 59.76 (2), 62.23 (8), 63.17, 63.20, 63.52  
9 (1), 66.0417 (5) (a), 66.0417 (5) (b) (intro.), 66.0425 (9), 66.0615 (1m) (f) 5.,  
10 66.0903 (11) (b) 1., 66.1207 (1) (a), 69.24 (2) (intro.), 70.42 (2), 70.421 (2), 70.47  
11 (18) (b), 71.65 (6), 71.66 (1) (e), 71.83 (2) (a) 1., 71.83 (2) (a) 2., 71.83 (2) (a) 3.,  
12 71.83 (2) (a) 3m., 71.83 (2) (a) 4., 71.83 (2) (a) 5., 71.83 (2) (a) 6., 71.91 (8) (e),  
13 75.375, 77.27, 77.52 (12), 77.52 (16), 77.52 (19), 77.53 (8), 77.60 (6), 77.60 (7),  
14 77.60 (10), 77.61 (5) (g), 77.61 (6) (d), 77.61 (9), 77.982 (4), 77.991 (4), 77.9951  
15 (3), 78.68 (6), 78.68 (7), 78.68 (8), 78.73 (1) (intro.), 78.73 (2), 78.73 (3), 78.73 (4),  
16 83.027 (12), 84.25 (12), 86.01, 86.021 (2), 86.022, 86.025, 86.03 (6), 86.03 (7),  
17 86.06 (2), 86.07 (1), 86.07 (2), 86.17 (2), 86.191 (5), 86.192 (2), 87.17, 87.30 (2)  
18 (a), 88.82 (6), 88.91 (2), 93.12 (6), 93.21 (1), 93.21 (4), 93.23 (8), 94.46 (4) (b),  
19 94.64 (12) (a), 94.65 (11) (b), 94.71 (1) (a) 2., 94.72 (14) (a), 94.77 (1), 95.21 (10)  
20 (b), 95.68 (9), 95.69 (9), 95.71 (9), 95.99 (1), 96.17 (3), 97.12 (2) (d) 1., 97.12 (4)  
21 (intro.), 97.18 (6), 97.42 (8), 97.72 (1), 98.26 (1) (intro.), 99.07 (2), 100.07 (5),  
22 100.195 (5m) (e), 100.2095 (6) (d), 100.235 (11) (b), 100.26 (1), 100.26 (3), 100.26  
23 (5), 100.26 (7), 100.335 (4) (b), 100.37 (8), 100.38 (7), 100.383 (5), 100.48 (4) (a),  
24 100.48 (4) (c), 101.13 (7), 101.14 (4) (e), 101.149 (8) (c) 1., 101.16 (5) (am), 101.16  
25 (5) (cm), 101.16 (5) (cn), 101.9209 (5) (b), 101.937 (5) (b), 101.94 (8) (b), 101.951

**ASSEMBLY BILL 128**

1 (8), 101.965 (1), 101.988 (3), 102.07 (8) (d), 102.17 (3), 102.835 (18), 102.88 (1),  
2 102.88 (2), 103.13 (8), 103.16, 103.29 (1), 103.34 (12) (a), 103.37 (4), 103.43 (2),  
3 103.45, 103.49 (6m) (am), 103.50 (7) (a), 103.545 (5), 103.75 (2), 103.86 (1),  
4 103.87, 104.10, 108.225 (18), 108.24 (1), 108.24 (2), 108.24 (2m), 108.24 (3) (a)  
5 (intro.), 108.24 (4), 109.11 (3), 111.14, 111.327, 111.62, 111.70 (7m) (c) 2., 114.09  
6 (2) (c) 2., 114.103 (3), 114.27, 115.31 (7), 118.03 (4), 118.15 (5) (a) 1. (intro.),  
7 118.15 (5) (a) 1. a., 118.15 (5) (a) 1. b., 118.20 (5), 125.04 (13), 125.07 (1) (b) 2.  
8 b., 125.07 (1) (b) 2. c., 125.07 (1) (b) 2. d., 125.07 (2) (b), 125.085 (3) (a) 1., 125.105  
9 (2) (a), 125.11 (1), 125.315 (2), 125.33 (9), 125.65 (9), 125.66 (1), 125.67, 125.68  
10 (8) (a) (intro.), 126.87 (2) (b), 132.03, 132.032, 132.07, 132.13 (3), 132.16 (7),  
11 132.17, 132.18 (5), 132.19, 133.04 (2), 133.05 (3), 134.01, 134.02 (1) (intro.),  
12 134.03, 134.04 (2), 134.05 (4), 134.06, 134.10 (1), 134.11 (1), 134.15 (1), 134.17  
13 (1), 134.19, 134.21, 134.25 (1) (a), 134.26 (1), 134.27 (1), 134.28, 134.30, 134.31,  
14 134.32, 134.33 (8), 134.405 (5) (a) 1., 134.405 (5) (a) 2., 134.41 (1), 134.45 (3) (a),  
15 134.50 (3), 134.50 (4), 134.52 (4), 134.53 (4), 134.57, 134.60, 134.65 (5), 134.69,  
16 134.715 (3), 134.97 (4) (b), 137.01 (1) (k), 138.06 (2), 138.09 (10), 138.10 (14),  
17 138.12 (3) (a), 138.14 (15) (a), 138.20 (2), 139.03 (5) (c), 139.05 (7) (d), 139.05 (7)  
18 (f), 139.25 (6), 139.25 (7), 139.25 (8), 139.25 (10), 139.44 (2), 139.44 (3), 139.44  
19 (4), 139.44 (5), 139.44 (6), 139.44 (8) (a), 139.44 (8) (b), 139.85 (1), 145.12 (1),  
20 145.12 (2), 145.12 (3), 145.26 (6), 146.085 (2), 146.60 (9) (ag), 146.60 (9) (am),  
21 146.60 (9) (b), 146.84 (2) (a) (intro.), 153.78 (1), 154.15 (1), 154.29 (1), 154.29 (3),  
22 154.30 (10), 155.80 (1), 155.80 (2), 155.80 (3), 155.80 (4), 155.80 (5), 157.60,  
23 157.64 (2) (intro.), 157.70 (10) (e), 165.55 (13), 165.77 (5), 167.07 (5), 167.10 (9)  
24 (a), 167.151, 167.20 (2), 167.25 (1), 167.26 (6), 167.27 (7), 167.30 (1), 167.31 (3)  
25 (c), 168.12 (6) (f), 168.12 (6) (g), 169.45 (2) (b), 169.45 (2) (d), 169.45 (2) (e), 169.45

**ASSEMBLY BILL 128**

1 (2) (g), 169.45 (5) (a), 169.45 (8) (a) 2., 173.41 (15) (a), 174.15, 175.05 (2) (b),  
2 175.095, 175.10 (2), 175.20 (3), 175.25 (5), 175.35 (3), 175.37 (2), 175.60 (17)  
3 (ag), 175.60 (17) (ar), 175.60 (17) (b), 175.60 (17) (e), 177.34 (4), 182.0175 (3) (b),  
4 185.94 (2), 186.03 (4), 191.13 (6), 192.292, 192.327 (8), 193.105 (2), 193.311 (6)  
5 (c), 195.286 (6), 196.171 (3), 196.525 (3), 196.60 (1) (b), 196.604, 196.65 (1)  
6 (intro.), 196.65 (3) (b) (intro.), 196.65 (3) (c), 196.67 (3), 196.69 (1), 200.35 (6) (b),  
7 213.15, 215.11 (7), 215.21 (23), 215.26 (6), 216.03, 217.16, 218.0147 (3), 218.02  
8 (10), 218.04 (12), 218.05 (15), 218.11 (5m), 218.205 (1), 218.23 (3), 218.24 (4),  
9 218.305, 218.33 (3), 218.43, 218.53, 220.06 (3) (b), 221.0525, 221.0610 (5) (c),  
10 223.08, 224.03, 224.06 (7), 224.07, 224.80 (1), 230.43 (1) (e), 231.02 (6) (a),  
11 236.31 (1), 236.32 (1m) (intro.), 236.33, 236.35 (2), 241.025, 250.04 (7), 250.045  
12 (5) (a), 250.045 (5) (b) (intro.), 252.06 (4) (b) 2., 252.15 (9), 252.25, 254.30 (2) (b),  
13 254.47 (3), 254.59 (2), 254.59 (4), 254.59 (5), 254.76 (1), 254.83 (1), 254.83 (2) (d),  
14 254.84 (6), 254.85 (5) (a), 254.85 (5) (b) (intro.), 254.88, 254.92 (2m) (intro.),  
15 254.92 (2m) (b), 254.92 (2m) (c), 254.92 (2m) (d), 255.04 (10) (a), 256.30 (7),  
16 256.35 (10) (a), 256.35 (10) (b), 299.83 (10), 299.85 (10), 301.12 (14) (e) 4., 301.45  
17 (6) (a) 2. (intro.), 301.45 (6) (ag) 2. (intro.), 301.45 (6) (am), 301.47 (3) (b) (intro.),  
18 302.07, 302.375 (1m) (intro.), 302.375 (2), 302.375 (3) (a), 321.62 (5) (d), 321.62  
19 (11) (c), 321.62 (12) (c) 2., 321.62 (14) (e), 321.62 (15) (c), 322.048, 323.60 (11) (d),  
20 341.45 (6) (a), 341.45 (6) (b), 341.60 (intro.), 342.15 (5m) (b), 342.15 (6) (b),  
21 342.16 (4) (b), 343.05 (5) (b) 1., 343.14 (9), 343.16 (7) (a), 343.16 (7) (b), 343.19  
22 (4), 343.245 (4) (b), 343.28 (4), 343.315 (1m), 343.43 (3m), 343.44 (2) (ar) 2.,  
23 343.44 (2) (ar) 3., 343.44 (2) (ar) 4., 343.44 (2) (br), 344.48 (2), 345.37 (6), 346.17  
24 (2t), 346.65 (1) (b), 346.65 (3), 346.74 (5) (a), 346.74 (5) (b), 347.50 (1m), 347.50  
25 (2), 349.25 (1), 351.08, 425.401 (1), 425.401 (2), 440.03 (14) (f), 440.032 (9),

**ASSEMBLY BILL 128**

1 440.21 (4) (b), 440.26 (8), 440.311 (2), 440.86 (1), 440.95 (1), 440.95 (2), 440.95  
2 (3), 440.95 (4) (intro.), 440.968 (2), 440.981 (2), 440.9965, 441.13 (1), 442.11  
3 (intro.), 443.18 (1) (a), 443.18 (3), 444.16 (1), 445.15 (1), 445.15 (1m), 446.07,  
4 447.09, 448.09 (1), 448.09 (1m), 448.59, 448.69 (1) (a), 448.69 (1) (b), 448.94,  
5 448.959, 448.970 (1), 449.11, 450.155 (2) (b), 450.16 (3), 450.18, 451.16, 452.17  
6 (1), 452.17 (2), 452.17 (3), 453.05 (3), 454.16, 454.295, 455.11, 456.09 (2), 458.30,  
7 470.09 (2), 480.26 (1), 562.13 (2) (intro.), 563.73 (1), 563.73 (2), 563.99 (1),  
8 565.50 (1), 565.50 (3), 610.70 (7) (a), 647.07, 708.03, 756.255, 757.22 (5), 757.295  
9 (4), 757.30 (1), 757.45, 765.30 (1) (intro.), 765.30 (2) (intro.), 765.30 (3) (intro.),  
10 765.30 (4) (intro.), 765.30 (5) (intro.), 767.75 (6) (c), 768.07, 778.16, 778.25 (1)  
11 (c), 778.30 (4), 779.02 (7), 779.42, 779.49 (2), 782.38, 782.39, 785.04 (2) (a),  
12 785.04 (2) (b), 800.095 (1) (c) 11., 813.12 (8) (a), 813.122 (11), 813.123 (10),  
13 813.125 (7), 813.128 (2), 823.12, 846.40 (10) (d) 1., 846.45 (6) (e), 856.05 (3),  
14 939.51 (1) (intro.), 944.36, 949.165 (14), 949.17 (2), 949.37 (2), 968.075 (5) (a) 2.,  
15 968.255 (4), 968.34 (3), 968.49, 973.05 (5) (g), 976.03 (11), 979.01 (2), 979.10 (4),  
16 985.03 (2) and 995.67 (2) (b); **to repeal and recreate** 93.21 (2) (a), 93.21 (6) (a)  
17 and 125.68 (9) (g); and **to create** 103.20 (2) and 778.25 (1m) of the statutes;  
18 **relating to:** classifying misdemeanors, repealing or modifying obsolete  
19 misdemeanors, and changing procedure and discovery in certain civil actions.

---

***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

---

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on the Review of Criminal Penalties.

**ASSEMBLY BILL 128**Background

Crime is conduct that is prohibited by law and punishable by a fine or a term of imprisonment or both. Each criminal offense is either a felony or a misdemeanor. A crime punishable by imprisonment for more than one year is a felony. A crime that is punishable by imprisonment for less than one year is a misdemeanor. If a statute specifies a maximum term of imprisonment of one year, the crime is a misdemeanor if the statute specifies that a one-year sentence should be served in a county jail; otherwise, the crime is a felony. Conduct punishable only by a forfeiture is not a crime.

Classification of Unclassified Misdemeanors

Classified criminal offenses are offenses for which the penalty is established by reference to a particular “class” that corresponds to a set penalty range. Under current law, misdemeanors in chs. 939 to 951 of the statutes (the Criminal Code) are classified as follows:

- Class A Misdemeanor, which is punishable by a fine not to exceed \$10,000, imprisonment not to exceed 9 months, or both.
- Class B Misdemeanor, which is punishable by a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both.
- Class C Misdemeanor, which is punishable by a fine not to exceed \$500, imprisonment not to exceed 30 days, or both.

Currently, misdemeanors in portions of the Wisconsin Statutes other than the Criminal Code are not classified. Instead, the penalties for these “unclassified” misdemeanors are established separately for each offense.

This bill classifies the majority of unclassified misdemeanors by placing each misdemeanor to be classified within one of the three classes of misdemeanors described above. The class into which this bill places each unclassified misdemeanor is generally determined by the following principles:

- If the current penalty for an unclassified misdemeanor is exactly the same as the penalty prescribed for a particular misdemeanor class, the misdemeanor is placed into that class.
- If the current penalty for an unclassified misdemeanor is not exactly the same as the penalty prescribed for a particular misdemeanor class, the misdemeanor is classified as follows:
  - For offenses in which the maximum term of imprisonment corresponds exactly to the term of imprisonment prescribed for an existing class, the offense is placed within that class.
  - For offenses that are currently penalized with a maximum term of imprisonment that lies between two existing classes or is greater than nine months, the offense is placed in the lower class or in Class A, respectively.
- If the current penalty for an offense does not include a term of imprisonment, the misdemeanor is not classified.

Certain misdemeanors classified by this bill are not placed in classes according to the principles described above because after initially applying these principles to each unclassified misdemeanor, the Study Committee reviewed the preliminary class assignments and adjusted them as it deemed necessary. This bill does not change the penalties for, or classify, crimes concerning operating while intoxicated, drug offenses, crimes related to elections and public officials, crimes related to public assistance under ch. 49, Stats., and various other misdemeanor offenses the Study Committee directed not be treated.

Misdemeanors Changed to Civil Forfeitures

This bill changes the penalty for certain misdemeanor offenses to a civil forfeiture. Most of the misdemeanor offenses changed, under the bill, to civil forfeitures are misdemeanors that currently carry a penalty of a fine only, not a term of imprisonment.

Obsolete Misdemeanors Repealed

**ASSEMBLY BILL 128**

This bill repeals certain offenses, determined by the Study Committee to be obsolete or no longer relevant, relating to occupational iron ore taxes, milk contractors, weather modification, the regulation of trading stamps, unlawful presence in school buildings, telegraphs and telegrams, taxes on controlled substances, operation of corn shredders and threshing machines, using or displaying standard time by a business, physical endurance contests, and the Citizens Utility Board.

Civil Forfeiture Procedures

Under current law, a law enforcement officer may issue a citation for a forfeiture violation if a statute specifically provides that a citation may be issued for violations of that offense. A citation is generally sufficient to serve as the initial pleading for the action and gives a court jurisdiction over the person. When authority for a law enforcement officer to issue a citation for a forfeiture offense violation is not provided by statute, the offense may be prosecuted by a district attorney and initiated through the filing of a complaint. Also under current law, specific discovery rules apply to certain types of civil forfeiture offenses, such as traffic offenses. Absent discovery rules specific to the offense, discovery in civil forfeiture proceedings is governed by the civil procedure rules of discovery.

This bill expands the number of forfeiture violations for which a law enforcement officer may issue a citation by applying the citation procedure that currently may only be used for certain limited violations to any civil forfeiture for which a different procedure is not specifically prescribed. This bill also provides that the criminal procedure rules of discovery apply to civil forfeiture actions initiated by this citation procedure.

1           **SECTION 1.** 16.009 (5) (b) of the statutes is amended to read:

2           16.009 (5) (b) Any person who violates par. (a) ~~may be fined not more than~~  
3           ~~\$1,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
4           misdemeanor.

5           **SECTION 2.** 16.845 (1) of the statutes is amended to read:

6           16.845 (1) **RULE; PENALTY.** Except as elsewhere expressly prohibited, the  
7           managing authority of any facility owned by the state or by the University of  
8           Wisconsin Hospitals and Clinics Authority or leased from the state by the Fox River  
9           Navigational System Authority may permit its use for free discussion of public  
10          questions, or for civic, social, recreational or athletic activities. No such use shall be  
11          permitted if it would unduly burden the managing authority or interfere with the  
12          prime use of such facility. The applicant for use shall be liable to the state, to the Fox  
13          River Navigational System Authority, or to the University of Wisconsin Hospitals  
14          and Clinics Authority for any injury done to its property, for any expense arising out

**ASSEMBLY BILL 128****SECTION 2**

1 of any such use and for such sum as the managing authority may charge for such use.  
2 All such sums payable to the state shall be paid into the general fund and credited  
3 to the appropriation account for the operation of the facility used. The managing  
4 authority may permit such use notwithstanding the fact that a reasonable admission  
5 fee may be charged to the public. Whoever does or attempts to do an act for which  
6 a permit is required under this section without first obtaining the permit ~~may be~~  
7 ~~fined not more than \$100 or imprisoned not more than 30 days or both~~ is guilty of a  
8 Class C misdemeanor. This subsection applies only to those facilities for which a  
9 procedure for obtaining a permit has been established by the managing authority.

10 **SECTION 3.** 16.846 (1) (a) of the statutes is amended to read:

11 16.846 (1) (a) The department shall promulgate under ch. 227, and shall  
12 enforce or have enforced, rules of conduct for property leased or managed by the  
13 department. Unless the rule specifies a penalty as provided under par. (b), a person  
14 ~~found guilty of violating a rule promulgated under this subsection shall be fined not~~  
15 ~~more than \$100 or imprisoned for not more than 30 days or both~~ who violates a rule  
16 promulgated under this subsection is guilty of a Class C misdemeanor.

17 **SECTION 4.** 19.24 of the statutes is amended to read:

18 **19.24 Refusal to deliver money, etc., to successor.** Any public officer  
19 whatever, in this state, who shall, at the expiration of the officer's term of office,  
20 refuse or willfully neglect to deliver, on demand, to the officer's successor in office,  
21 after such successor shall have been duly qualified and be entitled to said office  
22 according to law, all moneys, records, books, papers or other property belonging to  
23 the office and in the officer's hands or under the officer's control by virtue thereof,  
24 ~~shall be imprisoned not more than 6 months or fined not more than \$100~~ is guilty of  
25 a Class B misdemeanor.



**ASSEMBLY BILL 128**

1           **SECTION 5.** 23.095 (3) (d) 2. of the statutes is amended to read:

2           23.095 (3) (d) 2. Except as provided in subd. 3., if a person violates sub. (1m)  
3 or (2m) and the violation involves intentionally damaging or intentionally  
4 attempting to damage an archaeological feature, the person shall be fined not more  
5 than \$10,000 or imprisoned for not more than 9 months or both is guilty of a Class  
6 A misdemeanor.

7           **SECTION 6.** 23.22 (8) (b) of the statutes is amended to read:

8           23.22 (8) (b) Any person who intentionally violates any rule promulgated under  
9 sub. (2) (b) 6. or any permit issued under those rules shall be fined not less than  
10 \$1,000 nor more than \$5,000, or shall be imprisoned for not less than 6 months nor  
11 more than 9 months or both is guilty of a Class A misdemeanor.

12           **SECTION 7.** 23.22 (8) (c) of the statutes is amended to read:

13           23.22 (8) (c) A person who violates a rule promulgated under sub. (2) (b) 6. or  
14 any permit issued under those rules and who, within 5 years before the arrest of the  
15 current conviction, was previously convicted of a violation of a rule promulgated  
16 under sub. (2) (b) 6. or any permit issued under those rules shall be fined not less than  
17 \$700 nor more than \$2,000 or shall be imprisoned for not less than 6 months nor more  
18 than 9 months or both is guilty of a Class A misdemeanor.

19           **SECTION 8.** 23.24 (6) (b) of the statutes is amended to read:

20           23.24 (6) (b) A person who violates sub. (3) and who, within 5 years before the  
21 arrest of the current conviction, was previously convicted of a violation of sub. (3)  
22 shall be fined not less than \$700 nor more than \$2,000 or shall be imprisoned for not  
23 less than 6 months nor more than 9 months or both is guilty of a Class A  
24 misdemeanor.

25           **SECTION 9.** 26.14 (5) of the statutes is amended to read:

**ASSEMBLY BILL 128****SECTION 9**

1           26.14 (5) Any person who sets a fire or assists in the setting of a fire, including  
2 a back fire, on any lands in this state and fails to totally extinguish such fire before  
3 leaving it shall forfeit not more than \$100 for the first offense and ~~shall be fined not~~  
4 ~~more than \$500 or imprisoned for not more than 30 days or both for each subsequent~~  
5 ~~offense~~ is guilty of a Class C misdemeanor for a 2nd or subsequent offense.

6           **SECTION 10.** 26.14 (6) of the statutes is amended to read:

7           26.14 (6) Any person who sets a fire or assists in setting a fire, including a back  
8 fire, on any lands in this state and allows the fire to escape and become a forest fire  
9 ~~shall be fined not more than \$1,000 or imprisoned not more than 90 days or both~~ is  
10 guilty of a Class B misdemeanor.

11           **SECTION 11.** 26.14 (7) of the statutes is amended to read:

12           26.14 (7) Any person who sets or assists in setting a fire upon marsh or other  
13 land in the state for the purpose of driving out game birds or animals ~~shall be fined~~  
14 ~~not more than \$1,000 or imprisoned not more than 90 days or both~~ is guilty of a Class  
15 B misdemeanor. The possession of firearms upon any marsh while it is on fire shall  
16 be prima facie evidence of such violation.

17           **SECTION 12.** 26.19 (1) of the statutes is amended to read:

18           26.19 (1) Any person who destroys, defaces, removes or molests any forest  
19 protection equipment or property ~~shall be fined not more than \$10,000 or imprisoned~~  
20 ~~not more than 9 months or both~~ is guilty of a Class A misdemeanor.

21           **SECTION 13.** 26.20 (9) (b) of the statutes is amended to read:

22           26.20 (9) (b) Any corporation, by its officers, agents or employees, willfully  
23 violating this section shall ~~be fined~~ forfeit not more than \$1,000 ~~\$10,000.~~

24           **SECTION 14.** 26.985 (2) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           26.985 (2) Except as provided in subs. (3) and (4), if a person is convicted of a  
2 violation and has one or more convictions, within the 5 years prior to the current  
3 conviction, for one or more violations, the person shall be fined not more than \$100  
4 or imprisoned for not more than 6 months or both is guilty of a Class B misdemeanor.  
5 The prosecution shall allege and prove the prior convictions in the manner specified  
6 in s. 29.974.

7           **SECTION 15.** 26.985 (3) of the statutes is amended to read:

8           26.985 (3) Except as provided in sub. (4), if a person is convicted of a violation  
9 and has 3 or more convictions, within the 3 years prior to the current conviction, for  
10 one or more violations, the person shall be fined not more than \$2,000 or imprisoned  
11 for not more than 9 months or both is guilty of a Class A misdemeanor. The  
12 prosecution shall allege and prove the prior convictions in the manner specified in  
13 s. 29.974.

14           **SECTION 16.** 29.088 (2) of the statutes is amended to read:

15           29.088 (2) Except as provided in sub. (3), no person may take, capture or kill  
16 or attempt to take, capture or kill any wild animal with the aid of any explosive or  
17 poison gas, or set any explosive near or on any beaver or muskrat houses. Possession  
18 or control of an explosive or a poison gas in places described in sub. (1) is prima facie  
19 evidence of intent to violate this subsection. Any person who violates this subsection  
20 shall be fined not more than \$300 or imprisoned for not more than 30 days or both  
21 is guilty of a Class C misdemeanor.

22           **SECTION 17.** 29.331 (5) (b) of the statutes is amended to read:

23           29.331 (5) (b) A person who violates this subsection shall be fined not less than  
24 \$300 nor more than \$1,000 or imprisoned not more than 90 days or both is guilty of

**ASSEMBLY BILL 128**

1 a Class B misdemeanor. In addition, if a person violates this subsection, the court  
2 shall revoke all licenses issued to the person under this chapter for 5 years.

3 **SECTION 18.** 29.341 (2) of the statutes is amended to read:

4 29.341 (2) Any person ~~intentionally failing to comply with sub. (1) shall be fined~~  
5 ~~not more than \$5,000, or imprisoned in the county jail not more than one year, or~~  
6 ~~both. Any person who neglects to comply with sub. (1) shall be fined not more than~~  
7 ~~\$5,000 or imprisoned not more than 9 months or both~~ who fails to comply with sub.  
8 (1) is guilty of a Class A misdemeanor.

9 **SECTION 19.** 29.501 (10) of the statutes is amended to read:

10 29.501 (10) Any person who violates this section ~~shall be fined not more than~~  
11 ~~\$1,000, or imprisoned not more than 9 months, or both~~ is guilty of a Class A  
12 misdemeanor. Any person violating sub. (6m) shall forfeit not more than \$100.

13 **SECTION 20.** 29.601 (1) (b) of the statutes is amended to read:

14 29.601 (1) (b) Whoever violates this subsection ~~shall be fined not more than~~  
15 ~~\$500 or imprisoned for not more than 90 days or both~~ is guilty of a Class B  
16 misdemeanor.

17 **SECTION 21.** 29.601 (3) (c) 2. of the statutes is amended to read:

18 29.601 (3) (c) 2. Any person who intentionally violates this subsection ~~shall be~~  
19 ~~fined not more than \$200 or imprisoned not more than 90 days or both~~ is guilty of a  
20 Class B misdemeanor.

21 **SECTION 22.** 29.604 (5) (a) 1. of the statutes is amended to read:

22 29.604 (5) (a) 1. Whoever violates sub. (4) (a) shall forfeit not less than \$500  
23 nor more than \$2,000. In addition, the court shall order the revocation of all hunting  
24 approvals issued to the person under this chapter and shall prohibit the issuance of  
25 any new hunting approvals under this chapter for one year. Whoever intentionally

**ASSEMBLY BILL 128**

1 violates sub. (4) (a) ~~shall be fined not less than \$2,000 nor more than \$5,000 or~~  
2 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.  
3 In addition, the court shall order the revocation of all hunting approvals issued to the  
4 person under this chapter and shall prohibit the issuance of any new hunting  
5 approvals under this chapter for 3 years.

6 **SECTION 23.** 29.604 (5) (a) 2. of the statutes is amended to read:

7 29.604 (5) (a) 2. Whoever violates sub. (4) (b) or (c) shall forfeit not more than  
8 \$1,000. Whoever intentionally violates sub. (4) (b) or (c) ~~shall be fined not more than~~  
9 ~~\$1,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
10 misdemeanor.

11 **SECTION 24.** 29.957 of the statutes is amended to read:

12 **29.957 Breaking seals of department.** Any person who breaks, removes or  
13 interferes with any seal or tag attached to any animal, carcass or object by the  
14 department, or who interferes with any animal, carcass or object with a seal or tag  
15 attached, or who counterfeits a seal or tag, attached or unattached, ~~shall be fined not~~  
16 ~~more than \$500 or imprisoned for not more than 90 days or both~~ is guilty of a Class  
17 B misdemeanor. This section applies to seals and tags required by the department  
18 under this chapter or ch. 169.

19 **SECTION 25.** 29.964 (1) of the statutes is amended to read:

20 29.964 (1) ~~Shall be fined not more than \$200 or imprisoned not more than 90~~  
21 ~~days or both~~ Is guilty of a Class B misdemeanor; and

22 **SECTION 26.** 29.967 (1) (b) of the statutes is amended to read:

23 29.967 (1) (b) If the number of convictions in a 5-year period equals 2 or more,  
24 the person shall be fined forfeit not less than \$500 nor more than \$1,000.

25 **SECTION 27.** 29.967 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           29.967 (3) Any person who obtains any approval under this chapter during the  
2 period of time when that approval is revoked by any court ~~shall be fined not more~~  
3 ~~than \$200 or imprisoned not more than 90 days or both~~ is guilty of a Class B  
4 misdemeanor.

5           **SECTION 28.** 29.971 (1) (b) of the statutes is amended to read:

6           29.971 (1) (b) For taking, transporting, acquiring, selling, purchasing, or  
7 possessing, or attempting to take, acquire, transport, sell, purchase, or possess, any  
8 fish, or failing to comply with any record-keeping requirement for fish, in violation  
9 of this chapter that has a value under par. (d) exceeding \$300 but not exceeding  
10 \$1,000, ~~by a fine of not less than \$1,000 nor more than \$5,000 or imprisonment for~~  
11 ~~not more than 30 days or both~~ as a Class A misdemeanor.

12           **SECTION 29.** 29.971 (1m) (b) of the statutes is amended to read:

13           29.971 (1m) (b) For possessing clams in violation of s. 29.537, if the value of the  
14 clams under par. (d) exceeds \$300 but does not exceed \$1,000, ~~by a fine of not more~~  
15 ~~than \$5,000 or imprisonment for not more than 30 days or both~~ as a Class A  
16 misdemeanant.

17           **SECTION 30.** 29.971 (5) of the statutes is amended to read:

18           29.971 (5) For violation of s. 29.539, except s. 29.539 (3m), ~~by a fine of not less~~  
19 ~~than \$1,000 nor more than \$2,000 or imprisonment for not more than 6 months or~~  
20 ~~both~~ as a Class B misdemeanor. In addition, the court shall order the revocation  
21 of all hunting and sport fishing approvals issued to the person under this chapter and  
22 shall prohibit the issuance of any new hunting or sport fishing approvals under this  
23 chapter to the person for 5 years.

24           **SECTION 31.** 29.971 (5g) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           29.971 (5g) For violation of s. 29.541, ~~by a fine of not more than \$500 or~~  
2 ~~imprisonment for not more than 90 days or both~~ as a Class C misdemeanor. In  
3 addition, the court shall order the revocation of all hunting and sport fishing  
4 approvals issued to the person under this chapter and shall prohibit the issuance of  
5 any new hunting or sport fishing approvals under this chapter to the person for 3  
6 years.

7           **SECTION 32.** 29.971 (5m) of the statutes is amended to read:

8           29.971 (5m) For the violation of this chapter relating to the taking or  
9 possession of lake sturgeon, ~~by a fine of \$1,500 or imprisonment for not more than~~  
10 ~~90 days or both~~ as a Class A misdemeanor for each lake sturgeon illegally taken or  
11 possessed, and a mandatory 3-year revocation of all hunting, fishing and trapping  
12 approvals issued to the person under this chapter.

13           **SECTION 33.** 29.971 (7) of the statutes is amended to read:

14           29.971 (7) For the violation of s. 29.307 (1), ~~by a fine of not more than \$1,000~~  
15 ~~for the first violation and not more than \$2,000~~ as a Class B misdemeanor for  
16 ~~subsequent violations or imprisonment for not more than 90 days, or both,~~ and by a  
17 mandatory 3-year revocation of all hunting, fishing, and trapping approvals. An  
18 aircraft used in the violation is a public nuisance.

19           **SECTION 34.** 29.971 (11) of the statutes is amended to read:

20           29.971 (11) For hunting deer without the required approval, during the closed  
21 season, with the aid of artificial light or with the aid of an aircraft, for the snaring  
22 of or setting snares for deer, or for the possession or control of a deer carcass in  
23 violation of s. 29.055 or 29.347, ~~by a fine of not less than \$1,000 nor more than \$2,000~~  
24 ~~or by imprisonment for not more than 6 months or both~~ as a Class A misdemeanor.  
25 In addition, the court shall order the revocation of all approvals issued to the person

**ASSEMBLY BILL 128**

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

3 **SECTION 35.** 29.971 (11g) (a) of the statutes is amended to read:

4 29.971 **(11g)** (a) For hunting elk without a valid elk hunting license, for  
5 possessing an elk that does not have an elk carcass tag attached, for possessing an  
6 elk during the closed season, ~~by a fine of not less than \$1,000 nor more than \$15,000~~  
7 ~~or by imprisonment for not more than 6 months or both for the first violation, or by~~  
8 ~~a fine of not more than \$20,000 or imprisonment for not more than one year or both~~  
9 ~~for any subsequent violation~~ as a Class A misdemeanor. In addition, the court shall  
10 revoke all hunting and trapping approvals issued to the person under this chapter  
11 and shall prohibit the issuance of any new hunting and trapping approvals under  
12 this chapter to the person for 5 years.

13 **SECTION 36.** 29.971 (11m) (a) of the statutes is amended to read:

14 29.971 **(11m)** (a) For shooting, shooting at, killing, taking, catching or  
15 possessing a bear without a valid Class A bear license, or for possessing a bear which  
16 does not have a carcass tag attached or possessing a bear during the closed season,  
17 ~~by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not~~  
18 ~~more than 6 months or both for the first violation, or by a fine of not more than~~  
19 ~~\$10,000 or imprisonment for not more than 9 months or both for any subsequent~~  
20 ~~violation,~~ as a Class A misdemeanor and, in addition, the court shall revoke all  
21 hunting approvals issued to the person under this chapter and shall prohibit the  
22 issuance of any new hunting approval under this chapter to the person for 3 years.  
23 This paragraph does not apply to a person who shoots at or kills a bear as authorized  
24 under s. 29.184 (3) (br) 4.

25 **SECTION 37.** 29.971 (11p) (a) of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           29.971 **(11p)** (a) For entering the den of a hibernating black bear and harming  
2 the bear, by a fine of not more than \$10,000 or imprisonment for not more than 9  
3 months or both as a Class A misdemeanor.

4           **SECTION 38.** 29.974 (1) of the statutes is amended to read:

5           29.974 **(1)** If a person is convicted of any violation of this chapter, of s. 167.31  
6 (2) or (3) or of a rule promulgated under s. 167.31 (4m), and it is alleged in the  
7 indictment, information or complaint, and proved or admitted on trial or ascertained  
8 by the court after conviction that the person was previously convicted within a period  
9 of 5 years for a violation of this chapter, of s. 167.31 (2) or (3) or of a rule promulgated  
10 under s. 167.31 (4m) by any court of this state, the person ~~shall be fined not more than~~  
11 ~~\$100, or imprisoned not more than 6 months or both~~ is guilty of a Class B  
12 misdemeanor. In addition, all hunting, fishing and trapping approvals issued to the  
13 person shall be revoked and no hunting, fishing or trapping approval may be issued  
14 to the person for a period of one year after the 2nd conviction.

15           **SECTION 39.** 29.974 (2) (b) of the statutes is amended to read:

16           29.974 **(2)** (b) When any person is convicted and it is alleged in the indictment,  
17 information or complaint and proved or admitted on trial or ascertained by the court  
18 after conviction that the person had been before convicted 3 times within a period of  
19 3 years for violations of this chapter or department order punishable under s. 29.501  
20 (10), 29.601 (1) or 29.971 (5), or for violation of s. 29.539, or for violation of any statute  
21 or department order regulating the taking or possession of any wild animal or  
22 carcass during the closed season or any combination of those violations by any court  
23 of this state, and that the convictions remain of record and unreversed, the person  
24 shall be ~~fined not more than \$2,000 or imprisoned for not more than 9 months or both~~  
25 is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 40.** 30.12 (5) of the statutes is amended to read:

2           30.12 (5) PENALTY. Any person violating this section or any term or condition  
3 of a permit issued pursuant thereto ~~shall be fined not more than \$1,000 or~~  
4 ~~imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

5           **SECTION 41.** 30.80 (2) of the statutes is amended to read:

6           30.80 (2) Any person violating s. 30.68 (2) ~~shall be fined not more than \$200~~  
7 ~~or imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

8           **SECTION 42.** 30.80 (2g) (a) of the statutes is amended to read:

9           30.80 (2g) (a) ~~Shall be fined not less than \$300 nor more than \$1,000 or~~  
10 ~~imprisoned not more than 6 months or both~~ Is guilty of a Class B misdemeanor if the  
11 accident did not involve death or injury to a person.

12           **SECTION 43.** 30.80 (2g) (b) of the statutes is amended to read:

13           30.80 (2g) (b) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
14 ~~than 9 months or both~~ Is guilty of a Class A misdemeanor if the accident involved  
15 injury to a person but the person did not suffer great bodily harm.

16           **SECTION 44.** 31.34 of the statutes is amended to read:

17           **31.34 Flow of water regulated.** Each person, firm or corporation  
18 maintaining a dam on any navigable stream shall pass at all times at least 25% of  
19 the natural low flow of water of such stream, except as otherwise provided by law.  
20 This section, however, shall not apply to a plant or dam where the water is discharged  
21 directly into a lake, mill pond, storage pond or cranberry marsh, nor shall it apply  
22 to cases where in the opinion of the department such minimum discharge is not  
23 necessary for the protection of fish life. Any person, firm or corporation violating this  
24 section shall be fined forfeit not less than \$50 nor more than \$1,000.

25           **SECTION 45.** 32.29 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **32.29 False statements prohibited.** Any officer, agent or employee of a  
2 governmental body or corporation granted condemnation power under s. 32.02 (1) or  
3 (3) to (16) who intentionally makes or causes to be made a statement which he or she  
4 knows to be false to any owner of property concerning the condemnation of such  
5 property or to any displaced person concerning his or her relocation benefits under  
6 s. 32.19, 32.20, 32.25 or 32.26 or who fails to provide the information required under  
7 s. 32.26 (6) ~~shall be fined not less than \$50 nor more than \$1,000, or imprisoned for~~  
8 ~~not more than one year in the county jail or both~~ is guilty of a Class A misdemeanor.

9           **SECTION 46.** 34.11 of the statutes is amended to read:

10           **34.11 Penalties.** Any person who willfully violates ss. 34.01 to 34.10, or any  
11 orders or rules promulgated by the division of banking under said sections, shall for  
12 each such offense ~~be fined not more than \$500 or imprisoned not more than 6 months,~~  
13 ~~or both,~~ is guilty of a Class B misdemeanor.

14           **SECTION 47.** 36.11 (1) (a) of the statutes is amended to read:

15           **36.11 (1) (a)** The board may promulgate rules under ch. 227 to protect the lives,  
16 health and safety of persons on property under its jurisdiction and to protect such  
17 property and to prevent obstruction of the functions of the system. Any person who  
18 violates any rule promulgated under this paragraph ~~may be fined not more than~~  
19 ~~\$500 or imprisoned not more than 90 days or both~~ is guilty of a Class B misdemeanor.

20           **SECTION 48.** 36.35 (3) of the statutes is amended to read:

21           **36.35 (3) REQUIRING PERMISSION FOR PRESENCE ON CAMPUS.** Any person who is  
22 convicted of any crime involving danger to property or persons as a result of conduct  
23 by that person which obstructs or seriously impairs activities run or authorized by  
24 an institution and who, as a result of such conduct, is in a state of suspension or  
25 expulsion from the institution, and who enters property of that institution without

**ASSEMBLY BILL 128**

1 permission of the chancellor of the institution or the chancellor's designee within 2  
2 years, ~~may for each such offense be fined not more than \$500 or imprisoned not more~~  
3 ~~than 6 months, or both, is guilty of a Class B misdemeanor.~~

4 **SECTION 49.** 38.50 (8) (i) of the statutes is amended to read:

5 38.50 (8) (i) *Penalty.* Whoever violates this subsection ~~may be fined not more~~  
6 ~~than \$500 or imprisoned not more than 3 months or both~~ is guilty of a Class B  
7 misdemeanor.

8 **SECTION 50.** 42.05 (3) of the statutes is amended to read:

9 42.05 (3) Any person violating this section ~~may be fined not more than \$200~~  
10 ~~or imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

11 **SECTION 51.** 42.07 (2) of the statutes is amended to read:

12 42.07 (2) No such ticket or other evidence of the right of entry may be sold for  
13 more than the price printed upon the face of the ticket. Any person reselling any such  
14 ticket for more than said price ~~shall be fined not less than \$10 nor more than \$100~~  
15 ~~or imprisoned not more than 60 days~~ is guilty of a Class C misdemeanor.

16 **SECTION 52.** 44.47 (7) (a) 2. of the statutes is amended to read:

17 44.47 (7) (a) 2. Whoever intentionally defaces, injures, destroys, displaces or  
18 removes any archaeological object or data belonging to the state, or intentionally  
19 interferes with evidence or work on any state site or site owned by a political  
20 subdivision for which a permit has been issued under this section or intentionally  
21 violates any other provision of this section or any rules promulgated under sub. (5m)  
22 (e) ~~shall be fined~~ forfeit not less than \$1,000 nor more than \$5,000.

23 **SECTION 53.** 45.03 (16) (b) of the statutes is amended to read:

24 45.03 (16) (b) Any person who, with the intent to secure any benefits under this  
25 chapter for personal benefit or for others, willfully makes or causes to be made, or

**ASSEMBLY BILL 128**

1       conspires, assists in, agrees to, arranges for, or in any way procures the making or  
2       presentation of a false or fraudulent affidavit, declaration, certificate, statement, or  
3       other writing, ~~may be fined not more than \$500 or be imprisoned for not more than~~  
4       ~~6 months, or both~~ is guilty of a Class B misdemeanor. The ~~fine or imprisonment~~  
5       penalty imposed under this paragraph may be imposed in addition to the penalty  
6       provided in par. (a).

7               **SECTION 54.** 45.06 (2) of the statutes is amended to read:

8               45.06 (2) Any person who violates this section ~~shall be fined not more than \$100~~  
9       ~~or imprisoned for not more than 6 months, or both~~ is guilty of a Class B misdemeanor.

10              **SECTION 55.** 46.10 (14) (e) 4. of the statutes is amended to read:

11              46.10 (14) (e) 4. No employer may use an assignment under this paragraph as  
12       a basis for the denial of employment to a person, the discharge of an employee or any  
13       disciplinary action against an employee. An employer who denies employment or  
14       discharges or disciplines an employee in violation of this subdivision may be ~~fined~~  
15       required to forfeit not more than \$500 and may be required to make full restitution  
16       to the aggrieved person, including reinstatement and back pay. Except as provided  
17       in this subdivision, restitution shall be in accordance with s. 973.20. An aggrieved  
18       person may apply to the district attorney or to the department of workforce  
19       development for enforcement of this subdivision.

20              **SECTION 56.** 46.90 (6) (d) of the statutes is amended to read:

21              46.90 (6) (d) Any person who requests or obtains confidential information  
22       under this subsection under false pretenses ~~may be fined not more than \$500 or~~  
23       ~~imprisoned not more than one year in the county jail or both~~ is guilty of a Class A  
24       misdemeanor.

25              **SECTION 57.** 46.90 (9) (d) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           46.90 (9) (d) Any person who violates sub. (4) (b) 1. ~~may be fined not more than~~  
2           \$10,000 or imprisoned for not more than 6 months or both is guilty of a Class B  
3           misdemeanor.

4           **SECTION 58.** 46.90 (9) (e) of the statutes is amended to read:

5           46.90 (9) (e) Whoever intentionally violates sub. (4) (ad) by failure to report as  
6           required ~~may be fined not more than \$500 or imprisoned not more than 6 months or~~  
7           ~~both~~ is guilty of a Class B misdemeanor.

8           **SECTION 59.** 47.02 (7) (c) of the statutes is amended to read:

9           47.02 (7) (c) Any person who violates this subsection or a rule promulgated  
10          under this subsection ~~shall be fined not more than \$500 or imprisoned not more than~~  
11          ~~6 months or both~~ is guilty of a Class B misdemeanor.

12          **SECTION 60.** 47.03 (3) (d) of the statutes is amended to read:

13          47.03 (3) (d) Any person who violates this subsection ~~shall be fined not more~~  
14          ~~than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class  
15          A misdemeanor.

16          **SECTION 61.** 48.025 (6) (b) of the statutes is amended to read:

17          48.025 (6) (b) Except as permitted under sub. (3), any person who intentionally  
18          obtains, uses, or discloses information that is confidential under this section ~~may be~~  
19          ~~fined not more than \$1,000 or imprisoned for not more than 90 days or both~~ is guilty  
20          of a Class B misdemeanor.

21          **SECTION 62.** 48.42 (5) of the statutes is amended to read:

22          48.42 (5) PENALTY. Any person who knowingly and willfully makes or causes  
23          to be made any false statement or representation of a material fact in the course of  
24          a proceeding under this section with an intent to deceive or mislead the court for the  
25          purpose of preventing a person who is entitled to receive notice of a proceeding under

**ASSEMBLY BILL 128**

1 this section from receiving notice ~~may be fined not more than \$10,000 or imprisoned~~  
2 ~~for not more than 9 months, or both~~ is guilty of a Class A misdemeanor. It is not a  
3 violation of this subsection for a person to refuse to make a statement or  
4 representation of material fact in the course of a proceeding under this section for the  
5 purpose of preventing a person who is entitled to receive notice of a proceeding under  
6 this section from receiving notice if, at the time of the refusal, the person stated that  
7 he or she feared that making such a statement or representation would place the  
8 person or another person at risk of domestic abuse, as defined in s. 813.12 (1) (am),  
9 or abuse, as defined in s. 813.122 (1) (a), and if the person proves that he or she  
10 refused to make such a statement or representation because of a recent overt act,  
11 attempt, or threat that caused him or her reasonably to believe that refusing to make  
12 such a statement or representation was the only means of preventing domestic  
13 abuse, as defined in s. 813.12 (1) (am), or abuse, as defined in s. 813.122 (1) (a), to  
14 himself or herself or to another.

15 **SECTION 63.** 48.658 (3) (a) of the statutes is amended to read:

16 48.658 (3) (a) No person may knowingly transport a child, and no child care  
17 provider or contractor of a child care provider that is the owner or lessee of a child  
18 care vehicle may knowingly permit a child to be transported, to or from a child care  
19 provider in a child care vehicle in which a child safety alarm has not been installed,  
20 is not properly maintained, or is not in good working order. In addition to the  
21 sanctions and penalties specified in s. 48.715, any person who violates this  
22 paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than one~~  
23 ~~year in the county jail or both~~ is guilty of a Class A misdemeanor.

24 **SECTION 64.** 48.76 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **48.76 Penalties.** In addition to the sanctions and penalties provided in s.  
2 48.715, any person who violates s. 48.60, 48.62, 48.625, 48.63 or 48.65 ~~may be fined~~  
3 ~~not more than \$500 or imprisoned for not more than one year in county jail or both~~  
4 is guilty of a Class A misdemeanor.

5           **SECTION 65.** 48.825 (5) of the statutes is amended to read:

6           48.825 (5) Any person who violates sub. (2) or (3m) ~~may be fined not more than~~  
7 ~~\$10,000 or imprisoned not more than 9 months or both~~ is guilty of a Class A  
8 misdemeanor.

9           **SECTION 66.** 48.981 (6) of the statutes is amended to read:

10           48.981 (6) PENALTY. Whoever intentionally violates this section by failure to  
11 report as required ~~may be fined not more than \$1,000 or imprisoned not more than~~  
12 ~~6 months or both~~ is guilty of a Class B misdemeanor.

13           **SECTION 67.** 48.981 (7) (f) of the statutes is amended to read:

14           48.981 (7) (f) Any person who violates this subsection, or who permits or  
15 encourages the unauthorized dissemination or use of information contained in  
16 reports and records made under this section, ~~may be fined not more than \$1,000 or~~  
17 ~~imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

18           **SECTION 68.** 50.032 (6) of the statutes is amended to read:

19           50.032 (6) PENALTIES. Any person who violates this section or rules  
20 promulgated under s. 50.02 (2) (am) 1. ~~may be fined not more than \$500 or~~  
21 ~~imprisoned for not more than one year in the county jail or both~~ is guilty of a Class  
22 A misdemeanor.

23           **SECTION 69.** 50.033 (6) of the statutes is amended to read:

24           50.033 (6) PENALTIES. Any person who violates this section or rules  
25 promulgated under s. 50.02 (2) (am) 2. ~~may be fined not more than \$500 or~~



**ASSEMBLY BILL 128**

1 ~~imprisoned for not more than one year in the county jail or both~~ is guilty of a Class  
2 A misdemeanor.

3 **SECTION 70.** 50.07 (2) of the statutes is amended to read:

4 50.07 (2) ~~Violators of~~ A person who violates this section may be imprisoned up  
5 ~~to 6 months or fined not more than \$1,000 or both for each violation~~ is guilty of a Class  
6 B misdemeanor.

7 **SECTION 71.** 50.49 (8) of the statutes is amended to read:

8 50.49 (8) FAILURE TO REGISTER OR OPERATING WITHOUT LICENSE; PENALTY. It is  
9 unlawful for any person, acting jointly or severally with any other person, to conduct,  
10 maintain, operate, or permit to be maintained or operated, or to participate in the  
11 conducting, maintenance or operating of a home health agency, unless, it is licensed  
12 as a home health agency by the department. Any person who violates this section  
13 shall ~~be fined~~ forfeit not more than \$100 for the first offense and not more than \$200  
14 for each subsequent offense, and each day of violation after the first ~~conviction~~  
15 violation shall constitute a separate offense.

16 **SECTION 72.** 50.55 (2) of the statutes is amended to read:

17 50.55 (2) OTHER PENALTY. Whoever violates s. 50.54 (2) ~~may be fined not more~~  
18 ~~than \$1,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
19 misdemeanor.

20 **SECTION 73.** 51.30 (10) (a) (intro.) of the statutes is amended to read:

21 51.30 (10) (a) (intro.) Whoever does any of the following ~~may be fined not more~~  
22 ~~than \$25,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class  
23 A misdemeanor:

24 **SECTION 74.** 51.61 (5) (d) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           51.61 (5) (d) No person may intentionally retaliate or discriminate against any  
2 patient or employee for contacting or providing information to any official or to an  
3 employee of any state protection and advocacy agency, or for initiating, participating  
4 in, or testifying in a grievance procedure or in an action for any remedy authorized  
5 under this section. ~~Whoever violates this paragraph may be fined not more than~~  
6 ~~\$1,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
7 misdemeanor.

8           **SECTION 75.** 51.61 (7m) (intro.) of the statutes is amended to read:

9           51.61 (7m) (intro.) Whoever intentionally deprives a patient of the ability to  
10 seek redress for the alleged violation of his or her rights under this section by  
11 unreasonably precluding the patient from doing any of the following ~~may be fined not~~  
12 ~~more than \$1,000 or imprisoned for not more than 6 months or both~~ is guilty of a  
13 Class B misdemeanor:

14           **SECTION 76.** 54.62 (8) of the statutes is amended to read:

15           54.62 (8) ACCOUNTS; FAILURE OF A GUARDIAN TO FILE. If a guardian fails to file the  
16 guardian's account as required by law or ordered by the court, the court may, upon  
17 its own motion or upon the petition of any interested party, order the guardian to  
18 show cause why the guardian should not immediately make and file the guardian's  
19 reports or accounts. The court shall direct that a copy of the order be served on the  
20 guardian at least 20 days before the date that the court has ordered the guardian to  
21 appear in court. If a guardian fails, neglects or refuses to make and file any report  
22 or account after having been cited by the court to do so, or if the guardian fails to  
23 appear in court as directed by a citation issued by the court, the court may, on its own  
24 motion or on the petition of any interested party, issue a warrant directed to the  
25 sheriff ordering that the guardian be brought before the court to show cause why the

**ASSEMBLY BILL 128**

1 guardian should not be punished for contempt. If the court finds that the failure,  
2 refusal, or neglect is willful or inexcusable, the guardian may be fined ~~not to exceed~~  
3 required to forfeit not more than \$250 or imprisoned not to exceed 10 days or both.

4 **SECTION 77.** 55.043 (9m) (d) of the statutes is amended to read:

5 55.043 **(9m)** (d) Whoever violates sub. (1m) (c) 1. ~~may be fined not more than~~  
6 ~~\$10,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
7 misdemeanor.

8 **SECTION 78.** 55.043 (9m) (e) of the statutes is amended to read:

9 55.043 **(9m)** (e) Whoever intentionally violates sub. (1m) (b) by failure to report  
10 as required ~~may be fined not more than \$500 or imprisoned not more than 6 months~~  
11 ~~or both~~ is guilty of a Class B misdemeanor.

12 **SECTION 79.** 59.39 of the statutes is amended to read:

13 **59.39 Coroner or medical examiner as funeral director, limitation.** No  
14 coroner, deputy coroner, medical examiner or assistant medical examiner who is a  
15 licensed funeral director, an owner or operator of a funeral establishment as defined  
16 in s. 445.01, or an employee of a funeral establishment, and no funeral establishment  
17 with which such a coroner, deputy coroner, medical examiner or assistant medical  
18 examiner is associated, shall perform any of the services of a funeral director upon  
19 the body of any person whose death is required by law to be investigated by such  
20 coroner, his or her deputy, medical examiner or assistant medical examiner. Any  
21 person who violates this section shall be fined forfeit not more than \$50.

22 **SECTION 80.** 59.66 (2) (c) of the statutes is amended to read:

23 59.66 **(2)** (c) Any person violating this subsection ~~shall, upon conviction, be~~  
24 ~~fined not less than \$50 nor more than \$200 or imprisoned for not less than 30 days~~  
25 ~~nor more than 6 months~~ is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 81.** 59.74 (2) (e) 1. of the statutes is amended to read:

2           59.74 (2) (e) 1. Except as provided in subd. 2., any person who removes, destroys  
3 or makes inaccessible any landmark, monument of survey, corner post of government  
4 survey, survey made by the county surveyor or survey of public record without first  
5 complying with this subsection ~~shall be fined not to exceed \$1,000 or imprisoned in~~  
6 ~~the county jail for not more than one year~~ is guilty of a Class A misdemeanor.

7           **SECTION 82.** 59.76 (2) of the statutes is amended to read:

8           59.76 (2) Any register of deeds who fails or refuses to register farms under sub.  
9 (1), or who charges or collects more than the fee specified under s. 59.43 (2) (ag) for  
10 recording any such registration, or recording such certificate, or who knowingly  
11 registers a farm or estate under a name previously adopted and registered for some  
12 other farm or estate in the county, or any person who uses, by way of advertisement  
13 or otherwise, the name of any farm or estate registered as provided in this section,  
14 to designate or as the name of any farm or estate in the county other than the farm  
15 or estate for which the name was registered, unless the name was adopted for and  
16 used as the name of the other farm or estate prior to April 6, 1905, ~~shall be fined not~~  
17 ~~less than \$5 nor more than \$25 or imprisoned for not less than 10 days nor more than~~  
18 ~~30 days, or both~~ is guilty of a Class C misdemeanor.

19           **SECTION 83.** 62.23 (8) of the statutes is amended to read:

20           62.23 (8) OTHER MEASURES OF ENFORCEMENT AND REMEDIES; PENALTY. Any  
21 building erected, constructed or reconstructed in violation of this section or  
22 regulations adopted pursuant thereto shall be deemed an unlawful structure, and  
23 the building inspector or city attorney or other official designated by the council may  
24 bring action to enjoin such erection, construction or reconstruction, or cause such  
25 structure to be vacated or removed. It shall be unlawful to erect, construct or

**ASSEMBLY BILL 128**

1 reconstruct any building or structure in violation of this section or regulations  
2 adopted pursuant thereto. Any person, firm or corporation violating such provisions  
3 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall ~~be fined~~  
4 forfeit not more than \$500. Each and every day during which said illegal erection,  
5 construction or reconstruction continues shall be deemed a separate offense. In case  
6 any building or structure is or is proposed to be erected, constructed or reconstructed,  
7 or any land is or is proposed to be used in violation of this section or regulations  
8 adopted pursuant thereto, the building inspector or the city attorney or any adjacent  
9 or neighboring property owner who would be specially damaged by such violation,  
10 may, in addition to other remedies provided by law, institute injunction, mandamus,  
11 abatement or any other appropriate action or proceeding to prevent or enjoin or abate  
12 or remove such unlawful erection, construction or reconstruction.

13 **SECTION 84.** 63.17 of the statutes is amended to read:

14 **63.17 Violations, county civil service.** Any person who willfully, or through  
15 culpable negligence, violates any provisions of ss. 63.01 to 63.16, or any rule  
16 promulgated in accordance with the provisions thereof, ~~shall be is~~ guilty of a Class  
17 A misdemeanor, ~~and shall, on conviction thereof, be punished by a fine of not less~~  
18 ~~than \$50 nor more than \$1,000, or by imprisonment in the county jail for a term of~~  
19 ~~not less than 30 days, nor more than one year or by both such fine and imprisonment~~  
20 ~~in the discretion of the court.~~

21 **SECTION 85.** 63.20 of the statutes is amended to read:

22 **63.20 Compulsory attendance and fees of witnesses.** Any person who is  
23 served with a subpoena to appear and testify or to produce books and papers, issued  
24 by the board of city service commissioners in the course of any investigation  
25 conducted under ss. 63.18 to 63.53, and who refuses or neglects to appear and testify

**ASSEMBLY BILL 128**

1 or to produce books and papers relevant to the investigation, as commanded in the  
2 subpoena, ~~shall be~~ is guilty of a Class C misdemeanor, ~~and shall on conviction be~~  
3 ~~punished by a fine or imprisonment or both, as provided under ss. 63.18 to 63.53.~~ The  
4 fees of witnesses for attendance and travel shall be the same as the fees of witnesses  
5 before the circuit courts of this state, and shall be paid from the appropriation for the  
6 expenses of the board. Any circuit court of this state or any judge thereof, upon  
7 application of the board, may compel the attendance of witnesses, the production of  
8 books and papers and giving of testimony before the board by attachment for  
9 contempt or otherwise, in the same manner as the production of evidence may be  
10 compelled before the court. Every person, who takes an oath or makes affirmation  
11 before a commissioner in the course of the investigation, and swears or affirms  
12 willfully, corruptly and falsely, shall be guilty of perjury, and upon conviction shall  
13 be punished accordingly.

14 **SECTION 86.** 63.52 (1) of the statutes is amended to read:

15 63.52 (1) Any person who willfully, or through culpable negligence, violates any  
16 provision of ss. 63.18 to 63.51, or any rule promulgated in accordance with the  
17 provisions thereof, ~~shall be~~ is guilty of a Class B misdemeanor, ~~and shall, on~~  
18 ~~conviction thereof, be punished by a fine of not less than \$50, and not exceeding~~  
19 ~~\$1,000, or by imprisonment in the county jail for a term not exceeding 6 months, or~~  
20 ~~by both such fine and imprisonment in the discretion of the court.~~

21 **SECTION 87.** 66.0417 (5) (a) of the statutes is amended to read:

22 66.0417 (5) (a) Except as provided in par. (b), any person who violates this  
23 section or an order issued under this section ~~may be fined not more than \$10,000 plus~~  
24 ~~the retail value of any food moved, sold or disposed of in violation of this section or~~

**ASSEMBLY BILL 128**

1 ~~the order, or imprisoned not more than one year in the county jail, or both~~ is guilty  
2 of a Class A misdemeanor.

3 **SECTION 88.** 66.0417 (5) (b) (intro.) of the statutes is amended to read:

4 66.0417 **(5)** (b) (intro.) Any person who does either of the following ~~may be fined~~  
5 ~~not more than \$5,000 or imprisoned not more than one year in a county jail, or both~~  
6 is guilty of a Class A misdemeanor:

7 **SECTION 89.** 66.0425 (9) of the statutes is amended to read:

8 66.0425 **(9)** Any person who violates this section ~~may be fined not less than \$25~~  
9 ~~nor more than \$500 or imprisoned for not less than 10 days nor more than 6 months~~  
10 ~~or both~~ is guilty of a Class B misdemeanor.

11 **SECTION 90.** 66.0615 (1m) (f) 5. of the statutes is amended to read:

12 66.0615 **(1m)** (f) 5. Persons who are subject to the tax under this subsection,  
13 if that tax is administered by the department of revenue, shall register with the  
14 department. Any person who is required to register, including any person authorized  
15 to act on behalf of a person who is required to register, who fails to do so is guilty of  
16 a Class C misdemeanor.

17 **SECTION 91.** 66.0903 (11) (b) 1. of the statutes is amended to read:

18 66.0903 **(11)** (b) 1. Except as provided in subs. 2., 4. and 6., any contractor,  
19 subcontractor or contractor's or subcontractor's agent who violates this section ~~may~~  
20 ~~be fined not more than \$200 or imprisoned for not more than 6 months or both~~ is  
21 guilty of a Class B misdemeanor. Each day that any violation continues is a separate  
22 offense.

23 **SECTION 92.** 66.1207 (1) (a) of the statutes is amended to read:

24 66.1207 **(1)** (a) Any person who secures or assists in securing dwelling  
25 accommodations under s. 66.1205 by intentionally making false representations in

**ASSEMBLY BILL 128**

1 order to receive more than \$1,000 but less than \$2,500 in financial assistance for  
2 which the person would not otherwise be entitled ~~shall be fined not more than~~  
3 ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
4 misdemeanor.

5 **SECTION 93.** 69.24 (2) (intro.) of the statutes is amended to read:

6 69.24 (2) (intro.) Any person who does any of the following ~~shall be fined not~~  
7 ~~more than \$1,000 or imprisoned not more than 90 days or both~~ is guilty of a Class  
8 B misdemeanor:

9 **SECTION 94.** 70.40 (2) of the statutes is repealed.

10 **SECTION 95.** 70.42 (2) of the statutes is amended to read:

11 70.42 (2) Every person on whom a tax is imposed by sub. (1) shall on February  
12 1 of each year furnish to the assessor of the town, city or village within which the coal  
13 dock is situated, a full and true list or statement of all coal, specifying the respective  
14 amounts and different kinds, received in or on, or handled by or over the coal dock  
15 during the year immediately preceding January 1 of the year in which the list or  
16 statement is to be made. Any operator of a coal dock who fails or refuses to furnish  
17 the list or statement or who knowingly makes or furnishes a false or incorrect list or  
18 statement, ~~shall be fined not exceeding~~ forfeit not more than \$1,000.

19 **SECTION 96.** 70.421 (2) of the statutes is amended to read:

20 70.421 (2) Every person on whom a tax is imposed by sub. (1) shall on February  
21 1 of each year furnish to the assessor of the town, city or village within which the  
22 refinery is situated, a full and true list or statement of all crude oil handled and all  
23 petroleum products refined specifying the respective amounts and different kinds,  
24 refined by the refinery during the year immediately preceding January 1 of the year  
25 in which the list or statement is to be made. Any operator of a refinery who fails or



**ASSEMBLY BILL 128**

1 refuses to furnish the list or statement or who knowingly makes or furnishes a false  
2 or incorrect list or statement, shall be ~~fined not exceeding~~ forfeit not more than  
3 \$1,000.

4 **SECTION 97.** 70.47 (18) (b) of the statutes is amended to read:

5 70.47 (18) (b) Whoever intentionally alters, damages, removes or conceals any  
6 public notice, posted as required by sub. (2), before the expiration of the time for  
7 which the notice was posted, ~~may be fined not more than \$200 or imprisoned not more~~  
8 ~~than 6 months or both~~ is guilty of a Class B misdemeanor.

9 **SECTION 98.** 71.65 (6) of the statutes is amended to read:

10 71.65 (6) CONSTRUCTION CONTRACTORS. Any employer who willfully provides  
11 false information to the department, or who willfully and with intent to evade any  
12 requirement of this subchapter, misclassifies or attempts to misclassify an  
13 individual who is an employee of the employer as a nonemployee shall be ~~fined~~ forfeit  
14 \$25,000 for each violation.

15 **SECTION 99.** 71.66 (1) (e) of the statutes is amended to read:

16 71.66 (1) (e) Any employee who willfully supplies his or her employer with false  
17 or fraudulent information regarding his or her withholding exemption or who  
18 willfully fails to supply information which would increase the amount to be withheld  
19 may be ~~fined~~ required to forfeit not more than \$200.

20 **SECTION 100.** 71.83 (2) (a) 1. of the statutes is amended to read:

21 71.83 (2) (a) 1. 'All persons.' If any person, including an officer of a corporation  
22 or a manager of a limited liability company required by law to make, render, sign or  
23 verify any return, willfully fails or refuses to make a return at the time required in  
24 s. 71.03, 71.24 or 71.44 or willfully fails or refuses to make deposits or payments as  
25 required by s. 71.65 (3) or willfully renders a false or fraudulent statement required

**ASSEMBLY BILL 128**

1 by s. 71.65 (1) and (2) or deposit report or withholding report required by s. 71.65 (3),  
2 such person shall be guilty of a Class A misdemeanor ~~and may be fined not more than~~  
3 ~~\$10,000 or imprisoned for not to exceed 9 months or both, together with the cost of~~  
4 ~~prosecution.~~

5 **SECTION 101.** 71.83 (2) (a) 2. of the statutes is amended to read:

6 71.83 (2) (a) 2. 'Penalties for certain false documents.' Any person who willfully  
7 makes and subscribes any return, claim, statement or other document required by  
8 this chapter that that person does not believe to be true and correct as to every  
9 material matter or who willfully aids in, procures, counsels or advises the  
10 preparation of any return, claim, statement or other document that is false or  
11 fraudulent as to any material matter related to, or required by, this chapter ~~may be~~  
12 ~~fined not more than \$10,000 or imprisoned for not more than 9 months or both,~~  
13 ~~together with the cost of prosecution~~ is guilty of a Class A misdemeanor.

14 **SECTION 102.** 71.83 (2) (a) 3. of the statutes is amended to read:

15 71.83 (2) (a) 3. 'Divulging information.' Any person who violates s. 71.78 shall  
16 ~~upon conviction be fined not less than \$100 nor more than \$500 or imprisoned for not~~  
17 ~~less than one month nor more than 6 months or both~~ is guilty of a Class B  
18 misdemeanor.

19 **SECTION 103.** 71.83 (2) (a) 3m. of the statutes is amended to read:

20 71.83 (2) (a) 3m. 'Browsing in records.' Any person who violates s. 71.78 (1m)  
21 (a) shall ~~upon conviction be fined~~ forfeit not less than \$100 nor more than \$500 ~~or~~  
22 ~~imprisoned for not less than one month nor more than 6 months or both.~~

23 **SECTION 104.** 71.83 (2) (a) 4. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           71.83 (2) (a) 4. 'Coercing employee to prepay taxes.' Any employer found guilty  
2 of violating s. 71.09 (15) (d) may be ~~fin~~required to forfeit not less than \$25 nor more  
3 than \$200 for each violation.

4           **SECTION 105.** 71.83 (2) (a) 5. of the statutes is amended to read:

5           71.83 (2) (a) 5. 'False withholding agreement.' Any employee who willfully  
6 supplies an employer with false or fraudulent information regarding an agreement  
7 with the intent to defeat or evade the proper withholding of tax under subch. X ~~may~~  
8 ~~be imprisoned for not more than 6 months or fined not more than \$500, plus the costs~~  
9 ~~of prosecution, or both~~ is guilty of a Class B misdemeanor.

10          **SECTION 106.** 71.83 (2) (a) 6. of the statutes is amended to read:

11          71.83 (2) (a) 6. 'Construction contractor surety bond.' Any person who fails or  
12 refuses to comply with s. 71.80 (16) shall be ~~fin~~forfeit not less than \$300 nor more  
13 than \$5,000.

14          **SECTION 107.** 71.91 (8) (e) of the statutes is amended to read:

15          71.91 (8) (e) *Confidentiality.* A financial institution participating in the  
16 financial institution matching program under this subsection and the employees,  
17 agents, officers, and directors of the financial institution, may use any information  
18 provided by the department only for the purpose of administering this subsection  
19 and shall be subject to the confidentiality provisions of ss. 71.78 (1) and 77.61 (5) (a).  
20 Any person violating this paragraph ~~may be fined not less than \$25 nor more than~~  
21 ~~\$500, or imprisoned in the county jail for not less than 10 days nor more than one year~~  
22 ~~or both~~ is guilty of a Class A misdemeanor.

23          **SECTION 108.** 75.375 of the statutes is amended to read:

24          **75.375 Waste on lands subject to a tax certificate; penalty.** Any person  
25 who shall willfully, maliciously or wantonly injure, destroy or commit waste upon

**ASSEMBLY BILL 128**

1 any lands, tenements, or anything appertaining thereto which has been included in  
2 a tax certificate for the nonpayment of taxes while such taxes remain unpaid may  
3 ~~be fined not more than \$500 or imprisoned not more than 90 days or both~~ is guilty  
4 of a Class B misdemeanor.

5 **SECTION 109.** 77.27 of the statutes is amended to read:

6 **77.27 Penalty for falsifying value.** Any person who intentionally falsifies  
7 value on a return required to be filed under this subchapter may for each such offense  
8 ~~be fined not more than \$1,000 or imprisoned in the county jail not more than one year,~~  
9 ~~or both~~ is guilty of a Class A misdemeanor.

10 **SECTION 110.** 77.52 (12) of the statutes is amended to read:

11 77.52 (12) A person who operates as a seller in this state without a permit or  
12 after a permit has been suspended or revoked or has expired, unless the person has  
13 a temporary permit under sub. (11), and each officer of any corporation, partnership  
14 member, limited liability company member, or other person authorized to act on  
15 behalf of a seller who so operates, is guilty of a Class C misdemeanor. Except for a  
16 person who is registered in accordance with the agreement, as defined in s. 77.65 (2)  
17 (a), permits shall be held only by persons actively operating as sellers of tangible  
18 personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or taxable  
19 services. Any person not so operating shall forthwith surrender that person's permit  
20 to the department for cancellation. The department may revoke the permit of a  
21 person found not to be actively operating as a seller of tangible personal property, or  
22 items, property, or goods under sub. (1) (b), (c), or (d), or taxable services.

23 **SECTION 111.** 77.52 (16) of the statutes is amended to read:

24 77.52 (16) Any person who gives a resale certificate for property, or items,  
25 property, or goods under sub. (1) (b), (c), or (d), or services which that person knows

**ASSEMBLY BILL 128**

1 at the time of purchase is not to be resold by that person in the regular course of that  
2 person's operations as a seller for the purpose of evading payment to the seller of the  
3 amount of the tax applicable to the transaction is guilty of a Class C misdemeanor.  
4 Any person certifying to the seller that the sale of property, or items, property, or  
5 goods under sub. (1) (b), (c), or (d), or taxable service is exempt, knowing at the time  
6 of purchase that it is not exempt, for the purpose of evading payment to the seller of  
7 the amount of the tax applicable to the transaction, is guilty of a Class C  
8 misdemeanor.

9 **SECTION 112.** 77.52 (19) of the statutes is amended to read:

10 77.52 (19) The department shall by rule provide for the efficient collection of  
11 the taxes imposed by this subchapter on sales of tangible personal property, or items,  
12 property, or goods under sub. (1) (b), (c), or (d), or services by persons not regularly  
13 engaged in selling at retail in this state or not having a permanent place of business,  
14 but who are temporarily engaged in selling from trucks, portable roadside stands,  
15 concessions at fairs and carnivals, and the like. The department may authorize such  
16 persons to sell property or items, property or goods under sub. (1) (b), (c), or (d) or sell,  
17 perform, or furnish services on a permit or nonpermit basis as the department by rule  
18 prescribes, and failure of any person who fails to comply with such rules constitutes  
19 is guilty of a Class C misdemeanor.

20 **SECTION 113.** 77.53 (8) of the statutes is amended to read:

21 77.53 (8) Any person violating sub. (3) or (7) is guilty of a Class C misdemeanor.

22 **SECTION 114.** 77.60 (6) of the statutes is amended to read:

23 77.60 (6) Any person who fails to furnish any return required to be made or who  
24 fails to furnish any data required by the department is guilty of a Class C  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 115.** 77.60 (7) of the statutes is amended to read:

2           77.60 (7) Any person, including an officer of a corporation, required to make,  
3 render, sign or verify any report or return required by this subchapter who makes  
4 a false or fraudulent report or return or who fails to furnish a report or return when  
5 due with the intent, in either case, to defeat or evade the tax imposed by this  
6 subchapter, is guilty of a Class C misdemeanor.

7           **SECTION 116.** 77.60 (10) of the statutes is amended to read:

8           77.60 (10) It is unlawful for any person to aid, abet or assist another in making  
9 any false or fraudulent return or false statement in any return required by this  
10 subchapter, with intent to defraud the state or evade payment of the tax, or any part  
11 thereof, imposed by this subchapter. Anyone in violation hereof shall be is guilty of  
12 a Class C misdemeanor.

13           **SECTION 117.** 77.61 (5) (g) of the statutes is amended to read:

14           77.61 (5) (g) Any person violating this subsection ~~may be fined not less than~~  
15 ~~\$100 nor more than \$500, or imprisoned not less than one month nor more than 6~~  
16 ~~months, or both~~ is guilty of a Class B misdemeanor.

17           **SECTION 118.** 77.61 (6) (d) of the statutes is amended to read:

18           77.61 (6) (d) Any person who violates par. (a) ~~shall upon conviction be fined not~~  
19 ~~less than \$100 nor more than \$500 or imprisoned for not less than one month nor~~  
20 ~~more than 6 months or both~~ is guilty of a Class B misdemeanor.

21           **SECTION 119.** 77.61 (9) of the statutes is amended to read:

22           77.61 (9) The department may by rule require the filing, submission,  
23 preparation or retention of such information returns, exemption and resale  
24 certificates and other forms, reports and data as it requires for the proper  
25 administration of this subchapter. Any person who fails or refuses to file, submit,

**ASSEMBLY BILL 128**

1 prepare or retain such returns, certificates, forms, reports or data, at the time and  
2 place and in the manner required, is guilty of a Class C misdemeanor for each such  
3 failure or refusal.

4 **SECTION 120.** 77.982 (4) of the statutes is amended to read:

5 77.982 (4) Persons who are subject to the tax under this subchapter shall  
6 register with the department of revenue. Any person who is required to register;  
7 including any person authorized to act on behalf of a corporation, partnership or  
8 other person who is required to register; who fails to do so is guilty of a Class C  
9 misdemeanor.

10 **SECTION 121.** 77.991 (4) of the statutes is amended to read:

11 77.991 (4) Persons who are subject to the tax under this subchapter shall  
12 register with the department of revenue. Any person who is required to register;  
13 including any person authorized to act on behalf of a corporation, partnership or  
14 other person who is required to register; who fails to do so is guilty of a Class C  
15 misdemeanor.

16 **SECTION 122.** 77.9951 (3) of the statutes is amended to read:

17 77.9951 (3) Persons who are subject to the fee under this subchapter shall  
18 register with the department of revenue. Any person who is required to register;  
19 including any person authorized to act on behalf of a corporation, partnership or  
20 other person who is required to register; who fails to do so is guilty of a Class C  
21 misdemeanor.

22 **SECTION 123.** 78.68 (6) of the statutes is amended to read:

23 78.68 (6) Any person who fails to furnish any return required to be made or who  
24 fails to furnish any data required by the department ~~may be fined not more than \$500~~  
25 ~~or imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 124.** 78.68 (7) of the statutes is amended to read:

2           78.68 (7) Any person, including an officer of a corporation or a manager of a  
3 limited liability company, who is required to make, render, sign or verify any report  
4 or return required by this chapter and who makes a false or fraudulent report or  
5 return or who fails to furnish a report or return when due with the intent, in either  
6 case, to defeat or evade the tax imposed by this subchapter ~~may be fined not more~~  
7 ~~than \$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
8 misdemeanor.

9           **SECTION 125.** 78.68 (8) of the statutes is amended to read:

10          78.68 (8) No person may aid, abet or assist another in making any false or  
11 fraudulent return or false statement in any return required by this chapter with  
12 intent to defraud the state or evade payment of the tax, or any part thereof, imposed  
13 by this chapter. Any person who violates this subsection ~~may be fined not more than~~  
14 ~~\$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
15 misdemeanor.

16          **SECTION 126.** 78.73 (1) (intro.) of the statutes is amended to read:

17          78.73 (1) ACTS FORBIDDEN. (intro.) Any person who does any of the following  
18 ~~may be fined not more than \$500 or imprisoned not more than 6 months or both~~ is  
19 guilty of a Class B misdemeanor:

20          **SECTION 127.** 78.73 (2) of the statutes is amended to read:

21          78.73 (2) SELLING WITHOUT A LICENSE. Each day in which any person acts as a  
22 licensee without a license shall constitute a separate offense, and ~~for each such~~  
23 ~~offense may be fined not more than \$5,000 or imprisoned in the county jail for not~~  
24 ~~more than one year or both~~ is a Class A misdemeanor.

25          **SECTION 128.** 78.73 (3) of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           78.73 (3) ATTEMPT TO ASSIGN LICENSE. Any person who assigns or attempts to  
2 assign a license issued under this chapter, or who fails to display the license  
3 conspicuously at the person's place of business, shall ~~be fined~~ forfeit not more than  
4 \$25 ~~or imprisoned for not more than 10 days~~ for each such offense.

5           **SECTION 129.** 78.73 (4) of the statutes is amended to read:

6           78.73 (4) FAILURE TO REPORT OR PAY. Any person who fails or refuses to make a  
7 report or payment as provided in this chapter ~~shall be fined not more than \$5,000 or~~  
8 ~~imprisoned in the county jail for not more than one year or both~~ is guilty of a Class  
9 A misdemeanor.

10          **SECTION 130.** 83.027 (12) of the statutes is amended to read:

11          83.027 (12) UNLAWFUL USE OF HIGHWAY; PENALTIES. It is unlawful for any person  
12 to drive any vehicle into or from a controlled-access highway except through an  
13 opening provided for that purpose. Any person who violates this provision ~~may be~~  
14 ~~fined not more than \$100 or imprisoned not more than 30 days or both~~ is guilty of a  
15 Class C misdemeanor.

16          **SECTION 131.** 84.25 (12) of the statutes is amended to read:

17          84.25 (12) UNLAWFUL USE OF HIGHWAY; PENALTIES. It shall be unlawful for any  
18 person to drive any vehicle into or from a controlled-access highway except through  
19 an opening provided for that purpose. Any person who violates this provision ~~shall~~  
20 ~~be punished by a fine of not more than \$100 or by imprisonment for not more than~~  
21 ~~30 days, or by both such fine and imprisonment~~ is guilty of a Class C misdemeanor.

22          **SECTION 132.** 86.01 of the statutes is amended to read:

23          **86.01 Materials left in highway; penalty.** It shall be unlawful for any  
24 highway superintendent or any other person to leave any materials in the traveled  
25 portion of any highway not closed to public travel in piles or rows after sunset without

**ASSEMBLY BILL 128**

1 placing within one hour after sunset upon such piles or at the end of such rows a  
2 lighted lantern containing sufficient oil or fuel to keep the same burning until  
3 daylight. Any person violating any of the provisions of this section shall be liable to  
4 a fine of forfeit not less than \$10 nor more than \$100.

5 **SECTION 133.** 86.021 (2) of the statutes is amended to read:

6 86.021 (2) Any person who shall violate the provisions of this section shall be  
7 guilty of a Class C misdemeanor, and upon conviction thereof shall be punished by  
8 a fine of not less than \$10 nor more than \$50, or by imprisonment in the county jail  
9 not less than 10 days nor more than 30 days, and shall in addition pay the whole cost  
10 of restoring the ditch or highway, or both, to their former condition.

11 **SECTION 134.** 86.022 of the statutes is amended to read:

12 **86.022 Obstructing highway with embankment or ditch.** Any person  
13 who shall willfully or maliciously make any ditch, depression or embankment or  
14 place any obstruction in any public highway intended or calculated to impede or  
15 incommode the use of such highway, or who shall place any obstruction in any ditch  
16 constructed to drain any highway, shall be guilty of a misdemeanor and upon  
17 conviction shall be punished by a fine of forfeit not less than \$10 nor more than \$100.

18 **SECTION 135.** 86.025 of the statutes is amended to read:

19 **86.025 Camping on highways.** It shall be unlawful for any person or persons  
20 to camp in wagons, tent or otherwise on the public highways or lands adjacent  
21 thereto, after a notice to remove therefrom by the owners of such adjacent lands, or  
22 the owner of land abutting on the highway, or by a member of the board of supervisors  
23 or any trustee of any town or village where such camping place is made. Any person  
24 or persons violating the provisions of who violates this section shall be deemed is

**ASSEMBLY BILL 128**

1 guilty of a Class C misdemeanor, and upon conviction thereof shall be fined not  
2 exceeding \$10, or imprisoned in the county jail not exceeding 30 days, or both.

3 **SECTION 136.** 86.03 (6) of the statutes is amended to read:

4 86.03 (6) FINES. Except as provided in sub. (7), any person violating any of the  
5 provisions of this section shall be deemed guilty of a misdemeanor and upon  
6 conviction thereof shall be punished by a fine not to exceed shall forfeit not more than  
7 \$25 for each tree or shrub damaged, felled or destroyed.

8 **SECTION 137.** 86.03 (7) of the statutes is amended to read:

9 86.03 (7) CUTTING OF VETERANS MEMORIAL TREES; PENALTY. No person may cut or  
10 trim any tree planted along any federal or state trunk highway as a memorial to the  
11 men and women who served in the armed forces of the United States in time of war,  
12 without the written permission of the department. ~~Violations of this section shall be~~  
13 ~~punishable by a fine of not less than \$10 nor more than \$200 or by imprisonment for~~  
14 ~~not more than 30 days or both~~ A person who violates this section is guilty of a Class  
15 C misdemeanor. Nothing in this section shall interfere with the rights of abutting  
16 property owners in those trees.

17 **SECTION 138.** 86.06 (2) of the statutes is amended to read:

18 86.06 (2) Any person who, without lawful authority, removes, takes down,  
19 alters the position of, destroys, passes over or beyond any barrier so erected, or  
20 travels with any vehicle upon any portion of a highway closed by barriers as in this  
21 section provided, or walks or travels in any manner upon the materials placed  
22 thereon as part of the repair or construction work, ~~shall be liable to a fine of not less~~  
23 ~~than \$10 nor more than \$100, or to imprisonment not less than 10 nor more than 60~~  
24 ~~days, or both,~~ is guilty of a Class C misdemeanor and in addition thereto shall be is

**ASSEMBLY BILL 128**

1 liable for all damages done to the highway, said damages to be recovered by such  
2 governmental agency.

3 **SECTION 139.** 86.07 (1) of the statutes is amended to read:

4 86.07 (1) Any person who draws, paints, prints or pastes upon any culvert,  
5 bridge or guard rail on any highway shall be fined not less than \$10 nor more than  
6 \$200 or imprisoned for not more than 30 days or both is guilty of a Class C  
7 misdemeanor.

8 **SECTION 140.** 86.07 (2) of the statutes is amended to read:

9 86.07 (2) No person shall make any excavation or fill or install any culvert or  
10 make any other alteration in any highway or in any manner disturb any highway or  
11 bridge without a permit therefor from the highway authority maintaining the  
12 highway. Such permit shall contain the statement and be subject to the condition  
13 that the work shall be constructed subject to such rules and regulations as may be  
14 prescribed by said authority and be performed and completed to its satisfaction, and  
15 in the case of temporary alterations that the highway or bridge shall be restored to  
16 its former condition, and that the permittee shall be liable to the town or county or  
17 state, as the case may be, for all damages which occur during the progress of said  
18 work or as a result thereof. Nothing herein shall abridge the right of the department  
19 or the county board or its highway committee to make such additional rules,  
20 regulations and conditions not inconsistent herewith as may be deemed necessary  
21 and proper for the preservation of highways, or for the safety of the public, and to  
22 make the granting of any such permit conditional thereon. If any culvert is installed  
23 or any excavation or fill or any other alteration is made in violation of the provisions  
24 of this subsection, the highway may be restored to its former condition by the  
25 highway authority in charge of the maintenance thereof; and any person who

**ASSEMBLY BILL 128**

1 violates this subsection ~~shall be punished by a fine of not less than \$5 nor more than~~  
2 ~~\$100, or by imprisonment not exceeding 6 months, or both~~ is guilty of a Class B  
3 misdemeanor.

4 **SECTION 141.** 86.17 (2) of the statutes is amended to read:

5 86.17 (2) Any person who shall wantonly interfere with the free use of the water  
6 from any spring or in any creek or stream running across or in any highway ~~shall be~~  
7 ~~is~~ guilty of a Class C misdemeanor and ~~be~~ is liable to any person damaged thereby  
8 for all damages sustained.

9 **SECTION 142.** 86.191 (5) of the statutes is amended to read:

10 86.191 (5) Any person who violates sub. (1), (3), or (4) ~~shall be guilty of a~~  
11 ~~misdemeanor and on conviction thereof shall be punished by a fine of not less than~~  
12 ~~\$25 nor more than \$100 for each offense, or by imprisonment in the county jail for~~  
13 ~~a period not exceeding 30 days, or by both such fine and imprisonment in the~~  
14 ~~discretion of the court~~ is guilty of a Class C misdemeanor.

15 **SECTION 143.** 86.192 (2) of the statutes is amended to read:

16 86.192 (2) Any person who violates this section ~~shall be fined \$25 for the first~~  
17 ~~violation, \$100 for a subsequent violation, or imprisoned not exceeding 30 days for~~  
18 ~~the first violation, or 60 days for a subsequent violation, or both fined and imprisoned~~  
19 ~~in the discretion of the court~~ is guilty of a Class C misdemeanor. The court may, ~~in~~  
20 ~~addition,~~ order any such person either to restore or replace any such damaged sign,  
21 mile post, signal or marker, or to pay the cost thereof.

22 **SECTION 144.** 87.17 of the statutes is amended to read:

23 **87.17 Trespass, penalty.** Any person who shall willfully, maliciously, or  
24 wantonly ~~destroy, injure, remove, meddle or tamper~~ destroys, injures, removes,  
25 meddles, or tampers with any portion of the improvements constructed pursuant to

**ASSEMBLY BILL 128**

1 ss. 87.01 to 87.17, whether during construction or after completion of the same, or  
2 shall willfully, maliciously, or wantonly ~~obstruct, interfere with or hamper~~ obstructs,  
3 interferes with, or hampers the flood control board or any of its assistants, agents,  
4 servants, or employees, or any contractor employed by it in the work of constructing,  
5 repairing, reconstructing, operating, or maintaining the same, ~~shall be~~ is guilty of  
6 a Class A misdemeanor and ~~upon conviction shall be punished by imprisonment in~~  
7 ~~the county jail not more than one year, or by fine not exceeding \$1,000, or both.~~

8 **SECTION 145.** 87.30 (2) (a) of the statutes is amended to read:

9 87.30 (2) (a) Except as provided in par. (b), every structure, building, fill, or  
10 development placed or maintained within any floodplain in violation of a zoning  
11 ordinance adopted under this section, or s. 59.69, 61.35 or 62.23 is a public nuisance  
12 and the creation thereof may be enjoined and maintenance thereof may be abated by  
13 action at suit of any municipality, the state or any citizen thereof. Any person who  
14 places or maintains any structure, building, fill or development within any  
15 floodplain in violation of a zoning ordinance adopted under this section, or s. 59.69,  
16 61.35 or 62.23 may be ~~fined~~ required to forfeit not more than \$50 for each offense.  
17 Each day during which such violation exists is a separate offense.

18 **SECTION 146.** 88.82 (6) of the statutes is amended to read:

19 88.82 (6) Any drains which have been constructed by a drainage district  
20 dissolved under this section or under prior law shall remain common waterways for  
21 the use of all landowners in the dissolved district. Any such landowner may make  
22 repairs thereto at the landowner's own expense. Any person who in any manner  
23 obstructs or injures any such drain is liable for all damages caused to any person  
24 thereby and in addition may be ~~fined~~ required to forfeit not more than \$100.

25 **SECTION 147.** 88.91 (2) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           88.91 (2) Any person violating this section may be fined required to forfeit not  
2 more than \$100 and in addition is liable to the drainage district and to all persons  
3 whose ditches or lands are injured by such obstruction for all damages caused by the  
4 obstruction.

5           **SECTION 148.** 93.12 (6) of the statutes is amended to read:

6           93.12 (6) Laboratories required to apply to the department under sub. (2) shall  
7 not operate without a certificate of approval. Any lab which operates without a  
8 certificate of approval shall ~~be fined~~ forfeit not less than \$100 nor more than \$1,000.  
9 Each day such violation continues shall constitute a separate offense.

10          **SECTION 149.** 93.135 (1) (am) of the statutes is repealed.

11          **SECTION 150.** 93.21 (1) of the statutes is amended to read:

12          93.21 (1) **FAILING TO FURNISH INFORMATION.** Any owner or manager of any  
13 creamery, cheese factory, butter factory, condensary or milk receiving plant, and any  
14 person dealing in or manufacturing dairy products, ~~who fails to furnish the~~  
15 ~~statement prescribed under s. 93.06 (2) to every person from whom milk is purchased~~  
16 ~~or received, or who fails to comply with s. 93.07 (21),~~ shall be fined not to exceed \$200  
17 or imprisoned in the county jail not to exceed 6 months or both.

18          **SECTION 151.** 93.21 (2) (a) of the statutes is repealed and recreated to read:

19          93.21 (2) (a) Is guilty of a Class B misdemeanor.

20          **SECTION 152.** 93.21 (4) of the statutes is amended to read:

21          93.21 (4) **FAILURE TO OBEY ORDERS.** Any person who willfully violates s. 93.14  
22 (3) or 93.15 (3), or who willfully violates or refuses, neglects or fails to obey any order  
23 issued under s. 93.06 (3), ~~shall, for each offense, be fined not more than \$5,000 or~~  
24 ~~imprisoned for not more than one year in the county jail or both~~ is guilty of a Class  
25 A misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 153.** 93.21 (6) (a) of the statutes is repealed and recreated to read:

2           93.21 **(6)** (a) Is guilty of a Class A misdemeanor.

3           **SECTION 154.** 93.23 (8) of the statutes is amended to read:

4           93.23 **(8)** PENALTIES. Any person violating this section ~~may be fined not more~~  
5 ~~than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class B  
6 misdemeanor.

7           **SECTION 155.** 93.35 of the statutes is repealed.

8           **SECTION 156.** 94.46 (4) (b) of the statutes is amended to read:

9           94.46 **(4)** (b) Any person who knowingly violates ss. 94.38 to 94.46 or rules  
10 promulgated thereunder ~~may be fined not more than \$500 or imprisoned not more~~  
11 ~~than 6 months or both~~ is guilty of a Class B misdemeanor.

12           **SECTION 157.** 94.64 (12) (a) of the statutes is amended to read:

13           94.64 **(12)** (a) Any person who violates this section or any rule issued  
14 thereunder shall forfeit \$50 for the first violation and not less than \$200 nor more  
15 than \$500 for any subsequent violation. Any willful violation shall constitute a Class  
16 A misdemeanor and ~~any person convicted thereof shall be fined not less than \$250~~  
17 ~~nor more than \$5,000 or imprisoned in the county jail not more than one year or both.~~

18           **SECTION 158.** 94.65 (11) (b) of the statutes is amended to read:

19           94.65 **(11)** (b) Any person who willfully violates this section ~~shall be fined not~~  
20 ~~more than \$5,000 or imprisoned not more than one year in the county jail or both~~ is  
21 guilty of a Class A misdemeanor. Restitution shall be in accordance with s. 973.20,  
22 except that an injured party shall receive the amount determined under s. 973.20  
23 plus \$50.

24           **SECTION 159.** 94.71 (1) (a) 2. of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           94.71 (1) (a) 2. Any commercial applicator, dealer or distributor who knowingly  
2 violates any provision of ss. 94.67 to 94.71 or any rules or orders issued under ss.  
3 94.67 to 94.71 ~~may be fined not more than \$5,000 or imprisoned not more than one~~  
4 ~~year in the county jail or both.~~ Other persons is guilty of a Class A misdemeanor.  
5 Any other person, including a private applicators applicator who knowingly violate  
6 violates ss. 94.67 to 94.71 or any rules or orders issued under ss. 94.67 to 94.71 may  
7 be fined not more than \$1,000 or imprisoned not more than 30 days or both is guilty  
8 of a Class B misdemeanor.

9           **SECTION 160.** 94.72 (14) (a) of the statutes is amended to read:

10           94.72 (14) (a) A person who violates this section or an order issued or a rule  
11 promulgated under this section ~~shall be fined not more than \$200 or imprisoned not~~  
12 ~~more than 6 months or both~~ is guilty of a Class B misdemeanor.

13           **SECTION 161.** 94.77 (1) of the statutes is amended to read:

14           94.77 (1) Any person who violates any provision of this chapter for which a  
15 specific penalty is not prescribed, or an order issued or rule promulgated under such  
16 a provision, may be ~~fined~~ required to forfeit not more than \$1,000 for the first offense  
17 and ~~may be fined not less than \$500 nor more than \$5,000 or imprisoned for not more~~  
18 ~~than 6 months or both~~ is guilty of a Class A misdemeanor for each subsequent  
19 offense.

20           **SECTION 162.** 95.21 (10) (b) of the statutes is amended to read:

21           95.21 (10) (b) *Refusal to comply with order or quarantine.* An owner who  
22 refuses to comply with an order issued under this section to deliver an animal to an  
23 officer, isolation facility or veterinarian or who does not comply with the conditions  
24 of an order that an animal be quarantined ~~shall be fined not less than \$100 nor more~~

**ASSEMBLY BILL 128**

1 ~~than \$1,000 or imprisoned not more than 60 days or both~~ is guilty of a Class A  
2 misdemeanor.

3 **SECTION 163.** 95.68 (9) of the statutes is amended to read:

4 95.68 (9) PENALTIES. A person conducting a business regulated by this section  
5 after revocation of his or her license shall be ~~fined not less than \$500 nor more than~~  
6 ~~\$1,000 or imprisoned not to exceed 6 months or both~~ is guilty of a Class B  
7 misdemeanor.

8 **SECTION 164.** 95.69 (9) of the statutes is amended to read:

9 95.69 (9) PENALTIES. A person conducting a business regulated by this section  
10 after revocation of his or her license shall be ~~fined not less than \$500 nor more than~~  
11 ~~\$1,000 or imprisoned not to exceed 6 months or both~~ is guilty of a Class B  
12 misdemeanor.

13 **SECTION 165.** 95.71 (9) of the statutes is amended to read:

14 95.71 (9) PENALTIES. A person conducting a business regulated by this section  
15 after revocation of his or her license shall be ~~fined not less than \$500 nor more than~~  
16 ~~\$1,000 or imprisoned not to exceed 6 months or both~~ is guilty of a Class B  
17 misdemeanor.

18 **SECTION 166.** 95.99 (1) of the statutes is amended to read:

19 95.99 (1) Any person who violates this chapter, or an order issued or a rule  
20 adopted under this chapter, for which a specific penalty is not prescribed shall, for  
21 the first offense, be fined not more than \$1,000; and for any subsequent offense ~~fined~~  
22 ~~not less than \$500 nor more than \$1,000, or imprisoned not more than 6 months or~~  
23 ~~both~~ is guilty of a Class B misdemeanor.

24 **SECTION 167.** 96.17 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           96.17 (3) A person who intentionally violates a marketing order or agreement  
2 shall be fined not more than \$10,000 or imprisoned not more than 9 months or both  
3 is guilty of a Class A misdemeanor.

4           **SECTION 168.** 97.12 (2) (d) 1. of the statutes is amended to read:

5           97.12 (2) (d) 1. Any person violating an order issued under this section may be  
6 fined required to forfeit not more than the maximum amount under subd. 2. or  
7 imprisoned not more than one year in the county jail or both.

8           **SECTION 169.** 97.12 (4) (intro.) of the statutes is amended to read:

9           97.12 (4) (intro.) Any person who does either of the following may be fined not  
10 more than \$5,000 or imprisoned not more than one year in the county jail or both is  
11 guilty of a Class A misdemeanor:

12           **SECTION 170.** 97.18 (6) of the statutes is amended to read:

13           97.18 (6) Any person who violates any provision of this section may be fined  
14 not less than \$100 nor more than \$500 or imprisoned not more than 3 months or both;  
15 and for each subsequent offense may be fined not less than \$500 nor more than  
16 \$1,000 or imprisoned in the county jail not less than 6 months nor more than one year  
17 required to forfeit not more than \$1,000 for each violation.

18           **SECTION 171.** 97.42 (8) of the statutes is amended to read:

19           97.42 (8) INTERFERENCE WITH INSPECTION. Any person who forcibly assaults,  
20 threatens, obstructs, impedes, intimidates or interferes with any person while  
21 engaged in the performance of his or her official duties under this section shall be  
22 fined not more than \$5,000 or imprisoned in the county jail not to exceed one year  
23 or both is guilty of a Class A misdemeanor.

24           **SECTION 172.** 97.72 (1) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           97.72 (1) Any person who violates any of the provisions of this chapter for which  
2 a specific penalty is not prescribed shall be fined not less than \$100 nor more than  
3 \$1,000 or imprisoned for not more than 6 months, is guilty of a Class B misdemeanor  
4 for the first offense; and for each subsequent offense, ~~fined not less than \$500 nor~~  
5 ~~more than \$5,000, or imprisoned for not less than 30 days nor more than one year~~  
6 ~~in the county jail or both~~ is guilty of a Class A misdemeanor.

7           **SECTION 173.** 98.26 (1) (intro.) of the statutes is amended to read:

8           98.26 (1) (intro.) A person who does any of the following acts shall forfeit not  
9 less than \$100 nor more than \$500 for the first offense and not less than \$200 nor  
10 more than \$1,000 for a subsequent offense. A person who intentionally does any of  
11 the following acts ~~shall be fined not more than \$10,000 or imprisoned not more than~~  
12 ~~9 months or both~~ is guilty of a Class A misdemeanor:

13           **SECTION 174.** 99.07 (2) of the statutes is amended to read:

14           99.07 (2) A person who willfully violates this chapter or rules promulgated  
15 under this chapter ~~shall be fined not less than \$200 nor more than \$1,000 or~~  
16 ~~imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

17           **SECTION 175.** 100.07 (5) of the statutes is amended to read:

18           100.07 (5) Any person who violates this section by failing to pay to the  
19 department the deductions required by this section, or by failing to make or to keep  
20 the required records or reports, or by willfully making any false entry in such records  
21 or reports, or by willfully failing to make full and true entries in such records or  
22 reports, or by obstructing, refusing or resisting other than through judicial process  
23 any department audit of such records, ~~shall be fined not to exceed \$200 or imprisoned~~  
24 ~~in the county jail not more than 6 months or by both~~ is guilty of a Class B  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 176.** 100.15 of the statutes is repealed.

2           **SECTION 177.** 100.195 (5m) (e) of the statutes is amended to read:

3           100.195 **(5m)** (e) A person who violates this section is ~~subject to a fine of not~~  
4 ~~less than \$25 nor more than \$5,000 or imprisonment not to exceed one year or both~~  
5 ~~for each violation~~ is guilty of a Class A misdemeanor.

6           **SECTION 178.** 100.2095 (6) (d) of the statutes is amended to read:

7           100.2095 **(6)** (d) A person who violates sub. (3), (4) or (5) ~~may be fined not more~~  
8 ~~than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class  
9 A misdemeanor. Each day of violation constitutes a separate offense.

10          **SECTION 179.** 100.235 (11) (b) of the statutes is amended to read:

11          100.235 **(11)** (b) *Fine or imprisonment.* Any person who intentionally violates  
12 this section shall ~~be fined not less than \$100 nor more than \$10,000 or imprisoned~~  
13 ~~for not more than one year in the county jail or both for each violation~~ is guilty of a  
14 Class A misdemeanor.

15          **SECTION 180.** 100.26 (1) of the statutes is amended to read:

16          100.26 **(1)** Any person who violates any provision of this chapter, except s.  
17 100.18, 100.20, 100.206 or 100.51, for which no specific penalty is prescribed shall  
18 be fined ~~not to exceed \$200, or imprisoned in the county jail not more than 6 months~~  
19 ~~or both~~ is guilty of a Class B misdemeanor.

20          **SECTION 181.** 100.26 (3) of the statutes is amended to read:

21          100.26 **(3)** Any person who violates s. ~~100.15 or~~ 100.19, or who intentionally  
22 refuses, neglects or fails to obey any regulation or order made or issued under s.  
23 100.19 or 100.20, shall, ~~for each offense, be fined not less than \$25 nor more than~~  
24 ~~\$5,000, or imprisoned in the county jail for not more than one year or both~~ is guilty  
25 of a Class A misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 182.** 100.26 (5) of the statutes is amended to read:

2           100.26 (5) Any person violating s. 100.18 (9) ~~may be fined not more than~~  
3           ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
4           misdemeanor. Each day of violation constitutes a separate offense.

5           **SECTION 183.** 100.26 (7) of the statutes is amended to read:

6           100.26 (7) Any person violating s. 100.182 ~~may be fined not more than \$10,000~~  
7           ~~or imprisoned for not more than 9 months or both for each offense~~ is guilty of a Class  
8           A misdemeanor. Each unlawful advertisement published, printed or mailed on  
9           separate days or in separate publications, hand bills or direct mailings is a separate  
10          violation of this section.

11          **SECTION 184.** 100.335 (4) (b) of the statutes is amended to read:

12          100.335 (4) (b) The department or a district attorney may commence an action  
13          in the name of the state to recover a forfeiture to the state of not less than \$100 nor  
14          more than \$10,000 for each violation of sub. (2). A person who violates sub. (2) ~~may~~  
15          ~~be fined not more than \$5,000 or imprisoned for not more than one year in the county~~  
16          ~~jail or both~~ is guilty of a Class A misdemeanor.

17          **SECTION 185.** 100.37 (8) of the statutes is amended to read:

18          100.37 (8) Whoever violates this section ~~may be fined not more than \$5,000 or~~  
19          ~~imprisoned not more than one year in the county jail or both~~ is guilty of a Class A  
20          misdemeanor.

21          **SECTION 186.** 100.38 (7) of the statutes is amended to read:

22          100.38 (7) PENALTY. Any person violating this section may be ~~fined~~ required to  
23          forfeit not less than \$50 or not more than \$500 for each offense.

24          **SECTION 187.** 100.383 (5) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           100.383 (5) A person who violates this section ~~may be imprisoned in the county~~  
2 ~~jail for not more than 90 days or fined not more than \$1,500 or both~~ is guilty of a Class  
3 B misdemeanor.

4           **SECTION 188.** 100.48 (4) (a) of the statutes is amended to read:

5           100.48 (4) (a) Any person who violates sub. (2) or (3) (b) with respect to an hour  
6 meter attached to farm equipment ~~may be fined not more than \$5,000 or imprisoned~~  
7 ~~for not more than one year in the county jail, or both, for each violation~~ is guilty of  
8 a Class A misdemeanor.

9           **SECTION 189.** 100.48 (4) (c) of the statutes is amended to read:

10           100.48 (4) (c) Any person who violates sub. (2) or (3) with respect to an hour  
11 meter attached to a snowmobile, an all-terrain vehicle, a utility terrain vehicle, or  
12 a boat ~~may be fined not more than \$5,000 or imprisoned for not more than one year~~  
13 ~~in the county jail, or both, for each violation~~ is guilty of a Class A misdemeanor.

14           **SECTION 190.** 101.13 (7) of the statutes is amended to read:

15           101.13 (7) The international symbol of accessibility as adopted by the  
16 rehabilitation international in 1969 is established as the official state symbol  
17 designating buildings and facilities constructed and designed to be accessible. The  
18 symbol may be used only in buildings or other facilities, or parts thereof, which meet  
19 the standards for access established by rule of the department. If anyone uses or  
20 causes the use of the symbol in violation of department standards, the department  
21 shall order the discontinuance of such use until such standards are met. Whoever  
22 fails to comply with a department order under this subsection shall ~~be fined~~ forfeit  
23 \$50.

24           **SECTION 191.** 101.14 (4) (e) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           101.14 (4) (e) Whoever violates this subsection may be ~~fin~~required to forfeit  
2 not less than \$100 but not more than \$500 for each day of violation.

3           **SECTION 192.** 101.149 (8) (c) 1. of the statutes is amended to read:

4           101.149 (8) (c) 1. For a first offense, the person ~~may be fined not more than~~  
5 ~~\$10,000 or imprisoned for not more than 9 months, or both~~ is guilty of a Class A  
6 misdemeanor.

7           **SECTION 193.** 101.16 (5) (am) of the statutes is amended to read:

8           101.16 (5) (am) Any person who intentionally violates sub. (3) or (4) or any rule  
9 promulgated under sub. (2) ~~shall be fined not less than \$25 nor more than \$2,000,~~  
10 ~~or shall be imprisoned not less than 30 days nor more than 6 months~~ is guilty of a  
11 Class B misdemeanor.

12           **SECTION 194.** 101.16 (5) (cm) of the statutes is amended to read:

13           101.16 (5) (cm) Except as provided in par. (cn), any retail supplier who  
14 intentionally violates sub. (3g) or (3r) ~~shall be imprisoned not less than 30 days nor~~  
15 ~~more than 6 months or shall be fined not less than \$500 nor more than \$1,000 for the~~  
16 ~~first offense and not less than \$2,000 nor more than \$5,000 for each subsequent~~  
17 ~~offense~~ is guilty of a Class B misdemeanor.

18           **SECTION 195.** 101.16 (5) (cn) of the statutes is amended to read:

19           101.16 (5) (cn) Any retail supplier who only fills department of transportation  
20 cylinders or containers for engine and recreational vehicles and who intentionally  
21 violates sub. (3g) or (3r) ~~shall be imprisoned not less than 30 days nor more than 6~~  
22 ~~months or shall be fined not less than \$200 nor more than \$400 for the first offense~~  
23 ~~and not less than \$800 nor more than \$2,000 for each subsequent offense~~ is guilty  
24 of a Class B misdemeanor.

25           **SECTION 196.** 101.9209 (5) (b) of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           101.9209 (5) (b) Any transferee of a manufactured home who, with intent to  
2 defraud, fails to make application for a new certificate of title immediately upon  
3 transfer to him or her of a manufactured home as required under sub. (2) ~~may be~~  
4 ~~fined not more than \$1,000 or imprisoned for not more than 30 days or both~~ is guilty  
5 of a Class C misdemeanor.

6           **SECTION 197.** 101.937 (5) (b) of the statutes is amended to read:

7           101.937 (5) (b) Any person who intentionally violates any rule promulgated  
8 under sub. (1) or order issued under sub. (3) (a) ~~shall be fined not less than \$25 nor~~  
9 ~~more than \$5,000 or imprisoned not more than one year in the county jail or both~~ is  
10 guilty of a Class A misdemeanor. Each violation and each day of violation constitutes  
11 a separate offense.

12           **SECTION 198.** 101.94 (8) (b) of the statutes is amended to read:

13           101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
14 knowingly and willfully violates this subchapter in a manner which threatens the  
15 health or safety of a purchaser ~~may be fined not more than \$10,000 or imprisoned~~  
16 ~~for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

17           **SECTION 199.** 101.951 (8) of the statutes is amended to read:

18           101.951 (8) Any person who violates any provision of this section shall ~~be fined~~  
19 ~~forfeit~~ not less than \$25 nor more than \$100 for each offense.

20           **SECTION 200.** 101.965 (1) of the statutes is amended to read:

21           101.965 (1) Any person who violates ss. 101.953 to 101.955, or any rule  
22 promulgated under ss. 101.953 to 101.955, ~~may be fined not more than \$1,000 or~~  
23 ~~imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

24           **SECTION 201.** 101.988 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           101.988 (3) PENALTIES. Any person who violates this subchapter or rules  
2 promulgated under this subchapter ~~may be fined not more than \$1,500 or imprisoned~~  
3 ~~for not more than 30 days or both~~ is guilty of a Class C misdemeanor, except that,  
4 notwithstanding s. 939.61 (1), the owner of a private residence in which a conveyance  
5 is located may not be fined or required to pay a forfeiture to this state as a result of  
6 any violation involving that conveyance.

7           **SECTION 202.** 102.07 (8) (d) of the statutes is amended to read:

8           102.07 (8) (d) Any employer described in s. 108.18 (2) (c) or engaged in the  
9 painting or drywall finishing of buildings or other structures who willfully and with  
10 intent to evade any requirement of this chapter misclassifies or attempts to  
11 misclassify an individual who is an employee of the employer as a nonemployee shall  
12 ~~be fined~~ forfeit \$25,000 for each violation.

13           **SECTION 203.** 102.17 (3) of the statutes is amended to read:

14           102.17 (3) Any person who shall willfully and unlawfully fail or neglect to  
15 appear or to testify or to produce books, papers and records as required, ~~shall be fined~~  
16 ~~not less than \$25 nor more than \$100, or imprisoned in the county jail not longer than~~  
17 ~~30 days~~ is guilty of a Class C misdemeanor. Each day such person shall so refuse or  
18 neglect shall constitute a separate offense.

19           **SECTION 204.** 102.835 (18) of the statutes is amended to read:

20           102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
21 employer may discharge or otherwise discriminate with respect to the terms and  
22 conditions of employment against any employee by reason of the fact that his or her  
23 earnings have been subject to levy for any one levy or because of compliance with any  
24 provision of this section. Whoever willfully violates this subsection ~~may be fined not~~

**ASSEMBLY BILL 128**

1 ~~more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a  
2 Class A misdemeanor.

3 **SECTION 205.** 102.88 (1) of the statutes is amended to read:

4 102.88 (1) When a person is convicted of any violation of this chapter or of any  
5 department rule or order, and it is alleged in the indictment, information or  
6 complaint, and proved or admitted on trial or ascertained by the court after  
7 conviction that the person was previously subjected to a fine or forfeiture within a  
8 period of 5 years under s. 102.85, the person ~~may be fined not more than \$2,000 or~~  
9 ~~imprisoned for not more than 90 days or both~~ is guilty of a Class B misdemeanor.

10 **SECTION 206.** 102.88 (2) of the statutes is amended to read:

11 102.88 (2) When any person is convicted and it is alleged in the indictment,  
12 information or complaint and proved or admitted on trial or ascertained by the court  
13 after conviction that such person had been before subjected to a fine or forfeiture 3  
14 times within a period of 3 years under s. 102.85 and that those convictions remain  
15 of record and unreversed, the person ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

17 **SECTION 207.** 103.13 (8) of the statutes is amended to read:

18 103.13 (8) PENALTY. Any employer who violates this section may be fined  
19 required to forfeit not less than \$10 nor more than \$100 for each violation. Each day  
20 of refusal or failure to comply with a duty under this section is a separate violation.

21 **SECTION 208.** 103.16 of the statutes is amended to read:

22 **103.16 Seats for employees; penalty.** Every employer employing employees  
23 in any manufacturing, mechanical or mercantile establishment in this state shall  
24 provide suitable seats for its employees, and shall permit the use of those seats by  
25 its employees when the employees are not necessarily engaged in the active duties

**ASSEMBLY BILL 128**

1 for which they are employed. Any employer who violates this section may be fined  
2 required to forfeit not less than \$10 nor more than \$30 for each offense.

3 **SECTION 209.** 103.20 of the statutes is renumbered 103.20 (1) and amended to  
4 read:

5 103.20 (1) Any person who ~~shall violate ss.~~ violates s. 103.15 (2) or (3), 103.17,  
6 ~~103.18 and or 103.19 shall, upon conviction, be fined in a sum not exceeding~~ forfeit  
7 not more than \$100.

8 **SECTION 210.** 103.20 (2) of the statutes is created to read:

9 103.20 (2) Any person who violates s. 103.18 shall be fined not more than \$100.

10 **SECTION 211.** 103.29 (1) of the statutes is amended to read:

11 103.29 (1) Any employer who employs or permits the employment of any minor  
12 in street trades in violation of ss. 103.21 to 103.31 or of any order issued thereunder  
13 or who hinders or delays the department or any school attendance or police officer  
14 in the performance of their duties under ss. 103.21 to 103.31 may be required to  
15 forfeit not less than \$25 nor more than \$1,000 for each day of the first offense and,  
16 for the 2nd or subsequent violation of ss. 103.21 to 103.31 within 5 years, as  
17 measured from the dates the violations initially occurred, ~~may be fined not less than~~  
18 ~~\$250 nor more than \$5,000 for each day of the 2nd or subsequent offense or~~  
19 ~~imprisoned not more than 30 days or both~~ is guilty of a Class C misdemeanor.

20 **SECTION 212.** 103.34 (12) (a) of the statutes is amended to read:

21 103.34 (12) (a) Any person that engages in traveling sales crew activities in  
22 violation of this section, any rule promulgated under sub. (13), or any order issued  
23 under this section, that employs or permits the employment of any individual as a  
24 traveling sales crew worker in violation of this section, any rule promulgated under  
25 sub. (13), or any order issued under this section, or that hinders or delays the

**ASSEMBLY BILL 128**

1 department or any law enforcement officer in the performance of their duties under  
2 this section, may be required to forfeit not less than \$25 nor more than \$1,000 for  
3 each day of a first offense and, for each day of a 2nd or subsequent offense within 5  
4 years, as measured from the dates the violations initially occurred, ~~may be fined not~~  
5 ~~less than \$250 nor more than \$5,000 for each day of the 2nd or subsequent offense~~  
6 ~~or imprisoned not more than 30 days or both~~ is guilty of a Class C misdemeanor.

7 **SECTION 213.** 103.37 (4) of the statutes is amended to read:

8 103.37 (4) Any employer who violates this section may be ~~fined~~ required to  
9 forfeit not more than \$100 for each violation. The department shall enforce this  
10 section.

11 **SECTION 214.** 103.43 (2) of the statutes is amended to read:

12 103.43 (2) Any person who, by himself or herself, or by a servant or agent, or  
13 as the servant or agent of any other person, or as an officer, director, servant or agent  
14 of any firm, corporation, association or organization of any kind, violates sub. (1) (a)  
15 ~~shall be fined not more than \$2,000 or imprisoned in the county jail for not more than~~  
16 ~~one year or both~~ is guilty of a Class A misdemeanor.

17 **SECTION 215.** 103.45 of the statutes is amended to read:

18 **103.45 Time checks; penalty.** All persons paying wages in time checks or  
19 paper, other than legal money, shall make those time checks or that paper payable  
20 in some designated place of business in the county in which the work was performed  
21 or at the office of the person paying the wages if within this state, or at any bank  
22 within this state. Any person failing to comply with this section shall ~~be fined~~ forfeit  
23 not less than \$10 nor more than \$100.

24 **SECTION 216.** 103.49 (6m) (am) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           103.49 **(6m)** (am) Except as provided in pars. (b), (d) and (f), any contractor,  
2 subcontractor or contractor's or subcontractor's agent who violates this section may  
3 ~~be fined not more than \$200 or imprisoned for not more than 6 months or both~~ is  
4 guilty of a Class B misdemeanor. Each day that a violation continues is a separate  
5 offense.

6           **SECTION 217.** 103.50 (7) (a) of the statutes is amended to read:

7           103.50 **(7)** (a) Except as provided in pars. (b), (d) and (f), any contractor,  
8 subcontractor or contractor's or subcontractor's agent who violates this section may  
9 ~~be fined not more than \$200 or imprisoned for not more than 6 months or both~~ is  
10 guilty of a Class B misdemeanor. Each day that a violation continues is a separate  
11 offense.

12           **SECTION 218.** 103.545 (5) of the statutes is amended to read:

13           103.545 **(5)** Whoever violates this section or any order of the department issued  
14 under this section ~~may be fined not more than \$2,000 or imprisoned in the county jail~~  
15 ~~for not more than one year or both~~ is guilty of a Class A misdemeanor.

16           **SECTION 219.** 103.75 (2) of the statutes is amended to read:

17           103.75 **(2)** Any person who knowingly offers or assists in offering false evidence  
18 of age for the purpose of obtaining an age certificate or who alters, forges,  
19 fraudulently obtains, uses, or refuses to surrender upon demand of the department  
20 a certificate of age ~~may be fined not more than \$100 or imprisoned not to exceed 3~~  
21 ~~months~~ is guilty of a Class B misdemeanor.

22           **SECTION 220.** 103.86 (1) of the statutes is amended to read:

23           103.86 **(1)** Any employer who promises in writing to make payments to an  
24 employee welfare fund, either by contract with an individual employee, by a  
25 collective bargaining agreement or by agreement with such employee welfare fund,

**ASSEMBLY BILL 128**

1 and who fails to make such payments within 6 weeks after they become due and  
2 payable, and after having been notified in writing of the failure to make the required  
3 payments, shall be ~~fined~~ forfeit not more than \$200.

4 **SECTION 221.** 103.87 of the statutes is amended to read:

5 **103.87 Employee not to be disciplined for testifying.** No employer may  
6 discharge an employee because the employee is subpoenaed to testify in an action or  
7 proceeding pertaining to a crime or pursuant to ch. 48 or 938. On or before the first  
8 business day after the receipt of a subpoena to testify, the employee shall give the  
9 employer notice if he or she will have to be absent from employment because he or  
10 she has been subpoenaed to testify in an action or proceeding pertaining to a crime  
11 or pursuant to ch. 48 or 938. If a person is subpoenaed to testify in an action or  
12 proceeding as a result of a crime, as defined in s. 950.02 (1m), against the person's  
13 employer or an incident involving the person during the course of his or her  
14 employment, the employer shall not decrease or withhold the employee's pay for any  
15 time lost resulting from compliance with the subpoena. An employer who violates  
16 this section may be ~~fined~~ required to forfeit not more than \$200 and may be required  
17 to make full restitution to the aggrieved employee, including reinstatement and back  
18 pay. Except as provided in this section, restitution shall be in accordance with s.  
19 973.20.

20 **SECTION 222.** 104.10 of the statutes is amended to read:

21 **104.10 Penalty for intimidating witness.** Any employer who discharges or  
22 threatens to discharge, or in any way discriminates, or threatens to discriminate  
23 against any employee because the employee has testified or is about to testify, or  
24 because the employer believes that the employee may testify, in any investigation or

**ASSEMBLY BILL 128**

1 proceeding relative to the enforcement of this chapter, ~~is guilty of a misdemeanor,~~  
2 and upon conviction thereof shall be punished by a fine of forfeit \$25 for each offense.

3 **SECTION 223.** 108.225 (18) of the statutes is amended to read:

4 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
5 employer may discharge or otherwise discriminate with respect to the terms and  
6 conditions of employment against any employee by reason of the fact that his or her  
7 earnings have been subject to levy for any one levy or because of compliance with any  
8 provision of this section. Whoever willfully violates this subsection ~~may be fined not~~  
9 ~~more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a  
10 Class A misdemeanor.

11 **SECTION 224.** 108.24 (1) of the statutes is amended to read:

12 108.24 (1) Any person who knowingly makes a false statement or  
13 representation to obtain any benefit payment under this chapter, either for himself  
14 or herself or for any other person, ~~shall be fined not less than \$100 nor more than~~  
15 ~~\$500 or imprisoned not more than 90 days, or both~~ is guilty of a Class B misdemeanor;  
16 and each such false statement or representation constitutes a separate offense. ~~This~~  
17 ~~penalty~~ A penalty imposed under this subsection is in addition to any penalty  
18 imposed under s. 108.04 (11) (bh).

19 **SECTION 225.** 108.24 (2) of the statutes is amended to read:

20 108.24 (2) Except as provided in sub. (2m) and s. 108.16 (8) (m), any person who  
21 knowingly makes a false statement or representation in connection with any report  
22 or as to any information duly required by the department under this chapter, or who  
23 knowingly refuses or fails to keep any records or to furnish any reports or information  
24 duly required by the department under this chapter, ~~shall be fined not less than \$100~~  
25 ~~nor more than \$500, or imprisoned not more than 90 days or both~~ is guilty of a Class



**ASSEMBLY BILL 128**

1 B misdemeanor; and each such false statement or representation and every day of  
2 such refusal or failure constitutes a separate offense.

3 **SECTION 226.** 108.24 (2m) of the statutes is amended to read:

4 108.24 **(2m)** Any employer described in s. 108.18 (2) (c) or engaged in the  
5 painting or drywall finishing of buildings or other structures who willfully provides  
6 false information to the department for the purpose of misclassifying or attempting  
7 to misclassify an individual who is an employee of the employer as a nonemployee  
8 shall be fined forfeit \$25,000 for each violation.

9 **SECTION 227.** 108.24 (3) (a) (intro.) of the statutes is amended to read:

10 108.24 **(3)** (a) (intro.) Whoever does any of the following ~~shall be fined not less~~  
11 ~~than \$100 nor more than \$1,000 or imprisoned for not more than 90 days or both is~~  
12 guilty of a Class B misdemeanor:

13 **SECTION 228.** 108.24 (4) of the statutes is amended to read:

14 108.24 **(4)** Any person who, without authorization of the department, permits  
15 inspection or disclosure of any record relating to the administration of this chapter  
16 that is provided to the person by the department under s. 108.14 (7) (a), (b), or (bm),  
17 and any person who, without authorization of the commission, permits inspection or  
18 disclosure of any record relating to the administration of this chapter that is provided  
19 to the person by the commission under s. 108.14 (7) (a), ~~shall be fined not less than~~  
20 ~~\$25 nor more than \$500 or may be imprisoned in the county jail for not more than~~  
21 ~~one year or both is guilty of a Class A misdemeanor.~~ Each such unauthorized  
22 inspection or disclosure constitutes a separate offense.

23 **SECTION 229.** 109.11 (3) of the statutes is amended to read:

24 109.11 **(3)** CRIMINAL PENALTIES. Any employer who, having the ability to pay,  
25 fails to pay the wages due and payable as provided in this chapter or falsely denies

**ASSEMBLY BILL 128**

1 the amount or validity thereof or that such wages are due, with intent to secure any  
2 discount upon such indebtedness or with intent to annoy, harass, oppress, hinder or  
3 defraud the person to whom such wages are due, ~~may be fined not more than \$500~~  
4 ~~or imprisoned not more than 90 days or both~~ is guilty of a Class A misdemeanor. Each  
5 failure or refusal to pay each employee the amount of wages due at the time, or under  
6 the conditions required in this chapter, constitutes a separate offense.

7 **SECTION 230.** 111.14 of the statutes is amended to read:

8 **111.14 Penalty.** Any person who shall willfully assault, resist, prevent,  
9 impede or interfere with any member of the commission or any of its agents or  
10 agencies in the performance of duties pursuant to this subchapter ~~shall be punished~~  
11 ~~by a fine of not more than \$500 or by imprisonment in the county jail for not more~~  
12 ~~than one year, or both~~ is guilty of a Class A misdemeanor.

13 **SECTION 231.** 111.327 of the statutes is amended to read:

14 **111.327 Construction contractors.** Any employer described in s. 108.18 (2)  
15 (c) or engaged in the painting or drywall finishing of buildings or other structures  
16 who willfully and with intent to evade any requirement of this subchapter  
17 misclassifies or attempts to misclassify an individual who is an employee of the  
18 employer as a nonemployee shall be fined forfeit \$25,000 for each violation. The  
19 department shall promulgate rules defining what constitutes a willful  
20 misclassification of an employee as a nonemployee for purposes of this section and  
21 of ss. 102.07 (8) (d) and 108.24 (2m).

22 **SECTION 232.** 111.62 of the statutes is amended to read:

23 **111.62 Strikes, work stoppages, slowdowns, lockouts, unlawful;**  
24 **penalty.** It shall be unlawful for any group of employees of a public utility employer  
25 acting in concert to call a strike or to go out on strike, or to cause any work stoppage

**ASSEMBLY BILL 128**

1 or slowdown which would cause an interruption of an essential service; it also shall  
2 be unlawful for any public utility employer to lock out the employer's employees  
3 when such action would cause an interruption of essential service; and it shall be  
4 unlawful for any person or persons to instigate, to induce, to conspire with, or to  
5 encourage any other person or persons to engage in any strike or lockout or slowdown  
6 or work stoppage which would cause an interruption of an essential service. Any  
7 violation of this section by any member of a group of employees acting in concert or  
8 by any employer or by any officer of an employer acting for such employer, or by any  
9 other individual, ~~shall constitute a~~ is a Class C misdemeanor.

10 **SECTION 233.** 111.70 (7m) (c) 2. of the statutes is amended to read:

11 111.70 (7m) (c) 2. 'Individuals.' Any individual who violates sub. (4) (L) after  
12 an injunction against a strike has been issued shall be ~~fined~~ forfeit \$10. Each day  
13 of continued violation constitutes a separate offense. After the injunction has been  
14 issued, any municipal employee who is absent from work because of purported illness  
15 is presumed to be on strike unless the illness is verified by a written report from a  
16 physician to the municipal employer. The court shall order that any ~~fine~~ forfeiture  
17 imposed under this subdivision be paid by means of a salary deduction at a rate to  
18 be determined by the court.

19 **SECTION 234.** 114.09 (2) (c) 2. of the statutes is amended to read:

20 114.09 (2) (c) 2. ~~May be fined not less than \$50 nor more than \$500 or~~  
21 ~~imprisoned for not more than one year in the county jail or both~~ Is guilty of a Class  
22 A misdemeanor if the total of convictions under sub. (1) (b) 2. equals 2 or more in a  
23 4-year period. The 4-year period shall be measured from the dates of the violations  
24 that resulted in the convictions.

25 **SECTION 235.** 114.103 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           114.103 (3) Any private security person who violates sub. (2) ~~may be fined not~~  
2 ~~more than \$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class  
3 C misdemeanor.

4           **SECTION 236.** 114.27 of the statutes is amended to read:

5           **114.27 Penalty.** Except as provided in ss. 114.103 and 114.40, any person  
6 failing to comply with the requirements or violating any of the provisions of this  
7 chapter ~~shall be fined not more than \$500 or imprisoned for not more than 90 days~~  
8 ~~or both~~ is guilty of a Class B misdemeanor.

9           **SECTION 237.** 115.31 (7) of the statutes is amended to read:

10           115.31 (7) Any person who intentionally fails to report as required under this  
11 section ~~may be fined not more than \$1,000 or imprisoned for not more than 6 months~~  
12 ~~or both~~ is guilty of a Class B misdemeanor.

13           **SECTION 238.** 118.03 (4) of the statutes is amended to read:

14           118.03 (4) Any person violating this section may be ~~fined~~ required to forfeit not  
15 less than \$25 nor more than \$100.

16           **SECTION 239.** 118.15 (5) (a) 1. (intro.) of the statutes is amended to read:

17           118.15 (5) (a) 1. (intro.) Except as provided under par. (b) or if a person has been  
18 found guilty of a misdemeanor under s. 948.45, ~~whoever violates this section may be~~  
19 ~~penalized as follows~~, if evidence has been provided by the school attendance officer  
20 that the activities under s. 118.16 (5) have been completed or were not required to  
21 be completed as provided in s. 118.16 (5m), a person who violates this section:

22           **SECTION 240.** 118.15 (5) (a) 1. a. of the statutes is amended to read:

23           118.15 (5) (a) 1. a. For the first offense, ~~by a fine of not more than \$500 or~~  
24 ~~imprisonment for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

25           **SECTION 241.** 118.15 (5) (a) 1. b. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           118.15 (5) (a) 1. b. For a 2nd or subsequent offense, ~~by a fine of not more than~~  
2           ~~\$1,000 or imprisonment for not more than 90 days or both~~ is guilty of a Class B  
3           misdemeanor.

4           **SECTION 242.** 118.20 (5) of the statutes is amended to read:

5           118.20 (5) If any public school official, employee, teachers agency or placement  
6           bureau violates sub. (1) or fails or refuses to obey any lawful order made by the state  
7           superintendent pursuant to this section, such person ~~shall forfeit and pay into the~~  
8           ~~state treasury not less than \$25 nor more than \$50, or be imprisoned not less than~~  
9           ~~5 nor more than 30 days~~ is guilty of a Class C misdemeanor. Such violation or failure  
10          or refusal to obey an order shall be grounds for the removal of any school district  
11          administrator, member of a school board or other public school official. Findings and  
12          orders of the state superintendent under this section shall be subject to judicial  
13          review under ch. 227.

14          **SECTION 243.** 120.13 (35) (a) of the statutes is renumbered 120.13 (35).

15          **SECTION 244.** 120.13 (35) (b) of the statutes is repealed.

16          **SECTION 245.** 125.04 (13) of the statutes is amended to read:

17          125.04 (13) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~  
18          ~~than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class  
19          A misdemeanor.

20          **SECTION 246.** 125.07 (1) (b) 2. b. of the statutes is amended to read:

21          125.07 (1) (b) 2. b. ~~Fined not more than \$500 or imprisoned for not more than~~  
22          ~~30 days or both~~ Is guilty of a Class C misdemeanor if the person has committed a  
23          previous violation within 30 months of the violation.

24          **SECTION 247.** 125.07 (1) (b) 2. c. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           125.07 (1) (b) 2. c. ~~Fined not more than \$1,000 or imprisoned for not more than~~  
2           ~~90 days or both~~ Is guilty of a Class B misdemeanor if the person has committed 2  
3           previous violations within 30 months of the violation.

4           **SECTION 248.** 125.07 (1) (b) 2. d. of the statutes is amended to read:

5           125.07 (1) (b) 2. d. ~~Fined not more than \$10,000 or imprisoned for not more than~~  
6           ~~9 months or both~~ Is guilty of a Class A misdemeanor if the person has committed 3  
7           or more previous violations within 30 months of the violation.

8           **SECTION 249.** 125.07 (2) (b) of the statutes is amended to read:

9           125.07 (2) (b) *Penalties.* Any person who violates par. (a) ~~shall be fined not less~~  
10          ~~than \$100 nor more than \$500 or imprisoned for not more than 60 days or both~~ is  
11          guilty of a Class C misdemeanor.

12          **SECTION 250.** 125.085 (3) (a) 1. of the statutes is amended to read:

13          125.085 (3) (a) 1. No person may make, alter or duplicate an official  
14          identification card, provide an official identification card to an underage person or  
15          knowingly provide other documentation to an underage person purporting to show  
16          that the underage person has attained the legal drinking age. No person may possess  
17          an official identification card or other documentation used for proof of age with the  
18          intent of providing it to an underage person. Except as provided in subs. 2. and 3.,  
19          any person who violates this subdivision ~~may be fined not less than \$300 nor more~~  
20          ~~than \$1,250 or imprisoned for not less than 10 days nor more than 30 days or both~~  
21          is guilty of a Class C misdemeanor.

22          **SECTION 251.** 125.105 (2) (a) of the statutes is amended to read:

23          125.105 (2) (a) Whoever violates sub. (1) with the intent to mislead another  
24          ~~may be fined not more than \$10,000 or imprisoned for not more than 9 months or both~~  
25          is guilty of a Class A misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 252.** 125.11 (1) of the statutes is amended to read:

2           125.11 (1) GENERAL PENALTY. Any person who violates any provision of this  
3 chapter for which a specific penalty is not provided, ~~shall be fined not more than~~  
4 ~~\$1,000 or imprisoned for not more than 90 days or both~~ is guilty of a Class B  
5 misdemeanor. Any license or permit issued to the person under this chapter may be  
6 revoked by the court.

7           **SECTION 253.** 125.315 (2) of the statutes is amended to read:

8           125.315 (2) A person who violates sub. (1) ~~may be fined not more than \$10,000~~  
9 ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

10          **SECTION 254.** 125.33 (9) of the statutes is amended to read:

11          125.33 (9) CAMPUSES AND RETAILERS TO PURCHASE FROM WHOLESALERS. Except as  
12 provided in ss. 125.29 (3m) (b) and (c), 125.295 (1) (g), and 125.30 (4), no campus or  
13 retail licensee or permittee may purchase or possess fermented malt beverages  
14 purchased from any person other than a wholesaler holding a permit under this  
15 chapter for the sale of fermented malt beverages. Any person who violates this  
16 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 9~~  
17 ~~months or both~~ is guilty of a Class A misdemeanor.

18          **SECTION 255.** 125.65 (9) of the statutes is amended to read:

19          125.65 (9) Any person who violates this section ~~shall be fined not less than \$100~~  
20 ~~nor more than \$500 or imprisoned for not less than 30 days nor more than 6 months~~  
21 ~~or both~~ is guilty of a Class B misdemeanor. Conviction for a violation of this section  
22 shall result in automatic revocation of any permit issued under this section. If a  
23 permit issued under this section is so revoked, another permit may not be issued to  
24 the same person for a period of 2 years following revocation.

25          **SECTION 256.** 125.66 (1) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           125.66 (1) No person may sell, or possess with intent to sell, intoxicating liquor  
2 unless that person holds the appropriate license or permit. Whoever violates this  
3 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 9~~  
4 ~~months or both~~ is guilty of a Class A misdemeanor.

5           **SECTION 257.** 125.67 of the statutes is amended to read:

6           **125.67 Evading provisions of law by giving away intoxicating liquor;**  
7 **penalties.** No person may give away intoxicating liquor or use any other means to  
8 evade any law of this state relating to the sale of intoxicating liquor. Whoever  
9 violates this subsection ~~may be fined not more than \$10,000 or imprisoned for not~~  
10 ~~more than 9 months or both~~ is guilty of a Class A misdemeanor.

11           **SECTION 258.** 125.68 (8) (a) (intro.) of the statutes is amended to read:

12           125.68 (8) (a) (intro.) A person ~~convicted of~~ who commits any of the following  
13 prohibited activities ~~shall be fined not less than \$150 nor more than \$500 or~~  
14 ~~imprisoned not less than 60 days nor more than 6 months or both~~ is guilty of a Class  
15 B misdemeanor:

16           **SECTION 259.** 125.68 (9) (g) of the statutes is repealed and recreated to read:

17           125.68 (9) (g) A person who violates this subsection is guilty of a Class A  
18 misdemeanor.

19           **SECTION 260.** 126.87 (2) (b) of the statutes is amended to read:

20           126.87 (2) (b) A person who intentionally violates this chapter, a rule  
21 promulgated under this chapter, or an order issued under this chapter ~~may be fined~~  
22 ~~not more than \$10,000 or imprisoned for not more than one year in the county jail~~  
23 ~~or both~~ is guilty of a Class A misdemeanor.

24           **SECTION 261.** 132.03 of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           **132.03 Penalty.** Every person who knowingly and willfully violates s. 132.01  
2 or 132.02, except those provisions relative to emergency repairs, shall be imprisoned  
3 ~~for not more than 6 months or fined not more than \$10,000 or both~~ is guilty of a Class  
4 B misdemeanor.

5           **SECTION 262.** 132.032 of the statutes is amended to read:

6           **132.032 Fraudulent filing; remedies.** Any person who, for himself, herself  
7 or on behalf of any other person, association or union, procures the filing and  
8 recording of any mark by making any false or fraudulent representations or  
9 declarations, verbally or in writing, or by any other fraudulent means is liable for any  
10 damages sustained as a result of that action, to be recovered by or on behalf of the  
11 injured party, and ~~shall be imprisoned for not more than 6 months or fined not more~~  
12 ~~than \$10,000 or both~~ is guilty of a Class B misdemeanor.

13           **SECTION 263.** 132.07 of the statutes is amended to read:

14           **132.07 Penalty for unlawful use.** Any person or persons or corporation or  
15 any officer or agent of any corporation acting for or in the name of such corporation  
16 who knowingly and willfully with intent to unlawfully convert to his or her own use  
17 violates s. 132.04, 132.05, 132.06 or 132.08 ~~shall be imprisoned for not more than 6~~  
18 ~~months or fined not more than \$10,000 or both~~ is guilty of a Class B misdemeanor.

19           **SECTION 264.** 132.13 (3) of the statutes is amended to read:

20           132.13 (3) Any person who possesses for the purpose of sale or offering for sale  
21 any convict-made goods, wares or merchandise without the brands, marks, labels  
22 or tags thereon as required by this section, or who removes or defaces such brand,  
23 mark, label or tag or who sells a part of such article without attaching such brand,  
24 mark, label or tag, ~~shall be deemed~~ is guilty of a Class B misdemeanor and upon  
25 ~~conviction thereof shall be punished by a fine of not less than \$100 nor more than~~

**ASSEMBLY BILL 128**

1     ~~\$500 or by imprisonment in the county jail for a period of not more than 90 days or~~  
2     ~~by both such fine and imprisonment.~~

3             **SECTION 265.** 132.16 (7) of the statutes is amended to read:

4             132.16 (7) Any person who willfully wears, exhibits, displays, prints, or uses  
5     for any purpose any identifying information of any organization registered under  
6     this section, unless he or she is entitled to do so under the organizations' constitution  
7     and bylaws, rules, and regulations, is guilty of a Class C misdemeanor ~~punishable~~  
8     ~~by a fine not exceeding \$100, and, in default of payment, may be committed to jail~~  
9     ~~for a period of not to exceed 60 days.~~

10            **SECTION 266.** 132.17 of the statutes is amended to read:

11            **132.17 Certain badges; penalty for unauthorized wearing.** Any person  
12     who shall willfully wear the insignia, rosette, or badge or any imitation thereof, of  
13     the military order of the Loyal Legion of the United States, the Grand Army of the  
14     Republic, the United Spanish War Veterans, Veterans of Foreign Wars of the United  
15     States, the Military Order of Foreign Wars, the American Legion, the Disabled  
16     American Veterans, the Thirty-second Division Veteran Association, the American  
17     Veterans of World War II (AMVETS), or of the Benevolent and Protective Order of  
18     the Elks of the United States, Knights of Columbus, Odd Fellows, Free Masons,  
19     Knights of Pythias, or of any other society, order or organization, operating under the  
20     lodge system, of 10 years' standing in this state, or of any duly incorporated fraternal,  
21     social, or service organization, or of the division of emergency management in the  
22     department of military affairs or shall willfully use the same to obtain aid or  
23     assistance thereby within this state, or shall willfully use the name of such society,  
24     order or organization, the titles of its officers, or its insignia, unless entitled to use  
25     or wear the same under the constitution, bylaws, rules and regulations thereof, ~~shall~~

**ASSEMBLY BILL 128**

1 ~~be imprisoned not more than 30 days or fined not exceeding \$20, or both~~ is guilty of  
2 a Class C misdemeanor.

3 **SECTION 267.** 132.18 (5) of the statutes is amended to read:

4 132.18 (5) Any person who shall fail to comply with any of the foregoing  
5 provisions of this section ~~shall be punished by imprisonment in the county jail for not~~  
6 ~~more than one year or by a fine not exceeding \$1,000, or by both such fine and~~  
7 ~~imprisonment~~ is guilty of a Class A misdemeanor.

8 **SECTION 268.** 132.19 of the statutes is amended to read:

9 **132.19 Use of mark without authority.** Every person who knowingly and  
10 willfully uses or displays the genuine mark of any person, association or union in any  
11 manner, or in or about the sale of goods or merchandise not being authorized so to  
12 do by such person, union or association, ~~shall be imprisoned for not more than 3~~  
13 ~~months or fined not more than \$100~~ is guilty of a Class B misdemeanor. This section  
14 does not apply to the purchase of merchandise in good faith from a distributor or the  
15 retail sale of that merchandise in good faith.

16 **SECTION 269.** 133.04 (2) of the statutes is amended to read:

17 133.04 (2) Any person violating this section ~~may be fined not more than~~  
18 ~~\$25,000 or imprisoned in the county jail for not more than one year or both~~ is guilty  
19 of a Class A misdemeanor.

20 **SECTION 270.** 133.05 (3) of the statutes is amended to read:

21 133.05 (3) Any person knowingly violating this section ~~may be fined not more~~  
22 ~~than \$25,000 or imprisoned in the county jail for not more than one year or both~~ is  
23 guilty of a Class A misdemeanor.

24 **SECTION 271.** 134.01 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **134.01 Injury to business; restraint of will.** Any ~~2 or more persons~~ person  
2 who shall combine, associate, agree, mutually undertake or concert together with  
3 one or more other person for the purpose of willfully or maliciously injuring another  
4 in his or her reputation, trade, business or profession by any means whatever, or for  
5 the purpose of maliciously compelling another to do or perform any act against his  
6 or her will, or preventing or hindering another from doing or performing any lawful  
7 act ~~shall be punished by imprisonment in the county jail not more than one year or~~  
8 ~~by fine not exceeding \$500~~ is guilty of a Class A misdemeanor.

9           **SECTION 272.** 134.02 (1) (intro.) of the statutes is amended to read:

10           134.02 (1) (intro.) Any 2 or more persons, whether members of a partnership  
11 or company or stockholders in a corporation, who are employers of labor and who  
12 shall combine or agree to combine for any of the following purposes ~~shall be fined~~  
13 ~~forfeit~~ not less than \$100 nor more than \$500, which ~~fine~~ amount shall be paid into  
14 the state treasury for the benefit of the school fund:

15           **SECTION 273.** 134.03 of the statutes is amended to read:

16           **134.03 Preventing pursuit of work.** Any person who by threats,  
17 intimidation, force or coercion of any kind shall hinder or prevent any other person  
18 from engaging in or continuing in any lawful work or employment, either for himself  
19 or herself or as a wage worker, or who shall attempt to so hinder or prevent ~~shall be~~  
20 ~~punished by fine not exceeding \$100 or by imprisonment in the county jail not more~~  
21 ~~than 6 months, or by both fine and imprisonment in the discretion of the court,~~ is  
22 guilty of a Class B misdemeanor. Nothing herein contained shall be construed to  
23 prohibit any person or persons off of the premises of such lawful work or employment  
24 from recommending, advising or persuading others by peaceful means to refrain  
25 from working at a place where a strike or lockout is in progress.

**ASSEMBLY BILL 128**

1           **SECTION 274.** 134.04 (2) of the statutes is amended to read:

2           134.04 (2) Any person, firm or corporation violating the provisions of this  
3 section shall ~~be deemed guilty of a misdemeanor and upon conviction thereof shall~~  
4 ~~be punished,~~ for the first offense by a fine of, forfeit not less than \$100 nor more than  
5 \$500 and for second or subsequent offense by a fine of, shall forfeit not less than \$500  
6 nor more than \$1,000. Each act prohibited by this section shall constitute a separate  
7 violation and offense hereunder.

8           **SECTION 275.** 134.05 (4) of the statutes is amended to read:

9           134.05 (4) Whoever violates sub. (1), (2) or (3) ~~may be fined not more than~~  
10 ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
11 misdemeanor.

12           **SECTION 276.** 134.06 of the statutes is amended to read:

13           **134.06 Bonus to chauffeurs for purchases, forbidden.** It shall be  
14 unlawful for any chauffeur, driver or other person having the care of a motor vehicle  
15 for the owner to receive or take directly or indirectly without the written consent of  
16 such owner any bonus, discount or other consideration for supplies, or parts  
17 furnished or purchased for such motor vehicle or upon any work or labor done  
18 thereon by others or on the purchase of any motor vehicle for the chauffeur's, driver's  
19 or other person's employer and no person furnishing such supplies or parts, work or  
20 labor or selling any motor vehicle shall give or offer any such chauffeur or other  
21 person having the care of a motor vehicle for the owner thereof, directly or indirectly  
22 without such owner's written consent, any bonus, discount or other consideration  
23 thereon. Any person violating this section shall ~~be guilty of a misdemeanor and~~  
24 ~~punished by a fine not exceeding~~ forfeit not more than \$25.

25           **SECTION 277.** 134.10 (1) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           134.10 (1) Any person engaged in the business of financing the purchase of real  
2 or personal property or of lending money on the security of real or personal property,  
3 and any trustee, director, officer, agent or employee of any such person, who requires,  
4 or conspires with another to require, as a condition precedent to financing the  
5 purchase of such property or to loaning money upon the security of a mortgage  
6 thereon, or as a condition prerequisite for the renewal or extension of any such loan  
7 or mortgage or for the performance of any other act in connection therewith, that the  
8 person for whom such purchase is to be financed or to whom the money is to be loaned  
9 or for whom such extension, renewal or other act is to be granted or performed,  
10 negotiate any policy of insurance or renewal thereof covering such property through  
11 a particular insurance agent, ~~shall be fined not less than \$50 nor more than \$200 or~~  
12 ~~imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

13           **SECTION 278.** 134.11 (1) of the statutes is amended to read:

14           134.11 (1) Any person engaged in the business of selling real or personal  
15 property, and any trustee, director, officer, agent or employee of any such person, who  
16 requires, as a condition precedent to the selling of such property, or to the  
17 performance of any other act in connection therewith, that the person to whom such  
18 property is being sold, negotiate any policy of insurance or renewal thereof covering  
19 such property through a particular insurance agent, ~~shall be fined not less than \$50~~  
20 ~~nor more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class  
21 B misdemeanor.

22           **SECTION 279.** 134.15 (1) of the statutes is amended to read:

23           134.15 (1) Any person who shall knowingly issue, pay out or pass, and any body  
24 corporate, or any officer, stockholder, director or agent thereof who shall issue, pay  
25 out or pass, or receive in this state, as money or as an equivalent for money, any

**ASSEMBLY BILL 128**

1 promissory note, draft, order, bill of exchange, certificate of deposit or other paper of  
2 any form whatever in the similitude of bank paper, circulating as money or banking  
3 currency, that is not at the time of such issuing, paying out, passing or receiving  
4 expressly authorized by some positive law of the United States or of some state of the  
5 United States or of any other country, and redeemable in lawful money of the United  
6 States, or current gold or silver coin at the place where it purports to have been  
7 issued, such person shall be punished by imprisonment in the county jail not more  
8 than 6 months or by fine not exceeding \$100, is guilty of a Class B misdemeanor and  
9 such body corporate shall forfeit all its rights, privileges and franchises and shall also  
10 forfeit to the state and pay for each offense the sum of \$500.

11 **SECTION 280.** 134.17 (1) of the statutes is amended to read:

12 134.17 (1) Any person who engages in or advertises any mercantile or  
13 commission business under a name purporting or appearing to be a corporate name,  
14 with the intent to obtain credit, and which name does not disclose the real name of  
15 one or more of the persons engaged in the business, without first recording in the  
16 office of the register of deeds of the county in which his or her principal place of  
17 business is located, a verified statement disclosing and showing the name of all  
18 persons using the name, shall be fined not more than \$1,000 or imprisoned in the  
19 county jail for not more than one year is guilty of a Class A misdemeanor.

20 **SECTION 281.** 134.19 of the statutes is amended to read:

21 **134.19 Fraud on exemption laws.** Any person who shall, whether as  
22 principal, agent or attorney, with intent thereby to deprive any bona fide resident of  
23 this state of the resident's rights under the statutes thereof relating to the exemption  
24 of property or earnings from sale or garnishment, send or cause to be sent out of this  
25 state any claim for debt for the purpose of having the same collected by proceedings

**ASSEMBLY BILL 128**

1 in attachment, garnishment or other mesne process, when the creditor and debtor  
2 and the person or corporation owing the debtor the money intended to be reached by  
3 any such proceedings are within the jurisdiction of the courts of this state; or who  
4 directly or indirectly assigns or transfers any claim for debt against such a resident  
5 for the purpose of having the same collected by such proceedings or any of them out  
6 of the wages or personal earnings of the debtor or of the debtor's minor children,  
7 whose earnings contribute to the support of the debtor's family, in courts without this  
8 state, when the creditor and debtor and person or corporation owing the money  
9 intended to be reached by such proceedings are each and all within the jurisdiction  
10 of the courts of this state, shall be fined forfeit not more than \$50 nor less than \$10  
11 for each offense.

12 **SECTION 282.** 134.21 of the statutes is amended to read:

13 **134.21 Penalty for unauthorized presentation of dramatic plays, etc.**

14 Any person who sells a copy or a substantial copy, or who causes to be publicly  
15 performed or represented for profit, any unpublished or undedicated dramatic play  
16 or musical composition, known as an opera, without the written consent of its owner  
17 or proprietor, or, who, knowing that such dramatic play or musical composition is  
18 unpublished or undedicated, and, without the written consent of its owner or  
19 proprietor, permits, aids, or takes part in such a performance or representation, shall  
20 be guilty of a Class C misdemeanor, ~~and upon conviction thereof shall be fined not~~  
21 ~~less than \$5 nor more than \$100, or by imprisonment not exceeding 60 days.~~

22 **SECTION 283.** 134.25 (1) (a) of the statutes is amended to read:

23 134.25 (1) (a) Except as provided in par. (b) and subject to sub. (3), any person  
24 who sells any article of merchandise made in whole or in part of gold or any alloy of  
25 gold which that is marked in any way indicating, or designed or intended to indicate,



**ASSEMBLY BILL 128**

1 that the gold or alloy of gold in the article is of a greater degree of fineness than the  
2 actual fineness or quality of the gold or alloy, is guilty of a Class B misdemeanor.

3 **SECTION 284.** 134.26 (1) of the statutes is amended to read:

4 134.26 (1) Except as provided in sub. (2) and s. 134.29, any person who sells  
5 any article of merchandise made in whole or in part of silver or of any alloy of silver  
6 marked with the words “sterling silver” or “sterling” or any colorable imitation of  
7 “sterling silver” or “sterling”, unless nine hundred twenty-five one-thousandths of  
8 the component parts of the metal appearing or purporting to be silver are pure silver  
9 is guilty of a Class B misdemeanor.

10 **SECTION 285.** 134.27 (1) of the statutes is amended to read:

11 134.27 (1) Except as provided in sub. (2) and s. 134.29, any person who sells  
12 any article of merchandise made in whole or in part of silver or of any alloy of silver  
13 marked with the words “coin” or “coin silver”, or any colorable imitation of “coin” or  
14 “coin silver”, unless nine hundred one-thousandths of the component parts of the  
15 metal appearing or purporting to be silver are pure silver is guilty of a Class B  
16 misdemeanor.

17 **SECTION 286.** 134.28 of the statutes is amended to read:

18 **134.28 Misbranding of base silver articles.** Except as provided in s. 134.29,  
19 any person who sells any article of merchandise made in whole or in part of silver or  
20 of any alloy of silver marked in way, other than with the word “sterling” or the word  
21 “coin”, indicating, or designed or intended to indicate, that the silver or alloy of silver  
22 in the article is of a greater degree of fineness than the actual fineness or quality of  
23 the silver or alloy, unless the actual fineness of the silver or alloy of silver of which  
24 the article is composed is not less by more than four one-thousandths parts than the  
25 actual fineness, is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 287.** 134.30 of the statutes is amended to read:

2           **134.30 Misbranding of gold plated articles.** Any person, firm, corporation  
3 or association, who or which makes for sale, or sells or offers to sell or dispose of, or  
4 has in his, her or its possession with intent to sell or dispose of, any article of  
5 merchandise made in whole or in part of inferior metal having deposited or plated  
6 thereon or brazed or otherwise affixed thereto a plate, plating, covering or sheet of  
7 gold or of any alloy of gold, and which article is known in the market as “rolled gold  
8 plate,” “gold plate,” “gold filled” or “gold electroplate,” or by any similar designation,  
9 and having stamped, branded, engraved or imprinted thereon, or upon any tag, card  
10 or label attached thereto, or upon any box, package, cover or wrapper in which said  
11 article is encased or enclosed, any word or mark usually employed to indicate the  
12 fineness of gold, unless said word be accompanied by other words plainly indicating  
13 that such article or some part thereof is made of rolled gold plate, or gold plate, or  
14 gold electroplate, or is gold filled, as the case may be, is guilty of a Class B  
15 misdemeanor.

16           **SECTION 288.** 134.31 of the statutes is amended to read:

17           **134.31 Misbranding of silver-plated articles.** Any person who sells any  
18 article of merchandise made in whole or in part of inferior metal, having deposited  
19 or plated on the inferior metal or brazed or otherwise affixed to the inferior metal,  
20 a plate, plating, covering or sheet of silver or of any alloy of silver known in the  
21 market as “silver plate” or “silver electroplate”, or any similar designation, which is  
22 marked with the word “sterling” or the word “coin”, either alone or in conjunction  
23 with any other words or marks, is guilty of a Class B misdemeanor.

24           **SECTION 289.** 134.32 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **134.32 Penalty for violations of ss. 134.25 to 134.31.** Every ~~person who~~  
2 ~~violates any of the provisions of ss. 134.25 to 134.31, and every officer, manager,~~  
3 ~~director, or managing agent of any such person directly participating in or consenting~~  
4 ~~to a violation of a person who violates ss. 134.25 to 134.31, shall be fined not less than~~  
5 ~~\$25 nor more than \$500 or imprisoned for not more than 3 months or both is guilty~~  
6 ~~of a Class B misdemeanor if he or she directly participates in or consents to the~~  
7 ~~person's violation.~~

8           **SECTION 290.** 134.33 (8) of the statutes is amended to read:

9           134.33 (8) PENALTIES. Any person, firm, partnership, corporation or association  
10 or any officer, director, employee or agent thereof who makes, or sells, or offers to sell,  
11 or disposes of, or has in his or her or its possession, with intent to sell or dispose of,  
12 any article as herein defined to which is applied any quality mark which does not  
13 conform to all the provisions of this section, or from which is omitted any mark  
14 required by this section, shall be guilty of a Class B misdemeanor and upon  
15 conviction thereof shall be punished by a fine of not more than \$1,000 or by  
16 imprisonment for not more than 6 months, or by both such fine and imprisonment  
17 in the discretion of the court, provided, however, that it shall be. It is a defense to  
18 any prosecution under this section for the defendant to prove that the said article was  
19 manufactured and marked with the intention of and for purposes of exportation from  
20 the United States, and that the said article was either actually exported from the  
21 United States to a foreign country within 6 months after date of manufacture thereof  
22 with the bona fide intention of being sold in the said country and of not being  
23 reimported, or that it was delivered within 6 months after date of manufacture  
24 thereof, to a person, firm or corporation whose exclusive customary business is the  
25 exportation of such articles from the United States.

**ASSEMBLY BILL 128**

1           **SECTION 291.** 134.35 of the statutes is repealed.

2           **SECTION 292.** 134.36 of the statutes is repealed.

3           **SECTION 293.** 134.37 of the statutes is repealed.

4           **SECTION 294.** 134.38 of the statutes is repealed.

5           **SECTION 295.** 134.39 of the statutes is repealed.

6           **SECTION 296.** 134.405 (5) (a) 1. of the statutes is amended to read:

7           134.405 (5) (a) 1. A scrap dealer who knowingly violates this section and who  
8 has not knowingly committed a previous violation of this section is ~~subject to a fine~~  
9 ~~not to exceed \$1,000 or imprisonment not to exceed 90 days, or both~~ guilty of a Class  
10 B misdemeanor.

11           **SECTION 297.** 134.405 (5) (a) 2. of the statutes is amended to read:

12           134.405 (5) (a) 2. A scrap dealer who knowingly violates this section and who  
13 has knowingly committed one previous violation of this section is ~~subject to a fine not~~  
14 ~~to exceed \$10,000 or imprisonment not to exceed 9 months, or both~~ guilty of a Class  
15 A misdemeanor.

16           **SECTION 298.** 134.41 (1) of the statutes is amended to read:

17           134.41 (1) No person nor any officer, agent, servant or employee of any firm or  
18 corporation shall erect any pole or poles outside of the limits of any highway, street  
19 or alley or attach any wire or cables to any tree, building or structure, or string or  
20 suspend any wire, wires or cables over any private property without first obtaining  
21 the consent of the owner or agent of the owner, to erect such pole or poles or to string  
22 such wire or wires, or the consent of the owner or agent of the owner of any building  
23 or structure to which such wire, wires or cables are attached; and any person who  
24 shall fail to remove such pole, poles, wire or wires or to detach such wire, wires or  
25 cables within 10 days after such person, firm or corporation has been served with a

**ASSEMBLY BILL 128**

1 notice to remove, as hereinafter provided, shall be deemed guilty of a misdemeanor  
2 and upon conviction thereof shall be fined in any sum not exceeding forfeit not more  
3 than \$25.

4 **SECTION 299.** 134.45 (3) (a) of the statutes is amended to read:

5 134.45 (3) (a) Any person who violates any provision of this section shall, upon  
6 conviction thereof, be fined forfeit not less than \$25 nor more than \$300 for the first  
7 offense, and shall be fined forfeit not less than \$300 nor more than \$500 for each  
8 separate subsequent offense.

9 **SECTION 300.** 134.50 (3) of the statutes is amended to read:

10 134.50 (3) Any poultry dealer or his or her servant or agent violating any of the  
11 provisions of this section shall, upon the first conviction, be punished by a fine of from  
12 ~~\$10 to \$100~~ violation, forfeit not less than \$10 nor more than \$100. Upon a 2nd or  
13 subsequent conviction violation, a poultry dealer or his or her servant or agent shall  
14 be punished by a fine of from ~~\$25 to \$500~~ or be imprisoned in the county jail for not  
15 more than 90 days, or by both such fine and imprisonment forfeit not less than \$25  
16 nor more than \$500.

17 **SECTION 301.** 134.50 (4) of the statutes is amended to read:

18 134.50 (4) Any person selling poultry to a poultry dealer who gives falsely his  
19 name or address to such dealer, his agent or servant, shall be imprisoned in the  
20 county jail for not less than 30 days nor more than one year is guilty of a Class A  
21 misdemeanor.

22 **SECTION 302.** 134.52 (4) of the statutes is amended to read:

23 134.52 (4) Any person who shall violate the provisions of this section shall be  
24 deemed is guilty of a Class C misdemeanor and upon conviction thereof shall be

**ASSEMBLY BILL 128**

1 ~~punished by a fine of not less than \$10 nor more than \$50, or by imprisonment in the~~  
2 ~~county jail not less than 10 days nor more than 30 days.~~

3 **SECTION 303.** 134.53 (4) of the statutes is amended to read:

4 134.53 (4) Any person who transports cattle without shipping documents  
5 containing information required under sub. (1), or executes, furnishes or issues any  
6 false document pertaining to the ownership or shipment of cattle, or who violates this  
7 section in any other manner shall be fined not more than \$500, or be imprisoned not  
8 more than 3 months, or both is guilty of a Class B misdemeanor.

9 **SECTION 304.** 134.57 of the statutes is amended to read:

10 **134.57 Detectives, settlement with employees.** Any employer and any  
11 person employed to detect dishonesty on the part of employees, or fiduciary agents,  
12 on a commission basis or under a contract for a percentage of the amount recovered  
13 through or by reason of the detective work done by such person, shall submit the facts  
14 of the case and the settlement made with such employee or fiduciary agent to the  
15 circuit judge of the county wherein the dishonest act was committed, for approval or  
16 further proceedings, and the employee shall be notified of such hearing and shall  
17 have a right to be heard. Any such person or employer who shall not so submit the  
18 facts and settlement as made to such circuit judge for approval or further  
19 proceedings, ~~shall be deemed~~ is guilty of a Class A misdemeanor, and upon conviction  
20 ~~shall be fined not less than \$100 nor more than \$500, or imprisoned in the county jail~~  
21 ~~not less than 3 months nor more than one year.~~

22 **SECTION 305.** 134.60 of the statutes is amended to read:

23 **134.60 Cutting or transportation of evergreens.** No person may cut for  
24 sale in its natural condition and untrimmed, with or without roots, any evergreen or  
25 coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another

**ASSEMBLY BILL 128**

1 without the written consent of the owner, whether such land is publicly or privately  
2 owned. The written consent shall contain the legal description of the land where the  
3 tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal  
4 owner. The written consent or a certified copy of the consent shall be carried by every  
5 person in charge of the cutting or removing of the trees, branches, boughs, bushes,  
6 saplings or shrubs, and shall be exhibited to any officer of the law, forest ranger,  
7 forest patrol officer, conservation warden, or other officer of the department of  
8 natural resources at the officer's request at any time. The officer may inspect the  
9 trees, branches, boughs, bushes, saplings or shrubs when being transported in any  
10 vehicle or other means of conveyance and may investigate to determine whether or  
11 not this section has been complied with. The officer may stop any vehicle or means  
12 of conveyance found carrying any trees, branches, boughs, bushes, saplings or  
13 shrubs upon any public highway of this state for the purpose of making such  
14 inspection and investigation, and may seize and hold, subject to the order of the  
15 court, any such trees, bushes, saplings or shrubs found being cut, removed or  
16 transported in violation of this section. No person may ship or transport any such  
17 trees, bushes, saplings or shrubs outside the county where they were cut unless the  
18 person attaches to the outside of each package, box, bale, truckload or carload  
19 shipped a tag or label on which appears the person's name and address. No common  
20 carrier or truck hauler may receive for shipment or transportation any such trees,  
21 bushes, saplings or shrubs unless the tag or label is attached. Any person who  
22 violates this section shall be ~~fined~~ forfeit not less than \$10 nor more than \$100. Any  
23 person who signs any such written consent or certified copy under this section who  
24 is not authorized to do so, and any person who lends or transfers or offers to lend or  
25 transfer any such written consent or certified copy to another person who is not

**ASSEMBLY BILL 128**

1 entitled to use it, and any person not entitled to use any such written consent or  
2 certified copy, or who borrows, receives or solicits from another any such written  
3 consent or certified copy thereof shall ~~be fined~~ forfeit not less than \$100 nor more  
4 than \$500.

5 **SECTION 306.** 134.65 (5) of the statutes is amended to read:

6 134.65 (5) Any person violating this section shall ~~be fined~~ forfeit not more than  
7 \$100 nor less than \$25 for the first offense and not more than \$200 nor less than \$25  
8 for the 2nd or subsequent offense. If upon such 2nd or subsequent violation, the  
9 person so violating this section was personally guilty of a failure to exercise due care  
10 to prevent violation thereof, the person ~~shall be fined not more than \$300 nor less~~  
11 ~~than \$25 or imprisoned not exceeding 60 days or both. Conviction is guilty of a Class~~  
12 C misdemeanor. A violation shall immediately terminate result in termination of the  
13 license of the person ~~convicted of being~~ who is personally guilty of such failure to  
14 exercise due care and the person shall not be entitled to another license hereunder  
15 for a period of 5 years thereafter, nor shall the person in that period act as the servant  
16 or agent of a person licensed hereunder for the performance of the acts authorized  
17 by such license.

18 **SECTION 307.** 134.69 of the statutes is amended to read:

19 **134.69 Peddling finger alphabet cards prohibited.** No person in this state  
20 may engage in the business of peddling finger alphabet cards or printed matter  
21 stating that the person is deaf, or use finger alphabet cards or such printed matter  
22 or masquerade as a deaf person in any way as a means of inducement in the sale of  
23 merchandise. No state or local license may be issued to any person for the purpose  
24 of peddling finger alphabet cards or printed matter stating that the person is deaf  
25 or masquerading as a deaf person. Any person who peddles or uses finger alphabet



**ASSEMBLY BILL 128**

1 cards or such printed matter, or masquerades as a deaf person in any way as a means  
2 of inducement in the sale of merchandise in this state and any person who issues any  
3 state or local license for that purpose ~~may be imprisoned not more than 90 days or~~  
4 ~~fined not less than \$25 nor more than \$100 or both~~ is guilty of a Class B misdemeanor.

5 **SECTION 308.** 134.715 (3) of the statutes is amended to read:

6 134.715 (3) PENALTY. A person who violates this section ~~may be fined not more~~  
7 ~~than \$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
8 misdemeanor.

9 **SECTION 309.** 134.97 (4) (b) of the statutes is amended to read:

10 134.97 (4) (b) Any person who possesses a record that was disposed of by a  
11 financial institution, medical business or tax preparation business and who intends  
12 to use, for any purpose, personal information contained in the record ~~may be fined~~  
13 ~~not more than \$1,000 or imprisoned for not more than 90 days or both~~ is guilty of a  
14 Class B misdemeanor. This paragraph does not apply to a person who possesses a  
15 record with the authorization or consent of the individual whose personal  
16 information is contained in the record.

17 **SECTION 310.** 137.01 (1) (k) of the statutes is amended to read:

18 137.01 (1) (k) A person who violates par. (i) ~~may be fined not more than \$10,000~~  
19 ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

20 A person who commits a 2nd or subsequent violation of par. (i) may be fined not more  
21 than \$10,000 or imprisoned for not more than 6 years or both.

22 **SECTION 311.** 138.06 (2) of the statutes is amended to read:

23 138.06 (2) Any lender or agent of a lender who violates s. 138.05, 138.051 or  
24 138.052 ~~may be fined not less than \$25 nor more than \$500, or imprisoned not more~~  
25 ~~than 6 months, or both~~ is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 312.** 138.09 (10) of the statutes is amended to read:

2           138.09 (10) Any person, partnership or corporation and the several officers and  
3 employees thereof who shall violate any of the provisions of this section ~~shall be is~~  
4 guilty of a Class B misdemeanor, ~~and upon conviction thereof shall be fined not more~~  
5 ~~than \$500 or imprisoned for not more than 6 months or both.~~

6           **SECTION 313.** 138.10 (14) of the statutes is amended to read:

7           138.10 (14) PENALTY. ~~Any pawnbroker who refuses to comply with sub. (13)~~  
8 ~~shall be imprisoned in the county jail for not more than one year or fined not more~~  
9 ~~than \$500 is guilty of a Class A misdemeanor.~~

10          **SECTION 314.** 138.12 (3) (a) of the statutes is amended to read:

11          138.12 (3) (a) No person except those listed in sub. (2) (a) shall engage in the  
12 business of financing insurance premiums in this state without first having obtained  
13 a license. Any person who engages in the business of financing insurance premiums  
14 in this state without obtaining a license may be ~~fined~~ required to forfeit not more  
15 than \$200.

16          **SECTION 315.** 138.14 (15) (a) of the statutes is amended to read:

17          138.14 (15) (a) Any person, partnership, or corporation, or the officers or  
18 employees thereof, who violates this section is guilty of a Class B misdemeanor ~~and~~  
19 ~~shall be fined not more than \$500 or imprisoned for not more than 6 months or both.~~

20          **SECTION 316.** 138.20 (2) of the statutes is amended to read:

21          138.20 (2) PENALTY. Any person violating this section may be ~~fined~~ required to  
22 forfeit not more than \$1,000. Each individual who is discriminated against under  
23 this section constitutes a separate violation.

24          **SECTION 317.** 139.03 (5) (c) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           139.03 (5) (c) Any person who violates any provision of pars. (a) and (b) by  
2           having in his or her possession more than the amount specified ~~may be fined not less~~  
3           ~~than \$25 nor more than \$500 or imprisoned for not more than 90 days or both~~ is guilty  
4           of a class B misdemeanor. If any such person is convicted of a 2nd or subsequent  
5           offense, the person ~~may be fined not less than \$100 nor more than \$500 or imprisoned~~  
6           ~~for not more than 6 months or both~~ is guilty of a Class A misdemeanor.

7           **SECTION 318.** 139.05 (7) (d) of the statutes is amended to read:

8           139.05 (7) (d) Any such brewer and any other person who ships or causes or  
9           permits to be shipped into this state any such fermented malt beverage, and any  
10          person who knowingly receives within this state from outside this state any such  
11          fermented malt beverage, at a time when the brewer thereof is not the holder of a  
12          valid and subsisting license as herein provided, is guilty of a Class B misdemeanor.

13          **SECTION 319.** 139.05 (7) (f) of the statutes is amended to read:

14          139.05 (7) (f) If any law or regulation of any state specifies uniform or  
15          substantially uniform requirements with respect to any ingredient of fermented  
16          malt beverages produced in such state and fermented malt beverages produced  
17          outside thereof but sold within such state and if such state or its officials or agencies  
18          enforce or give effect to such provisions as against any malt beverage produced  
19          outside of such state without concurrently and to the same extent enforcing and  
20          giving effect to such provisions as against all malt beverages produced and sold  
21          within such state, and if the foregoing is found and determined by the secretary after  
22          a public hearing, it shall thereafter be a Class B misdemeanor for any person with  
23          knowledge of such finding and determination to ship into or receive or sell within this  
24          state any malt beverage produced in such state unless and until the secretary finds

**ASSEMBLY BILL 128**

1 and determines, after a public hearing, that such discriminatory treatment has been  
2 discontinued.

3 **SECTION 320.** 139.25 (6) of the statutes is amended to read:

4 139.25 (6) FURNISH DATA OR RETURN. Any person who fails to furnish any return  
5 required to be made or who fails to furnish any data required by the department ~~may~~  
6 ~~be fined not more than \$500 or imprisoned for not more than 30 days or both~~ is guilty  
7 of a Class C misdemeanor.

8 **SECTION 321.** 139.25 (7) of the statutes is amended to read:

9 139.25 (7) REPORT OR RETURN VERIFICATION. Any person, including an officer of  
10 a corporation, who is required to make, render, sign or verify any report or return  
11 required by this subchapter and who makes a false or fraudulent report or return or  
12 who fails to furnish a report or return when due with the intent, in either case, to  
13 defeat or evade the tax imposed by this subchapter ~~may be fined not more than \$500~~  
14 ~~or imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

15 **SECTION 322.** 139.25 (8) of the statutes is amended to read:

16 139.25 (8) ASSISTING FALSE OR FRAUDULENT RETURN. No person may aid, abet or  
17 assist another in making any false or fraudulent return or false statement in any  
18 return required by this subchapter, with intent to defraud the state or evade  
19 payment of the tax, or any part thereof, imposed by this subchapter. Anyone who  
20 violates this subsection ~~may be fined not more than \$500 or imprisoned for not more~~  
21 ~~than 30 days or both~~ is guilty of a Class C misdemeanor.

22 **SECTION 323.** 139.25 (10) of the statutes is amended to read:

23 139.25 (10) MISCELLANEOUS. Any person who violates any provision of ss.  
24 139.01 to 139.22 for which specific penalty is not provided ~~shall be fined not more~~  
25 ~~than \$500 nor less than \$50, or imprisoned not more than 90 days nor less than 10~~

**ASSEMBLY BILL 128**

1     ~~days or both~~ is guilty of a Class B misdemeanor, and any license or permit issued to  
2     that person shall be subject to revocation. The license or permit of any licensee or  
3     permittee convicted of evading payment of the tax on intoxicating liquor, or any  
4     attempt to evade payment of such tax, shall be deemed forfeited immediately upon  
5     conviction.

6           **SECTION 324.** 139.44 (2) of the statutes is amended to read:

7           139.44 (2) Any person who makes or signs any false or fraudulent report or who  
8     attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
9     evasion or attempted evasion of that tax ~~may be fined not more than \$10,000 or~~  
10    ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

11          **SECTION 325.** 139.44 (3) of the statutes is amended to read:

12          139.44 (3) Any permittee who fails to keep the records required by ss. 139.30  
13    to 139.42 or 139.77 to 139.82 ~~shall be fined not less than \$100 nor more than \$500~~  
14    ~~or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

15          **SECTION 326.** 139.44 (4) of the statutes is amended to read:

16          139.44 (4) Any person who refuses to permit the examination or inspection  
17    authorized in s. 139.39 (2) or 139.83 ~~may be fined not more than \$500 or imprisoned~~  
18    ~~not more than 90 days or both~~ is guilty of a Class B misdemeanor. Such refusal shall  
19    be cause for immediate suspension or revocation of permit by the secretary.

20          **SECTION 327.** 139.44 (5) of the statutes is amended to read:

21          139.44 (5) Any person who violates any of the provisions of ss. 139.30 to 139.41  
22    or 139.75 to 139.83 for which no other penalty is prescribed ~~shall be fined not less~~  
23    ~~than \$100 nor more than \$1,000 or imprisoned not less than 10 days nor more than~~  
24    ~~90 days or both~~ is guilty of a Class B misdemeanor.

25          **SECTION 328.** 139.44 (6) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           139.44 (6) Any person who violates any of the rules of the department shall be  
2 fined not less than \$100 nor more than \$500 or be imprisoned not more than 6 months  
3 or both is guilty of a Class B misdemeanor.

4           **SECTION 329.** 139.44 (8) (a) of the statutes is amended to read:

5           139.44 (8) (a) If the number of cigarettes does not exceed 6,000, ~~a fine of not~~  
6 ~~more than \$200 or imprisonment for not more than 6 months or both~~ the person is  
7 guilty of a Class B misdemeanor.

8           **SECTION 330.** 139.44 (8) (b) of the statutes is amended to read:

9           139.44 (8) (b) If the number of cigarettes exceeds 6,000 but does not exceed  
10 36,000, ~~a fine of not more than \$1,000 or imprisonment for not more than one year~~  
11 ~~in the county jail or both~~ the person is guilty of a Class A misdemeanor.

12           **SECTION 331.** 139.85 (1) of the statutes is amended to read:

13           139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
14 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~may be fined~~  
15 ~~not more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of  
16 a Class A misdemeanor.

17           **SECTION 332.** 139.95 (4) of the statutes is repealed.

18           **SECTION 333.** 145.12 (1) of the statutes is amended to read:

19           145.12 (1) Any person who engages in or follows the business or occupation of,  
20 or advertises or holds himself or herself out as or acts temporarily or otherwise as  
21 a master plumber, as an automatic fire sprinkler contractor or as a business  
22 establishment holding an automatic fire sprinkler-maintenance only registration  
23 certificate without first having secured the required license or certificate, or who  
24 otherwise violates any provisions of this chapter, ~~shall be fined not less than \$100 nor~~

**ASSEMBLY BILL 128**

1 ~~more than \$500 or imprisoned for 30 days or both~~ is guilty of a Class C misdemeanor.

2 Each day such violation continues shall be a separate offense.

3 **SECTION 334.** 145.12 (2) of the statutes is amended to read:

4 145.12 (2) Any person violating this chapter or failing to obey a lawful order  
5 of the department, or a judgment or decree of a court in connection with this chapter,  
6 ~~may be imprisoned for not more than 3 months or fined not more than \$500~~ is guilty  
7 of a Class B misdemeanor.

8 **SECTION 335.** 145.12 (3) of the statutes is amended to read:

9 145.12 (3) Any master plumber who shall employ an apprentice on plumbing  
10 representing the apprentice to be a journeyman, or who shall charge for an  
11 apprentice a journeyman's wage, ~~shall be punished by a fine of not more than \$25,~~  
12 ~~or by imprisonment in the county jail for not more than 30 days~~ is guilty of a Class  
13 C misdemeanor. Each day of violation shall be a separate offense.

14 **SECTION 336.** 145.26 (6) of the statutes is amended to read:

15 145.26 (6) Whoever violates this section or the rules promulgated under this  
16 section may be ~~fined~~ required to forfeit not less than \$100 nor more than \$5,000.  
17 Each day of continued violation constitutes a separate offense.

18 **SECTION 337.** 146.085 (2) of the statutes is amended to read:

19 146.085 (2) PENALTY. Any person who violates this section shall ~~be fined~~ forfeit  
20 not less than \$10 nor more than \$50.

21 **SECTION 338.** 146.60 (9) (ag) of the statutes is amended to read:

22 146.60 (9) (ag) Any person who intentionally violates sub. (3) after commencing  
23 a regulated release ~~shall be fined not less than \$100 nor more than \$25,000 or~~  
24 ~~imprisoned for not more than one year in the county jail or both~~ is guilty of a Class  
25 A misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 339.** 146.60 (9) (am) of the statutes is amended to read:

2           146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person may  
3           ~~be fined not more than \$50,000 or imprisoned for not more than 9 months or both is~~  
4           guilty of a Class A misdemeanor.

5           **SECTION 340.** 146.60 (9) (b) of the statutes is amended to read:

6           146.60 (9) (b) Any person who intentionally violates any requirement under  
7           ~~sub. (6) (a) or (b) shall be fined not less than \$50 nor more than \$50,000 or imprisoned~~  
8           ~~for not less than one month nor more than 6 months or both is guilty of a Class B~~  
9           misdemeanor.

10          **SECTION 341.** 146.84 (2) (a) (intro.) of the statutes is amended to read:

11          146.84 (2) (a) (intro.) Whoever does any of the following ~~may be fined not more~~  
12          ~~than \$25,000 or imprisoned for not more than 9 months or both is guilty of a Class~~  
13          A misdemeanor:

14          **SECTION 342.** 153.78 (1) of the statutes is amended to read:

15          153.78 (1) Whoever intentionally violates s. 153.45 (5) or 153.50 or rules  
16          promulgated under s. 153.75 (1) (a) ~~may be fined not more than \$15,000 or~~  
17          ~~imprisoned for not more than one year in the county jail or both is guilty of a Class~~  
18          A misdemeanor.

19          **SECTION 343.** 154.15 (1) of the statutes is amended to read:

20          154.15 (1) Any person who intentionally conceals, cancels, defaces, obliterates  
21          or damages the declaration of another without the declarant's consent ~~may be fined~~  
22          ~~not more than \$500 or imprisoned not more than 30 days or both is guilty of a Class~~  
23          C misdemeanor.

24          **SECTION 344.** 154.29 (1) of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           154.29 (1) Any person who willfully conceals, defaces or damages the  
2 do-not-resuscitate bracelet of another person without that person's consent ~~may be~~  
3 ~~fined not more than \$500 or imprisoned for not more than 30 days or both~~ is guilty  
4 of a Class C misdemeanor.

5           **SECTION 345.** 154.29 (3) of the statutes is amended to read:

6           154.29 (3) Any person who directly or indirectly coerces, threatens or  
7 intimidates an individual so as to cause the individual to sign or issue a  
8 do-not-resuscitate order ~~shall be fined not more than \$500 or imprisoned for not~~  
9 ~~more than 30 days or both~~ is guilty of a Class C misdemeanor.

10          **SECTION 346.** 154.30 (10) of the statutes is amended to read:

11          154.30 (10) PENALTY. Any person who intentionally conceals, cancels, defaces,  
12 obliterates, or damages the authorization for final disposition of another without the  
13 declarant's consent ~~may be fined not more than \$500 or imprisoned not more than~~  
14 ~~30 days or both~~ is guilty of a Class C misdemeanor.

15          **SECTION 347.** 155.80 (1) of the statutes is amended to read:

16          155.80 (1) Whoever directly or indirectly coerces, threatens or intimidates an  
17 individual so as to cause the individual to execute a power of attorney for health care  
18 instrument ~~shall be fined not more than \$500 or imprisoned for not more than 30~~  
19 ~~days or both~~ is guilty of a Class C misdemeanor.

20          **SECTION 348.** 155.80 (2) of the statutes is amended to read:

21          155.80 (2) Whoever intentionally conceals, cancels, defaces, obliterates,  
22 damages or destroys a power of attorney for health care instrument without the  
23 consent of the principal for that instrument ~~may be fined not more than \$500 or~~  
24 ~~imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

25          **SECTION 349.** 155.80 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           155.80 (3) Whoever knowingly conceals, falsifies or forges a power of attorney  
2 for health care instrument with intent to create the false impression that a person  
3 other than the health care agent has been so designated ~~shall be fined not more than~~  
4 ~~\$1,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
5 misdemeanor.

6           **SECTION 350.** 155.80 (4) of the statutes is amended to read:

7           155.80 (4) Whoever intentionally withholds actual knowledge of the revocation  
8 of a power of attorney for health care or of the falsification or forgery of a power of  
9 attorney for health care instrument ~~shall be fined not more than \$1,000 or~~  
10 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

11           **SECTION 351.** 155.80 (5) of the statutes is amended to read:

12           155.80 (5) Whoever acts or attempts to act as a health care agent based on a  
13 power of attorney for health care that the individual knows has been executed  
14 without the voluntary consent of the principal, that the individual knows has been  
15 forged or substantially altered without the authorization of the principal, or that the  
16 individual knows has been revoked, ~~shall be fined not more than \$1,000 or~~  
17 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

18           **SECTION 352.** 157.60 of the statutes is amended to read:

19           **157.60 Public easement in cemetery.** Any person who shall open or make  
20 any highway, town way or private way or shall construct any railroad, turnpike or  
21 canal or anything in the nature of a public easement over, through, in or upon such  
22 part of any enclosure, being the property of any town, city, village or religious society  
23 or of private proprietors, as may be used for the burial of the dead, unless an  
24 authority for that purpose shall be specially granted by law or unless the consent of  
25 such town, city, village, religious society or private proprietors, respectively, shall be

**ASSEMBLY BILL 128**

1 first obtained, shall be punished by imprisonment in the county jail not more than  
2 one year or by fine not exceeding \$300 is guilty of a Class A misdemeanor.

3 **SECTION 353.** 157.64 (2) (intro.) of the statutes is amended to read:

4 157.64 (2) (intro.) Any person who intentionally does any of the following may  
5 be fined not more than \$1,000 or imprisoned for not more than 90 days or both is  
6 guilty of a Class B misdemeanor:

7 **SECTION 354.** 157.70 (10) (e) of the statutes is amended to read:

8 157.70 (10) (e) Any person who disturbs a burial site for commercial gain not  
9 related to use of the land where a burial site is located or who disturbs a cataloged  
10 burial site for commercial gain related to use of the land where a burial site is located  
11 in violation of this section may be fined required to forfeit an amount not to exceed  
12 2 times the gross value gained or 2 times the gross loss caused by the disturbance,  
13 whichever is the greater, plus court costs and the costs of investigation and  
14 prosecution, reasonably incurred, ~~or imprisoned for not more than one year in the~~  
15 ~~county jail or both.~~ In calculating the amount of the fine forfeiture based on personal  
16 injury, any measurement of pain and suffering shall be excluded.

17 **SECTION 355.** 165.55 (13) of the statutes is amended to read:

18 165.55 (13) Any officer named in subs. (1) and (2) who neglects to comply with  
19 any of the requirements of this section shall be fined forfeit not less than \$25 nor  
20 more than \$200 for each neglect or violation.

21 **SECTION 356.** 165.77 (5) of the statutes is amended to read:

22 165.77 (5) Any person who intentionally disseminates a specimen received  
23 under this section or any information obtained as a result of analysis or comparison  
24 under this section or from the data bank under sub. (3) in a manner not authorized

**ASSEMBLY BILL 128**

1 under this section or the rules under sub. (8) ~~may be fined not more than \$500 or~~  
2 ~~imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

3 **SECTION 357.** 167.07 (5) of the statutes is amended to read:

4 167.07 (5) Any person, association or corporation violating this section shall  
5 ~~be fined~~ forfeit for the first offense not less than \$5 nor more than \$25, and for each  
6 subsequent violation not less than \$25.

7 **SECTION 358.** 167.10 (9) (a) of the statutes is amended to read:

8 167.10 (9) (a) A person who violates a court order under sub. (8) (a) ~~shall be~~  
9 ~~fined not more than \$10,000 or imprisoned not more than 9 months or both~~ is guilty  
10 of a Class A misdemeanor.

11 **SECTION 359.** 167.13 of the statutes is repealed.

12 **SECTION 360.** 167.151 of the statutes is amended to read:

13 **167.151 Unlawful operation of corn shredders.** Any person, firm or  
14 corporation who shall violate any of the provisions of ss. 167.12 to 167.14 shall be  
15 ~~punished by a fine of~~ forfeit not less than \$25 or more than \$100 for each offense.

16 **SECTION 361.** 167.18 of the statutes is repealed.

17 **SECTION 362.** 167.20 (2) of the statutes is amended to read:

18 167.20 (2) Any person who violates this section shall ~~be fined not less than \$25~~  
19 ~~nor more than \$100 or imprisoned for not less than 30 days nor more than 6 months~~  
20 is guilty of a Class B misdemeanor. Each day during which a violation of this section  
21 continues shall be considered a separate offense.

22 **SECTION 363.** 167.25 (1) of the statutes is amended to read:

23 167.25 (1) Any person who discards or abandons any refrigerator, icebox or  
24 deep freeze locker, having a capacity of 1 1/2 cubic feet or more, which is no longer  
25 in use, and which has not had the door removed, or such portion of the latch

**ASSEMBLY BILL 128**

1 mechanism removed to prevent latching or locking of the door, is guilty of a Class C  
2 misdemeanor. Any owner, lessee or manager who knowingly permits such a  
3 refrigerator, icebox or deep freeze locker to remain on premises under his or her  
4 control without having the door removed or such portion of the latch mechanism  
5 removed to prevent latching or locking of the door is guilty of a Class C misdemeanor.  
6 ~~Any person violating this section shall be fined not more than \$50 or imprisoned not~~  
7 ~~more than 30 days or both.~~

8 **SECTION 364.** 167.26 (6) of the statutes is amended to read:

9 167.26 (6) Any person violating sub. (1g), (1m), (2), or (2m) ~~shall be imprisoned~~  
10 ~~for not more than 6 months or fined not more than \$100~~ is guilty of a Class B  
11 misdemeanor. Any person who removes a barricade, fencing, a warning notice, or a  
12 warning mechanism or other barrier or marking that complies with this section  
13 during the period beginning with December 15 of a given year and ending on March  
14 30 of the following year ~~may be imprisoned for not more than 6 months or fined not~~  
15 ~~more than \$100~~ is guilty of a Class B misdemeanor.

16 **SECTION 365.** 167.27 (7) of the statutes is amended to read:

17 167.27 (7) Any person violating this section ~~shall be fined not less than \$10 nor~~  
18 ~~more than \$200 or imprisoned not exceeding 6 months, or both~~ is guilty of a Class B  
19 misdemeanor.

20 **SECTION 366.** 167.30 (1) of the statutes is amended to read:

21 167.30 (1) Any person who shall discharge or cause the discharge of any missile  
22 from any firearm, slung shot, bow and arrow or other weapon, within 40 rods of any  
23 public park, square or enclosure owned or controlled by any municipality within this  
24 state and resorted to for recreation or pleasure, when such park, square or enclosure  
25 is wholly situated without the limits of such municipality, ~~shall be punished by~~

**ASSEMBLY BILL 128**

1 imprisonment in the county jail not exceeding 60 days or by fine of not more than \$25  
2 nor less than one dollar is guilty of a Class C misdemeanor.

3 **SECTION 367.** 167.31 (3) (c) of the statutes is amended to read:

4 167.31 (3) (c) A person who violates par. (a) or (b) ~~shall be fined not more than~~  
5 ~~\$1,000 or imprisoned not more than 90 days or both~~ is guilty of a Class B  
6 misdemeanor.

7 **SECTION 368.** 168.12 (6) (f) of the statutes is amended to read:

8 168.12 (6) (f) Any person who knowingly signs or verifies a fraudulent claim  
9 under par. (e) ~~may be fined not more than \$500 or imprisoned for not more than 30~~  
10 ~~days or both~~ is guilty of a Class C misdemeanor.

11 **SECTION 369.** 168.12 (6) (g) of the statutes is amended to read:

12 168.12 (6) (g) Any person who knowingly aids, abets or assists another in  
13 making a fraudulent claim under par. (e) or in signing or verifying a fraudulent claim  
14 under par. (f) ~~may be fined not more than \$500 or imprisoned for not more than 30~~  
15 ~~days or both~~ is guilty of a Class C misdemeanor.

16 **SECTION 370.** 169.45 (2) (b) of the statutes is amended to read:

17 169.45 (2) (b) *Sale or purchase.* For selling or purchasing any live wild animal  
18 in violation of this chapter, a person ~~shall be fined not less than \$100 nor more than~~  
19 ~~\$2,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
20 misdemeanor.

21 **SECTION 371.** 169.45 (2) (d) of the statutes is amended to read:

22 169.45 (2) (d) *Taking of bear and deer.* For taking bear or deer from the wild  
23 in violation of s. 169.05, or a rule promulgated thereunder, a person ~~shall be fined not~~  
24 ~~less than \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or~~  
25 ~~both~~ is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 372.** 169.45 (2) (e) of the statutes is amended to read:

2           169.45 (2) (e) *Harmful wild animals.* For a violation of s. 169.11 (1) (b) or (c),  
3 a person shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not  
4 more than 6 months or both is guilty of a Class B misdemeanor.

5           **SECTION 373.** 169.45 (2) (g) of the statutes is amended to read:

6           169.45 (2) (g) *Obtaining license during period of revocation.* For obtaining any  
7 license under this chapter during the period of time when that license is revoked or  
8 suspended by any court, a person shall be fined not more than \$200 or imprisoned  
9 for not more than 90 days or both is guilty of a Class B misdemeanor.

10          **SECTION 374.** 169.45 (5) (a) of the statutes is amended to read:

11          169.45 (5) (a) The person shall be fined not more than \$100 or imprisoned for  
12 not more than 6 months or both is guilty of a Class B misdemeanor.

13          **SECTION 375.** 169.45 (8) (a) 2. of the statutes is amended to read:

14          169.45 (8) (a) 2. If the number of convictions in a 5-year period equals 2 or more,  
15 the person shall be fined forfeit not less than \$500 nor more than \$1,000.

16          **SECTION 376.** 173.41 (15) (a) of the statutes is amended to read:

17          173.41 (15) (a) A person who operates without a license required under sub.  
18 (2) may be fined not more than \$10,000 or imprisoned for not more than 9 months  
19 or both is guilty of a Class A misdemeanor.

20          **SECTION 377.** 174.15 of the statutes is amended to read:

21          **174.15 Penalty.** Any person who violates this chapter shall be fined not more  
22 than \$500 or imprisoned up to 60 days or both is guilty of a Class C misdemeanor.

23          **SECTION 378.** 175.05 (2) (b) of the statutes is amended to read:

24          175.05 (2) (b) Whoever without permission shall willfully enter upon premises  
25 so posted shall be punished by a fine of not more than \$50, or by imprisonment in the

**ASSEMBLY BILL 128**

1 ~~county jail for not more than 30 days, or by both such fine and imprisonment~~ is guilty  
2 of a Class C misdemeanor.

3 **SECTION 379.** 175.09 (1) of the statutes is renumbered 175.09.

4 **SECTION 380.** 175.09 (2) of the statutes is repealed.

5 **SECTION 381.** 175.09 (3) of the statutes is repealed.

6 **SECTION 382.** 175.095 of the statutes is amended to read:

7 **175.095 Daylight saving time. (1)** Notwithstanding s. 175.09 ~~(1)~~, the  
8 standard of time shall be as provided in sub. (2) during the period stated therein.

9 **(2)** From 2 a.m. on the 2nd Sunday in March until 2 a.m. on the first Sunday  
10 in November of each year, the standard of time in this state shall be one hour in  
11 advance of that prescribed in s. 175.09 ~~(1)~~.

12 **SECTION 383.** 175.10 (2) of the statutes is amended to read:

13 175.10 **(2)** Any person violating the provisions of this section ~~shall be deemed~~  
14 is guilty of a Class B misdemeanor and upon conviction thereof shall be punished by  
15 a fine of not less than \$100 nor more than \$500 or by imprisonment in the county jail  
16 not less than 30 days nor more than 90 days, or both.

17 **SECTION 384.** 175.15 of the statutes is repealed.

18 **SECTION 385.** 175.20 (3) of the statutes is amended to read:

19 175.20 **(3)** Any person who violates any of the provisions of this section ~~may be~~  
20 ~~fined not more than \$10,000 or may be imprisoned for not more than 9 months or both~~  
21 is guilty of a Class A misdemeanor. In addition, the court may revoke the license or  
22 licenses of the person or persons convicted.

23 **SECTION 386.** 175.25 (5) of the statutes is amended to read:

24 175.25 **(5)** Any person, firm, partnership or corporation violating any of the  
25 provisions hereof ~~shall upon conviction be fined not less than \$10, nor more than \$50~~



**ASSEMBLY BILL 128**

1 ~~for each offense, and in default of payment of said fine shall be imprisoned in the~~  
2 ~~county jail for a period not exceeding 30 days~~ is guilty of a Class C misdemeanor.

3 Each day that junk, as herein defined, shall be stored contrary to the provisions  
4 hereof shall constitute a separate and distinct offense.

5 **SECTION 387.** 175.35 (3) of the statutes is amended to read:

6 175.35 (3) Any person who intentionally violates sub. (2), (2e), (2f) or (2j) ~~shall~~  
7 ~~be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not~~  
8 ~~more than 9 months~~ is guilty of a Class A misdemeanor.

9 **SECTION 388.** 175.37 (2) of the statutes is amended to read:

10 175.37 (2) Any person who violates sub. (1) ~~may be fined not more than \$500~~  
11 ~~or imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

12 **SECTION 389.** 175.60 (17) (ag) of the statutes is amended to read:

13 175.60 (17) (ag) Any person who violates sub. (2m) (e), (12), or (12g) ~~may be~~  
14 ~~fined not more than \$500 or sentenced to a term of imprisonment of not more than~~  
15 ~~30 days or both~~ is guilty of a Class C misdemeanor.

16 **SECTION 390.** 175.60 (17) (ar) of the statutes is amended to read:

17 175.60 (17) (ar) Any law enforcement officer who uses excessive force based  
18 solely on an individual's status as a licensee ~~may be fined not more than \$500 or~~  
19 ~~sentenced to a term of imprisonment of not more than 30 days or both~~ is guilty of a  
20 Class C misdemeanor. The application of the criminal penalty under this paragraph  
21 does not preclude the application of any other civil or criminal remedy.

22 **SECTION 391.** 175.60 (17) (b) of the statutes is amended to read:

23 175.60 (17) (b) Any person who violates sub. (16) ~~may be fined not more than~~  
24 ~~\$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 392.** 175.60 (17) (e) of the statutes is amended to read:

2           175.60 (17) (e) Any person required under sub. (14) (b) 3. to relinquish or  
3 deliver a license document to the department who intentionally violates the  
4 requirements of that subdivision ~~shall be fined not more than \$500 and may be~~  
5 ~~imprisoned for not more than 30 days or both~~ is guilty of a Class C misdemeanor.

6           **SECTION 393.** 177.34 (4) of the statutes is amended to read:

7           177.34 (4) A person who willfully refuses, after written demand by the  
8 administrator, to pay or deliver property to the administrator as required under this  
9 chapter ~~may be fined not less than \$100 nor more than \$5,000 or imprisoned for not~~  
10 ~~more than 9 months or both~~ is guilty of a Class A misdemeanor.

11           **SECTION 394.** 182.0175 (3) (b) of the statutes is amended to read:

12           182.0175 (3) (b) *Misdemeanor.* Whoever intentionally removes, moves or  
13 obliterates a transmission facilities marking placed by the transmission facilities  
14 owner ~~may be fined not more than \$500 or imprisoned for not more than 30 days or~~  
15 ~~both~~ is guilty of a Class C misdemeanor. This paragraph does not apply to an  
16 excavator who removes or obliterates markings during an excavation.

17           **SECTION 395.** 185.94 (2) of the statutes is amended to read:

18           185.94 (2) No other person may use the term “cooperative”, or any variation  
19 thereof, as part of the person’s corporate or other business name or title, nor may any  
20 other person in any other manner represent himself or herself to be a cooperative.  
21 Whoever violates this subsection may be ~~fined~~ required to forfeit not more than \$100.  
22 Each day of improper use constitutes a separate offense.

23           **SECTION 396.** 186.03 (4) of the statutes is amended to read:

24           186.03 (4) PENALTY. Whoever violates this section may be ~~fined~~ required to  
25 forfeit not more than \$5,000.

**ASSEMBLY BILL 128**

1           **SECTION 397.** 191.13 (6) of the statutes is amended to read:

2           191.13 (6) Any person who falsely represents that a temporary railroad is other  
3 than a temporary railroad ~~shall be fined not more than \$500 or imprisoned for not~~  
4 ~~more than 6 months or both~~ is guilty of a Class B misdemeanor.

5           **SECTION 398.** 192.292 of the statutes is amended to read:

6           **192.292 Trains obstructing highways.** It shall be unlawful to stop any  
7 railroad train, locomotive or car upon or across any highway or street crossing,  
8 outside of cities, or leave the same standing upon such crossing longer than 10  
9 minutes, except in cases of accident; and any railroad company or officer of such  
10 company that shall violate this section ~~shall be liable to a fine of not more than \$500~~  
11 ~~or any officer of such company responsible for the violation shall be liable to~~  
12 ~~imprisonment of not more than 15 days~~ is guilty of a Class C misdemeanor.

13           **SECTION 399.** 192.327 (8) of the statutes is amended to read:

14           192.327 (8) Any railroad company willfully failing to comply with an order  
15 issued under sub. (7), may be ~~fined not to exceed~~ required to forfeit not more than  
16 \$500.

17           **SECTION 400.** 193.105 (2) of the statutes is amended to read:

18           193.105 (2) PENALTY FOR MISUSE OF TERM "COOPERATIVE". A business entity that  
19 violates sub. (1) may be ~~fined~~ required to forfeit not more than \$250. Each day of  
20 improper use constitutes a separate offense.

21           **SECTION 401.** 193.311 (6) (c) of the statutes is amended to read:

22           193.311 (6) (c) Any person who violates par. (a) or (b) ~~may be fined not more~~  
23 ~~than \$1,000 or imprisoned for not more than 6 months, or both~~ is guilty of a Class  
24 B misdemeanor.

25           **SECTION 402.** 195.286 (6) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           195.286 (6) PENALTIES RELATING TO INTERFERENCE WITH SIGNS. Any person who  
2 removes, throws down, injures or defaces any sign required by this section shall,  
3 upon conviction, ~~be fined~~ forfeit not more than \$25.

4           **SECTION 403.** 196.171 (3) of the statutes is amended to read:

5           196.171 (3) Any person who directly or indirectly prevents or hinders any  
6 officer or agent from entering a premises, or from making an inspection,  
7 examination, removal or installation under this section shall ~~be fined~~ forfeit not more  
8 than \$25 for each offense.

9           **SECTION 404.** 196.525 (3) of the statutes is amended to read:

10           196.525 (3) Any director, treasurer or other officer or agent of a public utility  
11 who makes or votes to authorize a transaction in violation of this section may be ~~fined~~  
12 required to forfeit not more than \$10,000.

13           **SECTION 405.** 196.60 (1) (b) of the statutes is amended to read:

14           196.60 (1) (b) A public utility or an agent that violates par. (a) shall be deemed  
15 guilty of unjust discrimination and shall forfeit not less than \$100 nor more than  
16 \$5,000 for each offense. An officer who violates par. (a) shall ~~be fined~~ forfeit not less  
17 than \$50 nor more than \$2,500 for each offense.

18           **SECTION 406.** 196.604 of the statutes is amended to read:

19           **196.604 Rebates, concessions and discriminations unlawful.** No person  
20 may knowingly solicit, accept or receive any rebate, concession or discrimination  
21 from a public utility for any service in or affecting or relating to the production,  
22 transmission, delivery or furnishing of heat, light, water or power within this state  
23 or for any connected service whereby the service is rendered or is to be rendered free  
24 or at a rate less than the rate named in the schedules and tariffs in force, or whereby

**ASSEMBLY BILL 128**

1 any other service or advantage is received. Any person violating this section shall  
2 ~~be fined~~ forfeit not less than \$50 nor more than \$5,000 for each offense.

3 **SECTION 407.** 196.65 (1) (intro.) of the statutes is amended to read:

4 196.65 (1) (intro.) An officer of a public utility shall ~~be fined~~ forfeit not less than  
5 \$100 nor more than \$2,500, or an agent, as defined in s. 196.66 (3) (a), shall ~~be fined~~  
6 forfeit not less than \$100 nor more than \$5,000 or an employee of a public utility shall  
7 ~~be fined~~ forfeit not less than \$100 nor more than \$1,000 for each offense if the officer,  
8 agent or employee does any of the following:

9 **SECTION 408.** 196.65 (3) (b) (intro.) of the statutes is amended to read:

10 196.65 (3) (b) (intro.) An officer of a telecommunications provider shall ~~be fined~~  
11 forfeit not less than \$100 nor more than \$2,500, an agent of a telecommunications  
12 provider shall ~~be fined~~ forfeit not less than \$100 nor more than \$25,000 or an  
13 employee of a telecommunications provider shall ~~be fined~~ forfeit not less than \$100  
14 nor more than \$1,000 for each offense if the officer, agent or employee does any of the  
15 following:

16 **SECTION 409.** 196.65 (3) (c) of the statutes is amended to read:

17 196.65 (3) (c) A telecommunications provider shall ~~be fined~~ forfeit not less than  
18 \$500 nor more than \$25,000 for each violation under par. (b) if the officer, agent or  
19 employee of the telecommunications provider acted under the direction or request  
20 of the telecommunications provider or any general officer of the telecommunications  
21 provider.

22 **SECTION 410.** 196.67 (3) of the statutes is amended to read:

23 196.67 (3) A public utility or an agent, as defined in s. 196.66 (3) (a), violating  
24 this section shall ~~be fined~~ forfeit not less than \$50 nor more than \$5,000 for each  
25 offense. A director or officer of a public utility violating this section shall ~~be fined~~

**ASSEMBLY BILL 128**

1 forfeit not less than \$50 nor more than \$2,500 for each offense. An employee of a  
2 public utility violating this section shall be fined forfeit not less than \$50 nor more  
3 than \$1,000 for each offense.

4 **SECTION 411.** 196.69 (1) of the statutes is amended to read:

5 196.69 (1) If any person destroys, injures or interferes with any apparatus or  
6 appliance owned, in the charge of or operated by the commission or its agent, the  
7 person shall be fined not more than \$5,000 or imprisoned for not more than 30 days  
8 or both if the person is a public utility or an agent, as defined in s. 196.66 (3) (a), fined  
9 not more than \$2,500 or imprisoned for not more than 30 days or both if the person  
10 is a director or officer of a public utility, or fined not more than \$1,000 or imprisoned  
11 for not more than 30 days or both if the person is an employee of a public utility is  
12 guilty of a Class C misdemeanor.

13 **SECTION 412.** 199.105 of the statutes is repealed.

14 **SECTION 413.** 199.14 of the statutes is repealed.

15 **SECTION 414.** 200.35 (6) (b) of the statutes is amended to read:

16 200.35 (6) (b) If the owner fails after reasonable notice to discharge any duty  
17 imposed under par. (a) the owner may, in addition to any other available remedy or  
18 remedies, be fined required to forfeit \$100 for each offense plus an additional \$50 for  
19 each day that the owner's failure continues.

20 **SECTION 415.** 213.15 of the statutes is amended to read:

21 **213.15 Fire hose threads and fittings to be uniform.** All fire hose fittings,  
22 apparatus fittings, 1.5 and 2.5 inches in diameter purchased or procured by a fire  
23 department or fire company shall be of the national standard hose thread as adopted  
24 by the national fire protection association. No fire department shall utilize hose and  
25 equipment not in conformance with the requirement that all threads shall be

**ASSEMBLY BILL 128**

1 national standard hose thread as adopted by the National Fire Protection  
2 Association. Any person offering for sale nonstandard hose couplings, fittings or  
3 apparatus fittings may be ~~fin~~ required to forfeit not less than \$100 nor more than  
4 \$500.

5 **SECTION 416.** 215.11 (7) of the statutes is amended to read:

6 215.11 (7) PENALTY FOR FAILURE TO FURNISH SURETY BOND. Any ~~violations of~~  
7 person who violates subs. (1) and (2) shall ~~subject the association to a fine of~~ forfeit  
8 \$10 per day for each consecutive day of such violation and it is the duty of the attorney  
9 general to recover any such penalties by action in behalf of the state.

10 **SECTION 417.** 215.21 (23) of the statutes is amended to read:

11 215.21 (23) FALSE STATEMENT IN LOAN APPLICATIONS; PENALTY. Any person who  
12 makes or causes to be made any false written statement to any state or federal  
13 savings and loan association for the purpose of obtaining a loan for himself or herself  
14 or for another, with intent to mislead, or which may mislead the association, ~~may be~~  
15 imprisoned for not more than 6 months or fined not to exceed \$1,000 is guilty of a  
16 Class B misdemeanor.

17 **SECTION 418.** 215.26 (6) of the statutes is amended to read:

18 215.26 (6) AGENT OF SAVINGS AND LOAN ASSOCIATION. Any person who acts as the  
19 agent for any unauthorized savings and loan association in this state, or sells or  
20 disposes of any savings accounts, certificates, bonds or other evidences of  
21 indebtedness of or for any such unauthorized association, not licensed to transact  
22 business in this state, and any person who acts for any such unauthorized association  
23 or in any manner aids in the transaction of the business of such association in this  
24 state shall ~~be guilty of a misdemeanor and be fined~~ forfeit not less than \$100 nor more

**ASSEMBLY BILL 128**

1 than \$500 for each offense, and shall be personally liable for any sums received by  
2 the person for or on behalf of such unauthorized association.

3 **SECTION 419.** 216.03 of the statutes is amended to read:

4 **216.03 Penalty.** Any person, partnership, association or corporation who or  
5 which shall act as principal or agent in doing such business or in soliciting business  
6 for, or membership or participation in, any such partnership, association or  
7 corporation, or solicit business for such person or persons doing business as such  
8 companies, not authorized to do business in this state, ~~shall be deemed~~ is guilty of  
9 a Class A misdemeanor and upon conviction thereof shall be fined not less than \$100  
10 nor more than \$1,000 or imprisoned in the county jail for not less than 3 months nor  
11 more than one year or both.

12 **SECTION 420.** 217.16 of the statutes is amended to read:

13 **217.16 Penalties.** Any person who directly or through another violates or  
14 attempts to violate this chapter ~~may be fined not more than \$500 or imprisoned not~~  
15 ~~more than 6 months or both~~ is guilty of a Class B misdemeanor. Each transaction  
16 in violation of this chapter and each day that a violation continues is a separate  
17 offense.

18 **SECTION 421.** 218.0147 (3) of the statutes is amended to read:

19 218.0147 (3) Any person who sells or leases a motor vehicle to a minor with  
20 knowledge of that fact without procuring the statement described in sub. (1) ~~may be~~  
21 ~~fined not more than \$200 or imprisoned for not more than 6 months or both~~ is guilty  
22 of a Class B misdemeanor.

23 **SECTION 422.** 218.02 (10) of the statutes is amended to read:

24 218.02 (10) PENALTIES. Any person violating any of the provisions of this section  
25 ~~shall be punished by a fine of not more than \$500 or by imprisonment in the county~~



**ASSEMBLY BILL 128**

1 ~~jail for not more than 90 days, or by both such fine and imprisonment is guilty of a~~  
2 Class B misdemeanor.

3 **SECTION 423.** 218.04 (12) of the statutes is amended to read:

4 218.04 (12) PENALTIES. Any person who shall ~~violate~~ violates any provision of  
5 this section shall be is guilty of a Class B misdemeanor and, for each and every such  
6 offense shall, upon conviction thereof, be punished by a fine of not more than \$1,000  
7 or by imprisonment in the county jail for not more than 6 months, or by both such  
8 fine and imprisonment.

9 **SECTION 424.** 218.05 (15) of the statutes is amended to read:

10 218.05 (15) A person who violates this section ~~may be fined not more than~~  
11 ~~\$2,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
12 misdemeanor.

13 **SECTION 425.** 218.11 (5m) of the statutes is amended to read:

14 218.11 (5m) Any person who violates any provision of this section may be  
15 required to forfeit not less than \$25 nor more than \$100 for the first offense and may  
16 be fined not less than \$25 nor more than \$100 for a 2nd or subsequent conviction  
17 within 3 years.

18 **SECTION 426.** 218.205 (1) of the statutes is amended to read:

19 218.205 (1) No person may carry on or conduct the business of a motor vehicle  
20 salvage dealer unless licensed to do so by the department. Any person violating this  
21 section may be required to forfeit not less than \$500 nor more than \$5,000 for the first  
22 offense and ~~may be fined not less than \$500 nor more than \$5,000 or imprisoned for~~  
23 ~~not more than 60 days or both~~ is guilty of a Class C misdemeanor for a second or  
24 subsequent conviction within 5 years.

25 **SECTION 427.** 218.23 (3) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           218.23 (3) Any person violating this section ~~may be fined not less than \$25 nor~~  
2 ~~more than \$200 or imprisoned not more than 60 days or both~~ is guilty of a Class B  
3 misdemeanor.

4           **SECTION 428.** 218.24 (4) of the statutes is amended to read:

5           218.24 (4) Any person violating this section ~~may be fined not less than \$25 nor~~  
6 ~~more than \$200 or imprisoned not more than 60 days or both~~ is guilty of a Class B  
7 misdemeanor.

8           **SECTION 429.** 218.305 of the statutes is amended to read:

9           **218.305 Motor vehicle auction dealers to be licensed.** No person shall  
10 carry on or conduct the business of auctioning motor vehicles at wholesale unless  
11 licensed to do so by the department. Any person violating this section ~~may be fined~~  
12 ~~not less than \$25 nor more than \$200 or imprisoned not more than 60 days, or both~~  
13 is guilty of a Class B misdemeanor.

14           **SECTION 430.** 218.33 (3) of the statutes is amended to read:

15           218.33 (3) Any person violating this section ~~may be fined not less than \$25 nor~~  
16 ~~more than \$200 or imprisoned not more than 60 days, or both~~ is guilty of a Class B  
17 misdemeanor.

18           **SECTION 431.** 218.43 of the statutes is amended to read:

19           **218.43 Penalty.** Any person violating s. 218.41 or a lawful rule or order issued  
20 thereunder may be required to forfeit not less than \$25 nor more than \$100 ~~for the~~  
21 ~~first offense and may be fined not less than \$25 nor more than \$100 for a 2nd or~~  
22 ~~subsequent conviction within 3 years.~~

23           **SECTION 432.** 218.53 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **218.53 Penalties.** Any person who violates this subchapter shall be fined not  
2 less than \$1,000 nor more than \$10,000 and may be imprisoned for not more than  
3 90 days or both is guilty of a Class B misdemeanor.

4           **SECTION 433.** 220.06 (3) (b) of the statutes is amended to read:

5           220.06 (3) (b) Officers and employees of a bank or licensee may not redisclose  
6 information in the examination reports. A person violating this paragraph may be  
7 fined not less than \$100 nor more than \$1,000 or imprisoned not more than 6 months  
8 or both is guilty of a Class B misdemeanor.

9           **SECTION 434.** 221.0525 of the statutes is amended to read:

10           **221.0525 Shares of stock, when not transferable.** The shares of stock of  
11 a bank are personal property. The bank shall transfer the shares on the books of the  
12 bank in such manner as the bylaws may direct. A transfer of capital stock is not valid  
13 while the bank is under notice to make good the impairment of its capital, as provided  
14 in s. 220.07, until the impairment is made good. A transfer of stock shall be certified  
15 by an officer of the bank to the division within 3 days after the transfer, if the transfer  
16 is of at least 5% of the outstanding shares or affects the holdings of the owner of  
17 record or beneficial owner of at least 5% of the outstanding shares. A person who fails  
18 to comply with this certification requirement may be fined required to forfeit not  
19 more than \$100.

20           **SECTION 435.** 221.0610 (5) (c) of the statutes is amended to read:

21           221.0610 (5) (c) A person who makes a false entry in the minute book or changes  
22 or alters an entry made in the minute book may be fined not less than \$100 nor more  
23 than \$500, or imprisoned for not less than 30 days nor more than 6 months, or both  
24 is guilty of a Class B misdemeanor.

25           **SECTION 436.** 223.08 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **223.08 Name of corporation; penalty.** The word “trust” shall form part of  
2 the name of every corporation organized under this chapter, but the word “bank” may  
3 not be used as a part of the name. All persons, partnerships, associations, or  
4 corporations not organized under the provisions of this chapter, except state banks  
5 vested with trust powers under s. 221.0316 and nonprofit corporations organized for  
6 the advancement of historic preservation or for the protection of land for public  
7 conservation purposes, are prohibited from using the word “trust” in their business,  
8 or as a portion of the name or title of the person, partnership, association or  
9 corporation. A person who violates this section, either individually or as an  
10 interested party in any partnership, association, or corporation, ~~may be fined not less~~  
11 ~~than \$300 nor more than \$1,000 or imprisoned for not less than 60 days nor more~~  
12 ~~than one year in the county jail or both~~ is guilty of a Class A misdemeanor.

13           **SECTION 437.** 224.03 of the statutes is amended to read:

14           **224.03 Banking, unlawful, without charter; penalty.** It shall be unlawful  
15 for any person, partnership, association, or corporation to do a banking business  
16 without having been regularly organized and chartered as a national bank, a state  
17 bank or a trust company bank. Any person or persons violating any of the provisions  
18 of this section, either individually or as an interested party in any partnership,  
19 association, or corporation shall be guilty of a misdemeanor and on conviction thereof  
20 ~~shall be fined not less than \$300 nor more than \$1,000 or imprisoned in the county~~  
21 ~~jail for not less than 60 days nor more than one year or both~~ is guilty of a Class A  
22 misdemeanor.

23           **SECTION 438.** 224.06 (7) of the statutes is amended to read:

24           224.06 (7) Any violation of the provisions contained in subs. (1) and (2) shall  
25 subject the bank to a ~~fine~~ forfeiture of \$100 per day for each consecutive day of such

**ASSEMBLY BILL 128**

1 violation and it shall be the duty of the attorney general to recover any such penalties  
2 by action for and in behalf of the state.

3 **SECTION 439.** 224.07 of the statutes is amended to read:

4 **224.07 Checks to clear at par.** Checks drawn on any bank or trust company,  
5 organized under the laws of this state, shall be cleared at par by the bank or trust  
6 company on which they are drawn. Any bank or trust company, or officer or employee  
7 thereof, who violates the provisions of this section shall be guilty of a Class C  
8 misdemeanor and punished as provided in s. 939.61.

9 **SECTION 440.** 224.80 (1) of the statutes is amended to read:

10 224.80 (1) PENALTIES. A person who violates any provision of this subchapter  
11 or any rule promulgated under this subchapter ~~may be fined not more than \$25,000~~  
12 ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.  
13 The district attorney of the county where the violation occurs shall enforce the  
14 penalty under this subsection on behalf of the state.

15 **SECTION 441.** 230.43 (1) (e) of the statutes is amended to read:

16 230.43 (1) (e) OBSTRUCTION OR FALSIFICATIONS OF EXAMINATIONS. Who personates  
17 any other person, or permits or aids in any manner any other person to personate him  
18 or her in connection with any examination, registration, application or request to be  
19 examined or registered, shall for each offense be guilty of a Class A misdemeanor.

20 **SECTION 442.** 230.43 (3) of the statutes is repealed

21 **SECTION 443.** 231.02 (6) (a) of the statutes is amended to read:

22 231.02 (6) (a) Any member, officer, agent or employee of the authority who,  
23 directly or indirectly, has any financial interest in any bond issue or in any loan or  
24 any property to be included in, or any contract for property or materials to be  
25 furnished or used in connection with, any project of the authority, ~~may be fined not~~

**ASSEMBLY BILL 128**

1 ~~less than \$50 nor more than \$1,000, or imprisoned not more than 30 days or both is~~  
2 ~~guilty of a Class C misdemeanor.~~

3 **SECTION 444.** 236.31 (1) of the statutes is amended to read:

4 236.31 (1) Any subdivider or the subdivider's agent who offers or contracts to  
5 convey, or conveys, any subdivision as defined in s. 236.02 (12) or lot or parcel which  
6 lies in a subdivision as defined in s. 236.02 (12) knowing that the final plat thereof  
7 has not been recorded ~~may be fined not more than \$500 or imprisoned not more than~~  
8 ~~6 months or both is guilty of a Class B misdemeanor;~~ except where the preliminary  
9 or final plat of the subdivision has been filed for approval with the town or  
10 municipality in which the subdivision lies, an offer or contract to convey may be made  
11 if that offer or contract states on its face that it is contingent upon approval of the  
12 final plat and shall be void if such plat is not approved.

13 **SECTION 445.** 236.32 (1m) (intro.) of the statutes is amended to read:

14 **236.32 Penalty for disturbing or not placing monuments. (1m)** (intro.)  
15 Any of the following may be fined ~~not more than \$250 or imprisoned not more than~~  
16 ~~one year in county jail for any of the following violations~~ charged with a Class A  
17 misdemeanor:

18 **SECTION 446.** 236.33 of the statutes is amended to read:

19 **236.33 Division of land into small parcels in cities of the first class**  
20 **prohibited; penalty.** It shall be unlawful to divide or subdivide and convey by deed  
21 or otherwise any lot in any recorded plat or any parcel or tract of unplatted land in  
22 any city of the first class so as to create a lot or parcel of land which does not have  
23 street or public highway frontage of at least 4 feet or an easement to a street or public  
24 highway of a minimum width of 4 feet but this section shall not apply to conveyances  
25 by tax deed or through the exercise of eminent domain or to such reductions in size

**ASSEMBLY BILL 128**

1 or area as are caused by the taking of property for public purposes. This section shall  
2 not prohibit the dividing or subdividing of any lot or parcel of land in any such city  
3 where the divided or subdivided parts thereof which become joined in ownership  
4 with any other lot or parcel of land comply with the requirements of this section, if  
5 the remaining portion of such lot or parcel so divided or subdivided complies. Any  
6 person who shall make such conveyance or procure such a sale or act as agent in  
7 procuring such sale or conveyance ~~shall be fined not less than \$100 or more than \$500~~  
8 ~~or imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

9 **SECTION 447.** 236.35 (2) of the statutes is amended to read:

10 236.35 (2) Any person violating this section ~~may be fined not more than \$200~~  
11 ~~or imprisoned not more than 30 days or both~~ is guilty of a Class C misdemeanor.

12 **SECTION 448.** 241.025 of the statutes is amended to read:

13 **241.025 Contracts for employment.** Any person who shall represent, as an  
14 inducement to the sale of any course of study, that that person or the school offering  
15 such course will, upon the purchaser's completion of such course, place such  
16 purchaser in employment unless there is a written contract between such school and  
17 an employer whereby the latter is bound to furnish such employment as represented,  
18 is guilty of a Class C misdemeanor. Such purchaser shall be entitled, if such  
19 representation is made and no such contract exists, to have the purchase price,  
20 tuition, fee or other consideration paid for the course refunded and may recover the  
21 same in an action of debt.

22 **SECTION 449.** 250.04 (7) of the statutes is amended to read:

23 250.04 (7) The department may promulgate and enforce rules and issue and  
24 enforce orders governing the duties of all local health officers and local boards of  
25 health and relating to any subject matter under the department's supervision that

**ASSEMBLY BILL 128**

1 are necessary to provide efficient administration and to protect health. Whoever  
2 violates a rule or order specified under this subsection shall ~~be fined~~ forfeit not less  
3 than \$10 nor more than \$100 for each offense, unless a different penalty is provided.

4 **SECTION 450.** 250.045 (5) (a) of the statutes is amended to read:

5 250.045 (5) (a) Any person who violates this section or an order issued under  
6 this section ~~may be fined not more than \$10,000 plus~~ is guilty of a Class A  
7 misdemeanor. In addition to any penalty imposed for the misdemeanor, the person  
8 may be fined in an amount equal to the retail value of any drugs moved, sold or  
9 disposed of in violation of this section or an order issued under this section or  
10 imprisoned not more than one year in the county jail or both.

11 **SECTION 451.** 250.045 (5) (b) (intro.) of the statutes is amended to read:

12 250.045 (5) (b) (intro.) Any person who does either of the following ~~may be fined~~  
13 ~~not more than \$5,000 or imprisoned not more than one year in the county jail or both~~  
14 is guilty of a Class A misdemeanor:

15 **SECTION 452.** 252.06 (4) (b) 2. of the statutes is amended to read:

16 252.06 (4) (b) 2. A violation of subd. 1. is ~~subject to a fine not to exceed \$10,000~~  
17 ~~or imprisonment not to exceed 9 months, or both~~ a Class A misdemeanor.

18 **SECTION 453.** 252.15 (9) of the statutes is amended to read:

19 252.15 (9) PENALTIES. Whoever intentionally discloses the results of an HIV  
20 test in violation of sub. (3m) (b) or (f) or (5m) and thereby causes bodily harm or  
21 psychological harm to the subject of the HIV test ~~may be fined not more than \$50,000~~  
22 ~~or imprisoned not more than 9 months or both~~ is guilty of a Class A misdemeanor.

23 Whoever negligently discloses the results of an HIV test in violation of sub. (3m) (b)  
24 or (f) or (5m) is subject to a forfeiture of not more than \$2,000 for each violation.

25 Whoever intentionally discloses the results of an HIV test in violation of sub. (3m)



**ASSEMBLY BILL 128**

1 (b) or (f) or (5m), knowing that the information is confidential, and discloses the  
2 information for pecuniary gain may be fined not more than \$200,000 or imprisoned  
3 not more than 3 years and 6 months, or both.

4 **SECTION 454.** 252.25 of the statutes is amended to read:

5 **252.25 Violation of law relating to health.** Any person who willfully  
6 violates or obstructs the execution of any state statute or rule, county, city or village  
7 ordinance or departmental order under this chapter and relating to the public  
8 health, for which no other penalty is prescribed, ~~shall be imprisoned for not more~~  
9 ~~than 30 days or fined not more than \$500 or both~~ is guilty of a Class C misdemeanor.

10 **SECTION 455.** 254.30 (2) (b) of the statutes is amended to read:

11 254.30 (2) (b) *Criminal penalty.* Any person who knowingly violates any  
12 provision of ss. 254.11 to 254.178 or any rule promulgated, or order issued, under  
13 those sections shall ~~be fined~~ forfeit not less than \$100 nor more than \$5,000. The  
14 ~~court may place the person on probation under s. 973.09 for a period not to exceed~~  
15 ~~2 years.~~

16 **SECTION 456.** 254.47 (3) of the statutes is amended to read:

17 254.47 (3) Anyone who violates this section or any rule of the department under  
18 this section shall ~~be fined~~ forfeit not less than \$25 nor more than \$250. Anyone who  
19 fails to comply with an order of the department shall forfeit \$10 for each day of  
20 noncompliance after the order is served upon or directed to him or her. The  
21 department may also, after a hearing under ch. 227, refuse to issue a permit under  
22 this section or suspend or revoke a permit under this section for violation of this  
23 section or any rule or order the department issues to implement this section.

24 **SECTION 457.** 254.59 (2) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           254.59 (2) If a human health hazard is found on private property, the local  
2 health officer shall notify the owner and the occupant of the property, by registered  
3 mail with return receipt requested, of the presence of the human health hazard and  
4 order its abatement or removal within 30 days of receipt of the notice. If the human  
5 health hazard is not abated or removed by that date, the local health officer shall  
6 immediately enter upon the property and abate or remove the human health hazard  
7 or may contract to have the work performed. The human health hazard shall be  
8 abated in a manner which is approved by the local health officer. The cost of the  
9 abatement or removal may be recovered from the person permitting the violation or  
10 may be paid by the municipal treasurer and the account, after being paid by the  
11 treasurer, shall be filed with the municipal clerk, who shall enter the amount  
12 chargeable to the property in the next tax roll in a column headed "For Abatement  
13 of a Nuisance" as a special tax on the lands upon which the human health hazard was  
14 abated, and the tax shall be collected as are other taxes. In case of railroads or other  
15 lands not taxed in the usual way, the amount chargeable shall be certified by the  
16 clerk to the secretary of administration who shall add the amount designated in the  
17 certificate to the sum due from the company owning, occupying, or controlling the  
18 land specified, and the secretary of administration shall collect the amount as  
19 prescribed in subch. I of ch. 76 and return the amount collected to the town, city, or  
20 village from which the certificate was received. Anyone maintaining such a human  
21 health hazard ~~may also be fined not more than \$300 or imprisoned for not more than~~  
22 ~~90 days or both~~ is guilty of a Class B misdemeanor. The only defenses an owner may  
23 have against the collection of a tax under this subsection are that no human health  
24 hazard existed on the owner's property, that no human health hazard was corrected

**ASSEMBLY BILL 128**

1 on the owner's property, that the procedure outlined in this subsection was not  
2 followed or any applicable defense under s. 74.33.

3 **SECTION 458.** 254.59 (4) of the statutes is amended to read:

4 254.59 (4) In cities under general charter, the local health officer may enter into  
5 and examine any place at any time to ascertain health conditions, and anyone  
6 refusing to allow entrance at reasonable hours shall be ~~fined~~ forfeit not less than \$10  
7 nor more than \$100. If the local health officer deems it necessary to abate or remove  
8 a human health hazard found on private property, the local health officer shall serve  
9 notice on the owner or occupant to abate or remove within a reasonable time that is  
10 not less than 24 hours; and if he or she fails to comply, or if the human health hazard  
11 is on property whose owner is a nonresident, or cannot be found, the local health  
12 officer shall cause abatement or removal.

13 **SECTION 459.** 254.59 (5) of the statutes is amended to read:

14 254.59 (5) The cost of abatement or removal of a human health hazard under  
15 this section may be at the expense of the municipality and may be collected from the  
16 owner or occupant, or person causing, permitting, or maintaining the human health  
17 hazard, or may be charged against the premises and, upon certification of the local  
18 health officer, assessed as are other special taxes. In cases of railroads or other lands  
19 not taxed in the usual way, the amount chargeable shall be certified by the clerk to  
20 the secretary of administration who shall add the amount designated in the  
21 certificate to the sum due from the company owning, occupying, or controlling the  
22 land specified, and the secretary of administration shall collect the amount as  
23 prescribed in subch. I of ch. 76 and return the amount collected to the town, city, or  
24 village from which the certificate was received. Anyone maintaining such a human  
25 health hazard ~~may also be fined not more than \$300 or imprisoned for not more than~~

**ASSEMBLY BILL 128**

1 ~~90 days or both~~ is guilty of a Class B misdemeanor. The only defenses an owner may  
2 have against the collection of a tax under this subsection are that no human health  
3 hazard existed on the owner's property, that no human health hazard was corrected  
4 on the owner's property, that the procedure outlined in this subsection was not  
5 followed, or any applicable defense under s. 74.33.

6 **SECTION 460.** 254.76 (1) of the statutes is amended to read:

7 254.76 (1) Any person who, by smoking, or attempting to light or to smoke  
8 cigarettes, cigars, pipes or tobacco, in any manner in which lighters or matches are  
9 employed, shall, in a careless, reckless or negligent manner, set fire to any bedding,  
10 furniture, curtains, drapes, house or any household fittings, or any part of any  
11 building specified in sub. (2), so as to endanger life or property in any way or to any  
12 extent, ~~shall be fined not less than \$50 nor more than \$250, together with costs, or~~  
13 ~~imprisoned not less than 10 days nor more than 6 months or both~~ is guilty of a Class  
14 B misdemeanor.

15 **SECTION 461.** 254.83 (1) of the statutes is amended to read:

16 254.83 (1) Every hotelkeeper shall keep posted in a conspicuous place in each  
17 sleeping room in his or her hotel, in type not smaller than 12-point, the rates per day  
18 for each occupant. Such rates shall not be changed until notice to that effect has been  
19 posted, in a similar manner, for 10 days previous to each change. Any hotelkeeper  
20 who fails to have the rates so posted or who charges, collects or receives for the use  
21 of any room a sum different from the authorized charge shall be fined forfeit not less  
22 than \$50 nor more than \$100. A hotelkeeper may permit a room to be occupied at  
23 the rate of a lower priced room when all of the lower priced rooms are taken and until  
24 one of them becomes unoccupied. Special rates may be made for the use of sleeping  
25 rooms, either by the week, month or for longer periods or for use by families or other

**ASSEMBLY BILL 128**

1 collective groups. The department or its representatives may enforce the posting of  
2 rates as provided in this subsection.

3 **SECTION 462.** 254.83 (2) (d) of the statutes is amended to read:

4 254.83 (2) (d) A hotelkeeper who fails to post the notice required under par. (a)  
5 or who posts an inaccurate notice shall ~~be fined~~ forfeit not less than \$50 nor more  
6 than \$100.

7 **SECTION 463.** 254.84 (6) of the statutes is amended to read:

8 254.84 (6) PENALTY. Whoever violates this section ~~shall be fined not more than~~  
9 ~~\$300 or imprisoned not more than 6 months or both~~ is guilty of a Class B  
10 misdemeanor.

11 **SECTION 464.** 254.85 (5) (a) of the statutes is amended to read:

12 254.85 (5) (a) Except as provided in par. (b), any person who violates this  
13 section or an order issued under this section ~~may be fined not more than \$10,000 plus~~  
14 is guilty of a Class A misdemeanor. In addition to any penalty imposed for the  
15 misdemeanor, the person may be fined in an amount equal to the retail value of any  
16 food moved, sold or disposed of in violation of this section ~~or the order, or imprisoned~~  
17 ~~not more than one year in the county jail, or both.~~

18 **SECTION 465.** 254.85 (5) (b) (intro.) of the statutes is amended to read:

19 254.85 (5) (b) (intro.) Any person who does either of the following ~~may be fined~~  
20 ~~not more than \$5,000 or imprisoned not more than one year in a county jail, or both~~  
21 is guilty of a Class A misdemeanor:

22 **SECTION 466.** 254.88 of the statutes is amended to read:

23 **254.88 Penalty.** Anyone who violates this subchapter, except s. 254.83, 254.84  
24 or 254.85, or any rule of the department promulgated under this subchapter shall be  
25 ~~fined~~ forfeit not less than \$100 nor more than \$1,000. Anyone who fails to comply

**ASSEMBLY BILL 128**

1 with an order of the department under this subchapter except s. 254.85 shall forfeit  
2 \$50 for each day of noncompliance after the order is served upon or directed to him  
3 or her, and in case of action under s. 254.87, after lapse of a reasonable time after final  
4 determination.

5 **SECTION 467.** 254.92 (2m) (intro.) of the statutes is amended to read:

6 254.92 (2m) (intro.) No person may purchase cigarettes, tobacco products, or  
7 nicotine products on behalf of, or to provide to, any person who is under 18 years of  
8 age. Any person who violates this subsection ~~may be~~ is:

9 **SECTION 468.** 254.92 (2m) (b) of the statutes is amended to read:

10 254.92 (2m) (b) ~~Fined not more than \$500 or imprisoned for not more than 30~~  
11 ~~days or both~~ Guilty of a Class C misdemeanor if the person has committed a previous  
12 violation within 30 months of the violation.

13 **SECTION 469.** 254.92 (2m) (c) of the statutes is amended to read:

14 254.92 (2m) (c) ~~Fined not more than \$1,000 or imprisoned for not more than~~  
15 ~~90 days or both~~ Guilty of a Class B misdemeanor if the person has committed 2  
16 previous violations within 30 months of the violation.

17 **SECTION 470.** 254.92 (2m) (d) of the statutes is amended to read:

18 254.92 (2m) (d) ~~Fined not more than \$10,000 or imprisoned for not more than~~  
19 ~~9 months or both~~ Guilty of a Class A misdemeanor if the person has committed 3 or  
20 more previous violations within 30 months of the violation.

21 **SECTION 471.** 255.04 (10) (a) of the statutes is amended to read:

22 255.04 (10) (a) Whoever intentionally violates sub. (8) (a), (b), or (c) ~~may be~~  
23 ~~fined not more than \$15,000 or imprisoned for not more than one year in the county~~  
24 ~~jail or both~~ is guilty of a Class A misdemeanor.

25 **SECTION 472.** 256.30 (7) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           256.30 (7) A hospital which violates this section may be ~~fin~~required to forfeit  
2 not more than \$1,000 for each offense.

3           **SECTION 473.** 256.35 (10) (a) of the statutes is amended to read:

4           256.35 (10) (a) Any person who intentionally dials the telephone number "911"  
5 to report an emergency, knowing that the fact situation which he or she reports does  
6 not exist, ~~shall be fined not less than \$100 nor more than \$600 or imprisoned not more~~  
7 ~~than 90 days or both~~ is guilty of a Class B misdemeanor for the first offense and is  
8 guilty of a Class H felony for any other offense committed within 4 years after the  
9 first offense.

10          **SECTION 474.** 256.35 (10) (b) of the statutes is amended to read:

11          256.35 (10) (b) Any person who discloses or uses, for any purpose not related  
12 to the operation of a basic or sophisticated system, any information contained in the  
13 database of that system shall ~~be fined~~ forfeit not more than \$10,000 for each  
14 occurrence.

15          **SECTION 475.** 299.83 (10) of the statutes is amended to read:

16          299.83 (10) PENALTY. Any person who intentionally makes a false statement  
17 in material submitted under this section shall ~~be fined not less than \$10 nor more~~  
18 ~~than \$10,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class  
19 B misdemeanor.

20          **SECTION 476.** 299.85 (10) of the statutes is amended to read:

21          299.85 (10) PENALTY. Any person who intentionally makes a false statement  
22 under this section shall ~~be fined not less than \$10 nor more than \$10,000 or~~  
23 ~~imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

24          **SECTION 477.** 301.12 (14) (e) 4. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           301.12 (14) (e) 4. No employer may use an assignment under this paragraph  
2 as a basis for the denial of employment to a person, the discharge of an employee or  
3 any disciplinary action against an employee. An employer who denies employment  
4 or discharges or disciplines an employee in violation of this subdivision may be fined  
5 required to forfeit not more than \$500 and may be required to make full restitution  
6 to the aggrieved person, including reinstatement and back pay. Except as provided  
7 in this subdivision, restitution shall be in accordance with s. 973.20. An aggrieved  
8 person may apply to the district attorney or to the department of workforce  
9 development for enforcement of this subdivision.

10           **SECTION 478.** 301.45 (6) (a) 2. (intro.) of the statutes is amended to read:

11           301.45 (6) (a) 2. (intro.) The person ~~may be fined not more than \$10,000 or~~  
12 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor  
13 if all of the following apply:

14           **SECTION 479.** 301.45 (6) (ag) 2. (intro.) of the statutes is amended to read:

15           301.45 (6) (ag) 2. (intro.) The person ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 9 months or both if all of the following apply~~ is guilty  
17 of a Class A misdemeanor:

18           **SECTION 480.** 301.45 (6) (am) of the statutes is amended to read:

19           301.45 (6) (am) Whoever knowingly fails to keep information confidential as  
20 required under sub. (7) ~~may be fined not more than \$500 or imprisoned for not more~~  
21 ~~than 30 days or both~~ is guilty of a Class C misdemeanor.

22           **SECTION 481.** 301.47 (3) (b) (intro.) of the statutes is amended to read:

23           301.47 (3) (b) (intro.) The person ~~may be fined not more than \$10,000 or~~  
24 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor  
25 if all of the following apply:



**ASSEMBLY BILL 128**

1           **SECTION 482.** 302.07 of the statutes is amended to read:

2           **302.07 Maintenance of order.** The warden or superintendent shall maintain  
3 order, enforce obedience, suppress riots and prevent escapes. For such purposes the  
4 warden or superintendent may command the aid of the officers of the institution and  
5 of persons outside of the prison; and any person who fails to obey such command shall  
6 ~~be punished by imprisonment in the county jail not more than one year or by a fine~~  
7 ~~not exceeding \$500~~ is guilty of a Class A misdemeanor. The warden or  
8 superintendent may adopt proper means to capture escaped inmates.

9           **SECTION 483.** 302.375 (1m) (intro.) of the statutes is amended to read:

10           302.375 **(1m)** (intro.) Except as provided in s. 302.375 (2m), any sheriff, jailer  
11 or keeper of any prison, jail or house of correction or any other person who does any  
12 of the following with respect to a prisoner within the precincts of any prison, jail or  
13 house of correction ~~shall be fined not more than \$10,000 or imprisoned not more than~~  
14 ~~9 months or both~~ is guilty of a Class A misdemeanor:

15           **SECTION 484.** 302.375 (2) of the statutes is amended to read:

16           302.375 **(2)** Except as provided in s. 302.375 (2m), any prisoner who uses  
17 intoxicating liquor in violation of s. 302.37 (2) ~~shall be fined not more than \$10,000~~  
18 ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

19           **SECTION 485.** 302.375 (3) (a) of the statutes is amended to read:

20           302.375 **(3)** (a) Any sheriff, jailer or keeper of any prison, jail or house of  
21 correction or any other person who places, keeps together or knowingly permits to  
22 be kept together prisoners of different sexes within the precincts of any prison, jail  
23 or house of correction ~~shall be fined not more than \$500 or imprisoned not more than~~  
24 ~~6 months or both~~ is guilty of a Class B misdemeanor.

25           **SECTION 486.** 321.62 (5) (d) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           321.62 (5) (d) Any person who shall make or use an affidavit required under  
2 this subsection that he or she knows to be false shall be fined not more than \$10,000  
3 or imprisoned for not more than 9 months or both is guilty of a Class A misdemeanor.

4           **SECTION 487.** 321.62 (11) (c) of the statutes is amended to read:

5           321.62 (11) (c) Any person who knowingly takes part in any eviction prohibited  
6 under par. (a) except as provided in this subsection, or attempts to do so, shall be fined  
7 not more than \$10,000 or imprisoned not more than 9 months or both is guilty of a  
8 Class A misdemeanor.

9           **SECTION 488.** 321.62 (12) (c) 2. of the statutes is amended to read:

10           321.62 (12) (c) 2. Any person who knowingly causes a foreclosure, sale, or  
11 seizure of property that is invalid under subd. 1. shall be fined not more than \$10,000  
12 or imprisoned for not more than 9 months or both is guilty of a Class A misdemeanor.

13           **SECTION 489.** 321.62 (14) (e) of the statutes is amended to read:

14           321.62 (14) (e) No person may knowingly seize or retain personal property  
15 belonging to a service member who lawfully terminates a lease under this  
16 subsection, or in any manner interfere with the removal of the service member's  
17 personal property from the premises covered by the lease, for the purpose of  
18 subjecting the personal property to a claim for rent accruing after the termination  
19 of the lease. Any person who violates this paragraph shall be fined not more than  
20 \$10,000 or imprisoned for not more than 9 months or both is guilty of a Class A  
21 misdemeanor.

22           **SECTION 490.** 321.62 (15) (c) of the statutes is amended to read:

23           321.62 (15) (c) Any person who violates par. (a) may be fined not more than  
24 \$10,000 or imprisoned for not more than 9 months or both is guilty of a Class A  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 491.** 322.048 of the statutes is amended to read:

2           **322.048 Article 48 — Contempt.** A military judge may punish for contempt  
3 any person who uses any menacing word, sign, or gesture in its presence, or who  
4 disturbs its proceedings by any riot or disorder. A person subject to this code may  
5 be punished for contempt by confinement not to exceed 30 days or a fine forfeiture  
6 of \$100, or both. A person not subject to this code may be punished for contempt by  
7 a military court in the same manner as a court of the state.

8           **SECTION 492.** 323.60 (11) (d) of the statutes is amended to read:

9           323.60 (11) (d) Any person who knowingly and willfully releases a trade secret  
10 entitled to protection under 42 USC 11042, as applied under sub. (5) (e), ~~shall be fined~~  
11 ~~not less than \$100 nor more than \$20,000 or imprisoned for not more than one year~~  
12 ~~in the county jail or both~~ is guilty of a Class A misdemeanor.

13           **SECTION 493.** 341.45 (6) (a) of the statutes is amended to read:

14           341.45 (6) (a) Any person who uses a false or fictitious name or gives a false or  
15 fictitious address in any application or form required by this section or otherwise  
16 commits a fraud in any application, record, report or claim for refund under this  
17 section ~~may be fined not more than \$500 or imprisoned not more than 6 months or~~  
18 ~~both~~ is guilty of a Class B misdemeanor.

19           **SECTION 494.** 341.45 (6) (b) of the statutes is amended to read:

20           341.45 (6) (b) Any person who fails or refuses to make a report or payment as  
21 provided in this section ~~may be fined not more than \$5,000 or imprisoned in the~~  
22 ~~county jail for not more than one year or both~~ is guilty of a Class A misdemeanor.

23           **SECTION 495.** 341.60 (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **341.60** (intro.) **Fraudulent application for registration or license.** Any  
2 person who does any of the following ~~may be fined not more than \$200 or imprisoned~~  
3 ~~not more than 6 months or both~~ is guilty of a Class B misdemeanor:

4           **SECTION 496.** 342.15 (5m) (b) of the statutes is amended to read:

5           342.15 **(5m)** (b) Any person who violates sub. (1) (bm) with intent to defraud  
6 may be ~~fined~~ required to forfeit not more than \$5,000.

7           **SECTION 497.** 342.15 (6) (b) of the statutes is amended to read:

8           342.15 **(6)** (b) Except as provided in s. 342.16, any transferee of a vehicle who  
9 with intent to defraud fails to make application for a new certificate of title  
10 immediately upon transfer to him or her of a vehicle ~~may be fined not more than~~  
11 ~~\$1,000 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
12 misdemeanor. A certificate is considered to have been applied for when the  
13 application accompanied by the required fee has been delivered to the department  
14 or deposited in the mail properly addressed with postage prepaid.

15           **SECTION 498.** 342.16 (4) (b) of the statutes is amended to read:

16           342.16 **(4)** (b) Any dealer who violates sub. (1r) with intent to defraud may be  
17 ~~fined~~ required to forfeit not more than \$5,000.

18           **SECTION 499.** 343.05 (5) (am) (intro.) of the statutes is renumbered 343.05 (5)  
19 (am) and amended to read:

20           343.05 **(5)** (am) Any person who violates sub. (1) or (2) ~~shall be:~~ is guilty of a  
21 Class B misdemeanor.

22           **SECTION 500.** 343.05 (5) (am) 1. of the statutes is repealed.

23           **SECTION 501.** 343.05 (5) (am) 2. of the statutes is repealed.

24           **SECTION 502.** 343.05 (5) (am) 3. of the statutes is repealed.

25           **SECTION 503.** 343.05 (5) (b) 1. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           343.05 (5) (b) 1. Except as provided in subds. 2. to 5. and sub. (6), any person  
2 who violates sub. (3) (a) may be required to forfeit not more than \$200 for the first  
3 offense, ~~may be fined not more than \$300 and imprisoned for not more than 30 days~~  
4 is guilty of a Class C misdemeanor for the 2nd offense occurring within 3 years, and  
5 ~~may be fined not more than \$500 and imprisoned for not more than 6 months~~ is guilty  
6 of a Class B misdemeanor for the 3rd or subsequent offense occurring within 3 years.  
7 In this paragraph, a violation of a local ordinance in conformity with this section or  
8 a violation of a law of a federally recognized American Indian tribe or band in this  
9 state in conformity with this section shall count as a previous offense.

10           **SECTION 504.** 343.12 (9) (intro.) of the statutes is renumbered 343.12 (9) and  
11 amended to read:

12           343.12 (9) Any person who violates sub. (1) shall be: is guilty of a Class B  
13 misdemeanor.

14           **SECTION 505.** 343.12 (9) (a) of the statutes is repealed.

15           **SECTION 506.** 343.12 (9) (b) of the statutes is repealed.

16           **SECTION 507.** 343.12 (9) (c) of the statutes is repealed.

17           **SECTION 508.** 343.14 (9) of the statutes is amended to read:

18           343.14 (9) Any person who violates sub. (5) ~~may be fined not more than \$1,000~~  
19 ~~or imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

20           **SECTION 509.** 343.16 (7) (a) of the statutes is amended to read:

21           343.16 (7) (a) Any person required by or pursuant to this section to submit to  
22 an examination who by any means secures the services of another person to appear  
23 in that person's place to take such examination ~~may be fined not less than \$100 nor~~  
24 ~~more than \$200 or imprisoned not more than 6 months or both~~ is guilty of a Class B  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 510.** 343.16 (7) (b) of the statutes is amended to read:

2           343.16 (7) (b) Any person who appears for an examination under this section  
3 in the place of another person required to take such examination ~~may be fined not~~  
4 ~~less than \$100 nor more than \$200 or imprisoned not more than 6 months or both is~~  
5 guilty of a Class B misdemeanor for the first offense and ~~may be fined not less than~~  
6 ~~\$200 nor more than \$500 or imprisoned not more than one year in county jail or both~~  
7 is guilty of a Class A misdemeanor for the second or each subsequent offense  
8 thereafter.

9           **SECTION 511.** 343.19 (4) of the statutes is amended to read:

10           343.19 (4) Any person who violates sub. (2) ~~may be fined not more than \$1,000~~  
11 ~~or imprisoned for not more than 6 months or both is guilty of a Class B misdemeanor.~~

12           **SECTION 512.** 343.245 (4) (b) of the statutes is amended to read:

13           343.245 (4) (b) Any person who violates sub. (3) (b) ~~shall be fined not less than~~  
14 ~~\$2,750 nor more than \$25,000 or imprisoned for not more than 90 days or both is~~  
15 guilty of a Class B misdemeanor.

16           **SECTION 513.** 343.28 (4) of the statutes is amended to read:

17           343.28 (4) Any person who fails to comply with any provision of this section  
18 relative to forwarding records of convictions to the department ~~may be fined not more~~  
19 ~~than \$100 or imprisoned not more than 6 months or both is guilty of a Class B~~  
20 misdemeanor.

21           **SECTION 514.** 343.315 (1m) of the statutes is amended to read:

22           343.315 (1m) EMPLOYER RESPONSIBILITY. An employer may not allow, permit or  
23 authorize a driver who is disqualified to operate a commercial motor vehicle during  
24 a period of disqualification after March 31, 1992. An employer who knowingly  
25 violates this subsection ~~shall be fined not more than \$5,000 or imprisoned for not~~

**ASSEMBLY BILL 128**

1 ~~more than 90 days or both~~ is guilty of a Class B misdemeanor. An employer who  
2 negligently violates this subsection shall forfeit not more than \$2,500.

3 **SECTION 515.** 343.43 (3) (intro.) of the statutes is renumbered 343.43 (3) and  
4 amended to read:

5 343.43 (3) Except as provided in sub. (3m), any person who violates sub. (1)  
6 ~~shall be:~~ is guilty of a Class B misdemeanor.

7 **SECTION 516.** 343.43 (3) (a) of the statutes is repealed.

8 **SECTION 517.** 343.43 (3) (b) of the statutes is repealed.

9 **SECTION 518.** 343.43 (3) (c) of the statutes is repealed.

10 **SECTION 519.** 343.43 (3m) of the statutes is amended to read:

11 343.43 (3m) Any person who violates sub. (1) (d) while operating a "Class D"  
12 or "Class M" vehicle as described in s. 343.04 (1) (d) and (e), except a school bus, may  
13 be required to forfeit not more than \$200 for the first offense, ~~may be fined not more~~  
14 ~~than \$300 and imprisoned for not more than 30 days~~ is guilty of a Class C  
15 misdemeanor for the 2nd offense occurring within 3 years, and ~~may be fined not more~~  
16 ~~than \$500 and imprisoned for not more than 6 months~~ is guilty of a Class B  
17 misdemeanor for the 3rd or subsequent offense occurring within 3 years. A violation  
18 of a local ordinance in conformity with this section shall count as a previous offense.

19 **SECTION 520.** 343.44 (2) (ar) 2. of the statutes is amended to read:

20 343.44 (2) (ar) 2. Except as provided in subds. 3. and 4., any person who violates  
21 sub. (1) (b) ~~shall be fined not more than \$2,500 or imprisoned for not more than one~~  
22 ~~year in the county jail or both~~ is guilty of a Class A misdemeanor if the revocation  
23 identified under sub. (1) (b) resulted from an offense that may be counted under s.  
24 343.307 (2).

25 **SECTION 521.** 343.44 (2) (ar) 3. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           343.44 (2) (ar) 3. Any person who violates sub. (1) (b) and, in the course of the  
2 violation, causes great bodily harm to another person ~~shall be fined not less than~~  
3 ~~\$5,000 nor more than \$7,500 or imprisoned for not more than one year in the county~~  
4 ~~jail or both~~ is guilty of a Class A misdemeanor, except that, if the person knows at  
5 the time of the violation that his or her operating privilege has been revoked, the  
6 person is guilty of a Class I felony.

7           **SECTION 522.** 343.44 (2) (ar) 4. of the statutes is amended to read:

8           343.44 (2) (ar) 4. Any person who violates sub. (1) (b) and, in the course of the  
9 violation, causes the death of another person ~~shall be fined not less than \$7,500 nor~~  
10 ~~more than \$10,000 or imprisoned for not more than one year in the county jail or both~~  
11 ~~is guilty of a Class A misdemeanor~~, except that, if the person knows at the time of the  
12 violation that his or her operating privilege has been revoked, the person is guilty  
13 of a Class H felony.

14           **SECTION 523.** 343.44 (2) (br) of the statutes is amended to read:

15           343.44 (2) (br) Any person who violates sub. (1) (d) ~~shall be fined not more than~~  
16 ~~\$2,500 or imprisoned for not more than one year in the county jail or both~~ is guilty  
17 of a Class A misdemeanor.

18           **SECTION 524.** 344.48 (2) of the statutes is amended to read:

19           344.48 (2) Any person violating this section ~~may be fined not more than~~  
20 ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
21 misdemeanor.

22           **SECTION 525.** 345.37 (6) of the statutes is amended to read:

23           345.37 (6) Any person who fails to comply with this section relative to  
24 forwarding records of convictions to the department ~~may be fined~~ required to forfeit  
25 not more than \$100.



**ASSEMBLY BILL 128**

1           **SECTION 526.** 346.17 (2t) of the statutes is amended to read:

2           346.17 (2t) Any person violating s. 346.04 (2t) ~~may be fined not more than~~  
3           ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
4           misdemeanor.

5           **SECTION 527.** 346.65 (1) (b) of the statutes is amended to read:

6           346.65 (1) (b) ~~May be fined not less than \$50 nor more than \$500 or imprisoned~~  
7           ~~for not more than one year in the county jail or both~~ Is guilty of a Class A  
8           misdemeanor if the total of convictions under s. 346.62 (2) or a local ordinance in  
9           conformity therewith or a law of a federally recognized American Indian tribe or  
10          band in this state in conformity with s. 346.62 (2) equals 2 or more in a 4-year period.  
11          The 4-year period shall be measured from the dates of the violations which resulted  
12          in the convictions.

13          **SECTION 528.** 346.65 (3) of the statutes is amended to read:

14          346.65 (3) Except as provided in sub. (5m), any person violating s. 346.62 (3)  
15          ~~shall be fined not less than \$300 nor more than \$2,000 and may be imprisoned for~~  
16          ~~not less than 30 days nor more than one year in the county jail~~ is guilty of a Class  
17          A misdemeanor.

18          **SECTION 529.** 346.74 (5) (a) of the statutes is amended to read:

19          346.74 (5) (a) ~~Shall be fined not less than \$300 nor more than \$1,000 or~~  
20          ~~imprisoned not more than 6 months or both~~ Is guilty of a Class B misdemeanor if the  
21          accident did not involve death or injury to a person.

22          **SECTION 530.** 346.74 (5) (b) of the statutes is amended to read:

23          346.74 (5) (b) ~~May be fined not more than \$10,000 or imprisoned for not more~~  
24          ~~than 9 months or both~~ Is guilty of a Class A misdemeanor if the accident involved  
25          injury to a person but the person did not suffer great bodily harm.

**ASSEMBLY BILL 128**

1           **SECTION 531.** 347.50 (1m) of the statutes is amended to read:

2           347.50 **(1m)** Any person violating s. 347.385 (5) ~~may be fined not more than~~  
3           ~~\$10,000 or imprisoned for not more than one year in the county jail, or both, is guilty~~  
4           ~~of a Class A misdemeanor~~ for each violation.

5           **SECTION 532.** 347.50 (2) of the statutes is amended to read:

6           347.50 **(2)** Any person violating s. 347.415 (1m), (2), and (3) to (5) or 347.475  
7           ~~may be fined not more than \$5,000 or imprisoned for not more than one year in the~~  
8           ~~county jail, or both, is guilty of a Class A misdemeanor~~ for each violation.

9           **SECTION 533.** 349.25 (1) of the statutes is amended to read:

10          349.25 **(1)** In counties containing a city of the first or second class, the owner  
11          of a vehicle to be operated upon a highway for the purpose of transporting persons  
12          for hire in what is commonly known as a hayrack ride, a sleigh, boxsled or bobsled  
13          ride or a ride of similar nature and every person who is to operate such a vehicle shall  
14          obtain a license from the county board before so operating such a vehicle. Any person  
15          operating any such vehicle under the circumstances described without first  
16          obtaining a license from the county board ~~may be fined not more than \$100 or~~  
17          ~~imprisoned not more than 30 days or both~~ is guilty of a Class C misdemeanor.

18          **SECTION 534.** 351.08 of the statutes is amended to read:

19          **351.08 Operation of motor vehicle by habitual traffic offender or**  
20          **repeat habitual traffic offender prohibited; penalty; enforcement.** Any  
21          person who is convicted of operating a motor vehicle in this state while the revocation  
22          under this chapter is in effect ~~shall~~, in addition to any penalty imposed under s.  
23          343.44, ~~be fined not to exceed \$5,000 and imprisoned not to exceed 180 days~~ is guilty  
24          of a Class B misdemeanor. No portion of the sentence may be suspended, except in  
25          a case where operating was made necessary by a situation of emergency, as

**ASSEMBLY BILL 128**

1 determined by the court. Any person imprisoned under this section, on his or her  
2 request, may be allowed Huber law work privileges under s. 303.08 or may be allowed  
3 to work under s. 303.10 (3). For the purpose of enforcing this section, in any case in  
4 which the accused is charged with driving a motor vehicle while his or her license,  
5 permit or privilege to drive is suspended or revoked or is charged with driving  
6 without a license, the court before hearing the charge shall determine whether the  
7 person is a habitual traffic offender or repeat habitual traffic offender and therefore  
8 barred from operating a motor vehicle on the highways of this state.

9 **SECTION 535.** 425.401 (1) of the statutes is amended to read:

10 425.401 (1) Except as provided in sub. (2), a person who willfully and  
11 knowingly engages in any conduct or practice in violation of chs. 421 to 427 may be  
12 ~~fin~~ required to forfeit not more than \$2,000.

13 **SECTION 536.** 425.401 (2) of the statutes is amended to read:

14 425.401 (2) A person who intentionally violates s. 425.2065 (2) may be ~~fin~~  
15 required to forfeit not more than \$500.

16 **SECTION 537.** 440.03 (14) (f) of the statutes is amended to read:

17 440.03 (14) (f) A person who is registered under par. (a) or holds a license  
18 granted under the rules promulgated under par. (am) who violates this subsection  
19 or any rule promulgated under par. (d) ~~may be fined not more than \$200 or~~  
20 ~~imprisoned for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

21 **SECTION 538.** 440.032 (9) of the statutes is amended to read:

22 440.032 (9) PENALTY. A person who violates this section or any rule  
23 promulgated under this section ~~may be fined not more than \$200 or imprisoned for~~  
24 ~~not more than 6 months or both~~ is guilty of a Class B misdemeanor.

25 **SECTION 539.** 440.21 (4) (b) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           440.21 (4) (b) Notwithstanding any other provision of chs. 440 to 480 relating  
2 to fines, forfeitures, or imprisonment, any person who violates a temporary  
3 restraining order or an injunction issued by a court upon a petition under sub. (3)  
4 ~~may be fined not less than \$25 nor more than \$5,000 or imprisoned for not more than~~  
5 ~~one year in the county jail or both~~ is guilty of a Class A misdemeanor.

6           **SECTION 540.** 440.26 (8) of the statutes is amended to read:

7           440.26 (8) PENALTIES. Any person, acting as a private detective, investigator  
8 or private security person, or who employs any person who solicits, advertises or  
9 performs services in this state as a private detective or private security person, or  
10 investigator or special investigator, without having procured the license or permit  
11 required by this section, ~~may be fined not less than \$100 nor more than \$500 or~~  
12 ~~imprisoned not less than 3 months nor more than 6 months or both~~ is guilty of a Class  
13 B misdemeanor. Any agency having an employee, owner, officer or agent convicted  
14 of the above offense may have its agency license revoked or suspended by the  
15 department. Any person convicted of the above offense shall be ineligible for a license  
16 for one year.

17           **SECTION 541.** 440.311 (2) of the statutes is amended to read:

18           440.311 (2) Any person who violates sub. (1) ~~may be fined not more than \$250,~~  
19 ~~imprisoned not more than 3 months in the county jail, or both~~ is guilty of a Class B  
20 misdemeanor.

21           **SECTION 542.** 440.86 (1) of the statutes is amended to read:

22           440.86 (1) Any person who violates this subchapter or a rule promulgated  
23 under this subchapter ~~may be fined not more than \$1,000 or imprisoned for not more~~  
24 ~~than 6 months or both~~ is guilty of a Class B misdemeanor.

25           **SECTION 543.** 440.95 (1) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           440.95 (1) Any cemetery authority that is required to be licensed under s.  
2           440.91 (1) and that knowingly fails to be licensed may be ~~fin~~required to forfeit not  
3           more than \$100.

4           **SECTION 544.** 440.95 (2) of the statutes is amended to read:

5           440.95 (2) Any individual who is required to register as a cemetery salesperson  
6           under s. 440.91 (2) and who fails to register ~~may be fined not less than \$25 nor more~~  
7           ~~than \$200 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
8           misdemeanor.

9           **SECTION 545.** 440.95 (3) of the statutes is amended to read:

10          440.95 (3) Except as provided in subs. (1) and (2), any person who violates s.  
11          440.91 or 440.947 or any rule promulgated under s. 440.91 ~~may be fined not more~~  
12          ~~than \$1,000 or imprisoned for not more than 6 months or both~~ is guilty of a Class B  
13          misdemeanor.

14          **SECTION 546.** 440.95 (4) (intro.) of the statutes is amended to read:

15          440.95 (4) (intro.) Any person who intentionally does any of the following may  
16          ~~be fined not more than \$1,000 or imprisoned for not more than 90 days or both~~ is  
17          guilty of a Class B misdemeanor:

18          **SECTION 547.** 440.968 (2) of the statutes is amended to read:

19          440.968 (2) Any person who uses the title “Wisconsin registered interior  
20          designer” in this state and who is not registered in accordance with this subchapter,  
21          or any person presenting or attempting to use as his or her own the certificate of  
22          registration of another, or any person who falsely impersonates any other registrant  
23          of like or different name, or any person who attempts to use an expired or revoked  
24          certificate of registration, ~~may be fined not less than \$100 nor more than \$500 or~~  
25          ~~imprisoned for not more than 3 months or both~~ is guilty of a Class B misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 548.** 440.981 (2) of the statutes is amended to read:

2           440.981 (2) Any person who violates sub. (1) ~~may be fined not more than \$250,~~  
3 ~~imprisoned not more than 3 months, or both~~ is guilty of a Class B misdemeanor.

4           **SECTION 549.** 440.9965 of the statutes is amended to read:

5           **440.9965 Criminal penalties.** An athlete agent who violates s. 440.996 ~~may~~  
6 ~~be fined not more than \$10,000 or imprisoned for not more than 9 months or both~~ is  
7 guilty of a Class A misdemeanor.

8           **SECTION 550.** 441.13 (1) of the statutes is amended to read:

9           441.13 (1) Any person violating this subchapter or knowingly employing  
10 another in violation of this subchapter ~~may be fined not more than \$250 or~~  
11 ~~imprisoned not more than one year in the county jail~~ is guilty of a Class A  
12 misdemeanor.

13           **SECTION 551.** 442.11 (intro.) of the statutes is amended to read:

14           **442.11 (intro.) Penalties.** Whoever does any of the following ~~may, for each~~  
15 ~~offense, be fined not more than \$500, or imprisoned in the county jail for not more~~  
16 ~~than one year, or both~~ is guilty of a Class A misdemeanor:

17           **SECTION 552.** 443.18 (1) (a) of the statutes is amended to read:

18           443.18 (1) (a) Any person who practices or offers to practice architecture,  
19 landscape architecture, or professional engineering in this state, or who uses the  
20 term “architect,” “landscape architect,” or “professional engineer” as part of the  
21 person’s business name or title, except as provided in s. 443.08 (6), or in any way  
22 represents himself or herself as an architect, landscape architect, or a professional  
23 engineer unless the person is registered or exempted in accordance with this chapter,  
24 or unless the person is the holder of an unexpired permit issued under s. 443.10 (1)  
25 (d), or any person presenting or attempting to use as his or her own the certificate

**ASSEMBLY BILL 128**

1 of registration of another, or any person who gives any false or forged evidence of any  
2 kind to the examining board or to any section of the examining board or to any  
3 member of the examining board or to any member of any section of the examining  
4 board in obtaining a certificate of registration, or any person who falsely  
5 impersonates any other registrant of like or different name, or any person who  
6 attempts to use an expired or revoked certificate of registration, or violates any of the  
7 provisions of this section, ~~may be fined not less than \$100 nor more than \$500 or~~  
8 ~~imprisoned for not more than 3 months or both~~ is guilty of a Class B misdemeanor.

9 **SECTION 553.** 443.18 (3) of the statutes is amended to read:

10 443.18 (3) PENALTIES; LAW ENFORCEMENT. Any person who violates this chapter  
11 ~~shall be fined not more than \$500 or imprisoned not more than 3 months or both~~ is  
12 guilty of a Class B misdemeanor.

13 **SECTION 554.** 444.16 (1) of the statutes is amended to read:

14 444.16 (1) A violation of any provision of this chapter, for which a penalty is not  
15 herein expressly prescribed, is a Class C misdemeanor.

16 **SECTION 555.** 445.15 (1) of the statutes is amended to read:

17 445.15 (1) Except as provided in sub. (1m), any person violating any provision  
18 of this chapter or any rule of the department of health services and the examining  
19 board relating to its subject matter, ~~shall be fined not more than \$5,000, imprisoned~~  
20 ~~not less than 30 days nor more than 3 months, or both~~ is guilty of a Class B  
21 misdemeanor.

22 **SECTION 556.** 445.15 (1m) of the statutes is amended to read:

23 445.15 (1m) A funeral director or operator of a funeral establishment who  
24 violates s. 445.12 (3r) shall be fined forfeit not more than \$5,000 for each violation.  
25 Each day that an insurance intermediary authorized by a funeral director or

**ASSEMBLY BILL 128**

1 operator of a funeral establishment fails to meet the training requirements  
2 established by the examining board by rule under s. 445.125 (3m) (j) 1. a. constitutes  
3 a separate violation of s. 445.12 (3r) (b).

4 **SECTION 557.** 446.07 of the statutes is amended to read:

5 **446.07 Penalty.** Anyone violating this chapter ~~may be fined not more than~~  
6 ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
7 misdemeanor.

8 **SECTION 558.** 447.09 of the statutes is amended to read:

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

13 **SECTION 559.** 448.09 (1) of the statutes is amended to read:

14 448.09 (1) PENALTIES. A person who violates s. 448.08 (3) may be ~~fined~~ required  
15 to forfeit not more than \$250. Except as provided in sub. (1m), a person who violates  
16 any other provision of this subchapter ~~may be fined not more than \$10,000 or~~  
17 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

18 **SECTION 560.** 448.09 (1m) of the statutes is amended to read:

19 448.09 (1m) PHYSICIANS. A physician who violates any provision of this  
20 subchapter, except s. 448.08 (3), or any rule promulgated under this subchapter ~~may~~  
21 ~~be fined not more than \$25,000 or imprisoned not more than 9 months or both~~ is  
22 guilty of a Class A misdemeanor.

23 **SECTION 561.** 448.59 of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           **448.59 Penalties.** Any person who violates this subchapter or any rule  
2 promulgated under this subchapter ~~may be fined not more than \$10,000 or~~  
3 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

4           **SECTION 562.** 448.69 (1) (a) of the statutes is amended to read:

5           448.69 (1) (a) Except as provided in par. (b), a person who violates any provision  
6 of this subchapter or a rule promulgated under this subchapter ~~may be fined not~~  
7 ~~more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a  
8 Class A misdemeanor.

9           **SECTION 563.** 448.69 (1) (b) of the statutes is amended to read:

10           448.69 (1) (b) A person who violates s. 448.67 (3) may be ~~fined~~ required to forfeit  
11 not more than \$250.

12           **SECTION 564.** 448.94 of the statutes is amended to read:

13           **448.94 Penalties.** Any person who violates this subchapter or any rule  
14 promulgated under this subchapter ~~may be fined not more than \$1,000 or imprisoned~~  
15 ~~for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

16           **SECTION 565.** 448.959 of the statutes is amended to read:

17           **448.959 Penalties.** Any person who violates this subchapter or any rule  
18 promulgated under this subchapter ~~may be fined not more than \$10,000 or~~  
19 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

20           **SECTION 566.** 448.970 (1) of the statutes is amended to read:

21           448.970 (1) A person who violates any provision of this subchapter ~~may be fined~~  
22 ~~not more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of  
23 a Class A misdemeanor.

24           **SECTION 567.** 449.11 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **449.11 Penalties.** Any person not lawfully authorized to practice optometry,  
2 who shall practice optometry or shall hold himself or herself out as a practitioner  
3 thereof, or who shall impersonate another practitioner or who shall violate any  
4 provisions of this chapter, or any rule or regulation made under authority thereof,  
5 shall be punished for the first offense by a fine not less than \$50 nor more than \$200,  
6 or by imprisonment for not more than 3 months, or both. And for a subsequent  
7 offense by a fine not less than \$200 nor more than \$500 or by imprisonment for not  
8 less than 3 nor more than 6 months, or both is guilty of a Class B misdemeanor.

9           **SECTION 568.** 450.155 (2) (b) of the statutes is amended to read:

10           450.155 (2) (b) Whoever violates par. (a) ~~may be fined not more than \$10,000~~  
11 ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

12           **SECTION 569.** 450.16 (3) of the statutes is amended to read:

13           450.16 (3) Any person violating this section ~~may be fined not more than~~  
14 ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
15 misdemeanor.

16           **SECTION 570.** 450.18 of the statutes is amended to read:

17           **450.18 Penalties.** Except as otherwise provided in this chapter, any person  
18 who violates this chapter or any rule promulgated under the authority of this chapter  
19 ~~may be fined not less than \$50 nor more than \$100 or imprisoned not less than 30~~  
20 ~~days nor more than 90 days or both~~ is guilty of a Class B misdemeanor.

21           **SECTION 571.** 451.16 of the statutes is amended to read:

22           **451.16 Penalties.** Any person who violates this chapter or any rule  
23 promulgated under this chapter ~~may be fined not less than \$100 nor more than~~  
24 ~~\$1,000 or imprisoned for not more than 90 days or both~~ is guilty of a Class B  
25 misdemeanor.

**ASSEMBLY BILL 128**

1           **SECTION 572.** 452.17 (1) of the statutes is amended to read:

2           452.17 (1) Any person who engages in or follows the business or occupation of,  
3 or advertises or holds himself or herself out as or acts temporarily or otherwise as  
4 a broker or salesperson in this state without a license under this chapter shall be  
5 prosecuted by the district attorney in the county where the violation occurs or by the  
6 attorney general and ~~may be fined not more than \$1,000 or imprisoned not more than~~  
7 ~~6 months or both~~ is guilty of a Class B misdemeanor.

8           **SECTION 573.** 452.17 (2) of the statutes is amended to read:

9           452.17 (2) Any person who engages in or follows the business or occupation of,  
10 or advertises or holds himself or herself out as or acts temporarily or otherwise as,  
11 a time-share salesperson in this state without being registered with the board shall  
12 be prosecuted by the district attorney in the county where the violation occurs and  
13 ~~may be fined not less than \$25 nor more than \$200 or imprisoned not less than 10~~  
14 ~~days nor more than 6 months or both~~ is guilty of a Class B misdemeanor.

15           **SECTION 574.** 452.17 (3) of the statutes is amended to read:

16           452.17 (3) Any person who otherwise violates any provision of this chapter ~~may~~  
17 ~~be fined not more than \$1,000 or imprisoned for not more than 6 months or both~~ is  
18 guilty of a Class B misdemeanor.

19           **SECTION 575.** 453.05 (3) of the statutes is amended to read:

20           453.05 (3) Any person violating this section may for the first offense be ~~fined~~  
21 required to forfeit not more than \$1,000, and for any 2nd offense within 3 years be  
22 ~~fined~~ required to forfeit not more than \$3,000.

23           **SECTION 576.** 454.16 of the statutes is amended to read:

24           **454.16 Penalties.** Any person who violates this subchapter or any rule  
25 promulgated under this subchapter ~~shall be fined not less than \$100 nor more than~~

**ASSEMBLY BILL 128**

1 ~~\$5,000 or imprisoned for not less than 10 days nor more than 90 days or both~~ is guilty  
2 of a Class B misdemeanor.

3 **SECTION 577.** 454.295 of the statutes is amended to read:

4 **454.295 Penalties.** Any person who violates this subchapter or any rule  
5 promulgated under this subchapter ~~shall be fined not less than \$100 nor more than~~  
6 ~~\$5,000 or imprisoned for not less than 10 days nor more than 90 days or both~~ is guilty  
7 of a Class B misdemeanor.

8 **SECTION 578.** 455.11 of the statutes is amended to read:

9 **455.11 Penalty.** Any person who violates this chapter ~~may be fined not more~~  
10 ~~than \$200 or imprisoned not exceeding 6 months or both~~ is guilty of a Class B  
11 misdemeanor.

12 **SECTION 579.** 456.09 (2) of the statutes is amended to read:

13 456.09 (2) Any person who violates sub. (1) ~~may be fined not more than \$1,000~~  
14 ~~or imprisoned for not more than one year in the county jail or both~~ is guilty of a Class  
15 A misdemeanor.

16 **SECTION 580.** 458.30 of the statutes is amended to read:

17 **458.30 Penalties.** Any person who violates this chapter or any rule  
18 promulgated under this chapter ~~may be fined not more than \$1,000 or imprisoned~~  
19 ~~for not more than 6 months or both~~ is guilty of a Class B misdemeanor.

20 **SECTION 581.** 470.09 (2) of the statutes is amended to read:

21 470.09 (2) A person who willfully violates this chapter or any rule promulgated  
22 under this chapter ~~may be fined~~ required to forfeit not more than \$10,000.

23 **SECTION 582.** 480.26 (1) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           480.26 (1) Any person who violates this chapter or any rule promulgated under  
2 this chapter ~~may be fined not more than \$1,000 or imprisoned for not more than 6~~  
3 ~~months or both~~ is guilty of a Class B misdemeanor.

4           **SECTION 583.** 553.03 (5m) (c) of the statutes is repealed.

5           **SECTION 584.** 562.13 (2) (intro.) of the statutes is amended to read:

6           562.13 (2) (intro.) Whoever does any of the following ~~may be fined not more~~  
7 ~~than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class  
8 A misdemeanor:

9           **SECTION 585.** 563.73 (1) of the statutes is amended to read:

10           563.73 (1) Whoever violates s. 563.51 (1), (8) to (10), (12), (15) or (26) ~~may be~~  
11 ~~fined not more than \$10,000 or imprisoned not more than 9 months or both~~ is guilty  
12 of a Class A misdemeanor.

13           **SECTION 586.** 563.73 (2) of the statutes is amended to read:

14           563.73 (2) Whoever violates any other provision of this chapter ~~may be fined~~  
15 ~~not more than \$5,000 or imprisoned not more than 90 days or both~~ is guilty of a Class  
16 B misdemeanor.

17           **SECTION 587.** 563.99 (1) of the statutes is amended to read:

18           563.99 (1) Any person who violates this subchapter ~~shall be fined not more than~~  
19 ~~\$1,000 or imprisoned not more than 30 days or both~~ is guilty of a Class C  
20 misdemeanor.

21           **SECTION 588.** 565.50 (1) of the statutes is amended to read:

22           565.50 (1) Any person who violates s. 565.02 (2m), 565.05, 565.10 (3m), 565.17,  
23 565.25 (3m) or 565.32 (1), (2) (b) or (3) or any rule promulgated under s. 565.02 (2m),  
24 565.05, 565.10 (3m), 565.17, 565.25 (3m) or 565.32 (1), (2) (b) or (3) ~~shall be fined not~~

**ASSEMBLY BILL 128**

1 ~~more than \$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a  
2 Class A misdemeanor.

3 **SECTION 589.** 565.50 (3) of the statutes is amended to read:

4 565.50 (3) Any person who possesses an altered or forged lottery ticket or share  
5 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not  
6 ~~more than 9 months or both~~ is guilty of a Class A misdemeanor.

7 **SECTION 590.** 610.70 (7) (a) of the statutes is amended to read:

8 610.70 (7) (a) Any person who knowingly and willfully obtains information  
9 about an individual from an insurer or insurance support organization under false  
10 pretenses ~~may be fined not more than \$25,000 or imprisoned for not more than 9~~  
11 ~~months or both~~ is guilty of a Class A misdemeanor.

12 **SECTION 591.** 647.07 of the statutes is amended to read:

13 **647.07 Penalties.** Any provider who intentionally violates this chapter or  
14 rules promulgated under this chapter or who submits an application for a permit  
15 under s. 647.02 that intentionally contains a misstatement of fact ~~is subject to a fine~~  
16 ~~not to exceed \$10,000 or imprisonment not to exceed 9 months or both~~ is guilty of a  
17 Class A misdemeanor.

18 **SECTION 592.** 708.03 of the statutes is amended to read:

19 **708.03 Prohibiting lender from designating attorney for mortgagor.**

20 A bank, savings bank, savings and loan association or other lender or lending agency  
21 requiring a borrower to give a mortgage on real estate as security for a loan or an  
22 existing indebtedness may not designate the attorney to represent the mortgagor's  
23 interest in connection with the giving of the mortgage if the mortgagor has or desires  
24 a different attorney for that purpose. Any person violating this section shall be fined  
25 forfeit not more than \$100 for each violation.

**ASSEMBLY BILL 128**

1           **SECTION 593.** 756.255 of the statutes is amended to read:

2           **756.255 Leave of absence.** An employer shall grant an employee a leave of  
3 absence without loss of time in service for the period of jury service. For the purpose  
4 of determining seniority or pay advancement, the status of the employee shall be  
5 considered uninterrupted by the jury service. No employer may use absence due to  
6 jury service as a basis for discharging an employee or for any disciplinary action  
7 against the employee. An employer who discharges or disciplines an employee in  
8 violation of this section may be ~~fin~~required to forfeit not more than \$200 and may  
9 be required to make full restitution to the aggrieved employee, including  
10 reinstatement and back pay. Except as otherwise provided in this section, restitution  
11 shall be in accordance with s. 973.20.

12           **SECTION 594.** 757.22 (5) of the statutes is amended to read:

13           757.22 (5) Any attorney who violates sub. (2), (3) or (4), and any municipal  
14 judge or court commissioner who violates or knowingly permits any such violation,  
15 may be ~~fin~~required to forfeit not more than \$100 for each such offense.

16           **SECTION 595.** 757.295 (4) of the statutes is amended to read:

17           757.295 (4) PENALTY. Any person ~~guilty of any violation of~~ violating this section  
18 ~~shall be imprisoned not more than 6 months or fined not exceeding \$500~~ is guilty of  
19 a Class B misdemeanor.

20           **SECTION 596.** 757.30 (1) of the statutes is amended to read:

21           757.30 (1) Every person, who without having first obtained a license to practice  
22 law as an attorney of a court of record in this state, as provided by law, practices law  
23 within the meaning of sub. (2), or purports to be licensed to practice law as an  
24 attorney within the meaning of sub. (3), ~~shall be fined not less than \$50 nor more than~~

**ASSEMBLY BILL 128**

1     ~~\$500 or imprisoned not more than one year in the county jail or both~~ is guilty of a  
2     Class A misdemeanor, and in addition may be punished as for a contempt.

3             **SECTION 597.** 757.45 of the statutes is amended to read:

4             **757.45 Sharing of compensation by attorneys prohibited.** It is unlawful  
5     for any person to divide with or receive from, or to agree to divide with or receive from,  
6     any attorney or group of attorneys, whether practicing in this state or elsewhere,  
7     either before or after action brought, any portion of any fee or compensation, charged  
8     or received by such attorney or any valuable consideration or reward, as an  
9     inducement for placing or in consideration of having placed, in the hands of such  
10    attorney, or in the hands of another person, a claim or demand of any kind for the  
11    purpose of collecting such claim, or bringing an action thereon, or of representing  
12    claimant in the pursuit of any civil remedy for the recovery thereof; but this section  
13    does not apply to an agreement between attorneys and counselors at law when  
14    associated in the conduct of legal matters to divide between themselves the  
15    compensation to be received. Any person violating this section ~~shall be fined not to~~  
16    ~~exceed \$500 or imprisoned not to exceed 6 months~~ is guilty of a Class B misdemeanor.

17            **SECTION 598.** 765.30 (1) (intro.) of the statutes is amended to read:

18            765.30 (1) (intro.) ~~The~~ Any of the following ~~may be fined not more than \$10,000~~  
19    ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor:

20            **SECTION 599.** 765.30 (2) (intro.) of the statutes is amended to read:

21            765.30 (2) (intro.) ~~The~~ Any of the following ~~may be fined not more than \$10,000~~  
22    ~~or imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor:

23            **SECTION 600.** 765.30 (3) (intro.) of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           765.30 (3) (intro.) ~~The Any of the following shall be fined not less than \$100 nor~~  
2 ~~more than \$500, or imprisoned not more than 6 months, or both is guilty of a Class~~  
3 ~~B misdemeanor:~~

4           **SECTION 601.** 765.30 (4) (intro.) of the statutes is amended to read:

5           765.30 (4) (intro.) ~~The Any of the following shall be fined not less than \$10 nor~~  
6 ~~more than \$200, or imprisoned not more than 3 months, or both is guilty of a Class~~  
7 ~~B misdemeanor:~~

8           **SECTION 602.** 765.30 (5) (intro.) of the statutes is amended to read:

9           765.30 (5) (intro.) The following shall be fined forfeit not less than \$10 nor more  
10 than \$50:

11           **SECTION 603.** 767.75 (6) (c) of the statutes is amended to read:

12           767.75 (6) (c) No employer may use an assignment under this section or s.  
13 767.225 (1) (L) or 767.513 (3) as a basis for the denial of employment to a person, the  
14 discharge of an employee, or any disciplinary action against an employee. An  
15 employer who denies employment or discharges or disciplines an employee in  
16 violation of this paragraph may be ~~fined~~ required to forfeit not more than \$500 and  
17 may be required to make full restitution to the aggrieved person, including  
18 reinstatement and back pay. Except as provided in this paragraph, restitution shall  
19 be in accordance with s. 973.20. An aggrieved person may apply to the district  
20 attorney or to the department for enforcement of this paragraph.

21           **SECTION 604.** 768.07 of the statutes is amended to read:

22           **768.07 Penalty.** Any person who violates any provision of this chapter ~~may~~  
23 ~~be fined not more than \$10,000 or imprisoned for not more than 9 months or both is~~  
24 ~~guilty of a Class A misdemeanor.~~

25           **SECTION 605.** 778.16 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **778.16 Neglect of duty.** The treasurer of any town, village or city who neglects  
2 or refuses to perform any of the duties required by this chapter shall, upon  
3 conviction, be punished by imprisonment in the county jail not less than 3 nor more  
4 than 6 months or by fine not less than \$50 nor more than \$300, or both is guilty of  
5 a Class B misdemeanor. The county treasurer shall forthwith bring an action upon  
6 the bond of such treasurer, against the treasurer and sureties, for the recovery of any  
7 moneys which he or she has neglected or refused to pay over as required by this  
8 chapter.

9           **SECTION 606.** 778.25 (1) (a) (intro.) of the statutes is renumbered 778.25 (1) (a)  
10 and amended to read:

11           778.25 (1) (a) The citation procedures established by this section may be used  
12 only in an in any action to recover a forfeiture; unless a different procedure is  
13 prescribed for a specific forfeiture by statute, rule, or ordinance.

14           **SECTION 607.** 778.25 (1) (a) 1. of the statutes is repealed.

15           **SECTION 608.** 778.25 (1) (a) 1m. of the statutes is repealed.

16           **SECTION 609.** 778.25 (1) (a) 2. of the statutes is repealed.

17           **SECTION 610.** 778.25 (1) (a) 3. of the statutes is repealed.

18           **SECTION 611.** 778.25 (1) (a) 4. of the statutes is repealed.

19           **SECTION 612.** 778.25 (1) (a) 5. of the statutes is repealed.

20           **SECTION 613.** 778.25 (1) (a) 6. of the statutes is repealed.

21           **SECTION 614.** 778.25 (1) (a) 7. of the statutes is repealed.

22           **SECTION 615.** 778.25 (1) (a) 8. of the statutes is repealed.

23           **SECTION 616.** 778.25 (1) (c) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           778.25 (1) (c) If served as provided under s. 801.11, the citation form issued to  
2           recover a forfeiture under par. (a) 7. s. 101.122 (7) (d) is adequate process to give a  
3           court jurisdiction over the person.

4           **SECTION 617.** 778.25 (1m) of the statutes is created to read:

5           778.25 (1m) Section 971.23 applies to any action to recover a forfeiture that is  
6           initiated by the citation procedure under this section.

7           **SECTION 618.** 778.30 (4) of the statutes is amended to read:

8           778.30 (4) No employer may use an assignment under sub. (1) (b) as a basis for  
9           the denial of employment to a defendant, the discharge of an employee or any  
10          disciplinary action against an employee. An employer who denies employment or  
11          discharges or disciplines an employee in violation of this subsection may be ~~fin~~  
12          required to forfeit not more than \$500 and may be required to make full restitution  
13          to the aggrieved person, including reinstatement and back pay. Restitution shall be  
14          in accordance with s. 973.20. An aggrieved person may apply to the district attorney  
15          or to the department of workforce development for enforcement of this subsection.

16          **SECTION 619.** 779.02 (7) of the statutes is amended to read:

17          779.02 (7) **WRONGFUL USE OF MATERIALS.** Any prime contractor or any  
18          subcontractor furnishing materials who purchases materials on credit and  
19          represents at the time of making the purchase that the materials are to be used in  
20          a designated building or other improvement and thereafter uses or causes them to  
21          be used in the construction of any improvement other than that designated, without  
22          the written consent of the seller, ~~may be fined not more than \$300 or imprisoned not~~  
23          ~~more than 3 months~~ is guilty of a Class B misdemeanor.

24          **SECTION 620.** 779.42 of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           **779.42 Obtaining mechanic's services by misrepresentation of interest**  
2 **in personal property.** Any person who, for the purpose of inducing any mechanic,  
3 or keeper of a garage or shop, or the employer of a mechanic to transport, make, alter,  
4 repair or do any work on any personal property, makes any misrepresentation as to  
5 the nature or extent of the person's interest in said property or as to any lien upon  
6 said property ~~shall be fined not more than \$200 or imprisoned not more than 6~~  
7 ~~months or both~~ is guilty of a Class B misdemeanor.

8           **SECTION 621.** 779.49 (2) of the statutes is amended to read:

9           **779.49 (2)** Any person who sells, disposes of or gives a mortgage upon any dam  
10 which to the person's knowledge has been served by a stallion, jackass or bull, or  
11 artificially inseminated with semen owned by another, the fee for which has not been  
12 paid, and who has not given written information to the purchaser or mortgagee of the  
13 fact of the service or artificial insemination, shall be guilty of a Class C misdemeanor  
14 ~~and upon conviction shall be fined not more than \$10 or imprisoned for not more than~~  
15 ~~60 days.~~

16           **SECTION 622.** 782.38 of the statutes is amended to read:

17           **782.38 Reimprisoning party discharged.** Any person who shall recommit,  
18 imprison or restrain of liberty or cause to be recommitted, imprisoned or restrained  
19 of liberty for the same cause except as provided in s. 782.32, any person discharged  
20 by a final order upon a writ of habeas corpus or who shall knowingly assist or aid  
21 therein, shall be liable to the prisoner in the sum of \$1,250 damages, and shall be  
22 guilty of a Class B misdemeanor ~~and be punished as provided by s. 782.39.~~

23           **SECTION 623.** 782.39 of the statutes is amended to read:

24           **782.39 Concealment of person entitled to writ.** Any person who has  
25 custody of or power over a person who is entitled to a writ of habeas corpus or for

**ASSEMBLY BILL 128**

1 whose relief such a writ has been issued, who shall, with the intent to elude the  
2 service of such writ or to avoid the effect thereof, transfer such prisoner to the custody  
3 or control of another, or conceal the prisoner or change the place of confinement and  
4 every person who assists in so doing ~~shall be fined not more than \$1,000 or~~  
5 ~~imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

6 **SECTION 624.** 785.04 (2) (a) of the statutes is amended to read:

7 785.04 (2) (a) *Nonsummary procedure.* A court, after a finding of contempt of  
8 court in a nonsummary procedure under s. 785.03 (1) (b), may ~~impose~~ convict the  
9 person for each separate contempt of court ~~a fine of not more than \$5,000 or~~  
10 ~~imprisonment in the county jail for not more than one year or both~~ of a Class A  
11 misdemeanor.

12 **SECTION 625.** 785.04 (2) (b) of the statutes is amended to read:

13 785.04 (2) (b) *Summary procedure.* A court, after a finding of contempt of court  
14 in a summary procedure under s. 785.03 (2), may ~~impose~~ convict the person for each  
15 separate contempt of court ~~a fine of not more than \$500 or imprisonment in the~~  
16 ~~county jail for not more than 30 days or both~~ of a Class C misdemeanor.

17 **SECTION 626.** 800.095 (1) (c) 11. of the statutes is amended to read:

18 800.095 (1) (c) 11. No employer may use an assignment under subd. 2. as a basis  
19 for the denial of employment to a defendant, the discharge of an employee, or any  
20 disciplinary action against an employee. An employer who denies employment or  
21 discharges or disciplines an employee in violation of this subdivision may be ~~fined~~  
22 required to forfeit not more than \$500 and may be required to make full restitution  
23 to the aggrieved person, including reinstatement and back pay. Restitution shall be  
24 in accordance with s. 973.20. An aggrieved person may apply to the district attorney  
25 or to the department of workforce development for enforcement of this subdivision.

**ASSEMBLY BILL 128**

1           **SECTION 627.** 813.12 (8) (a) of the statutes is amended to read:

2           813.12 (8) (a) Whoever knowingly violates a temporary restraining order or  
3 injunction issued under sub. (3) or (4) ~~shall be fined not more than \$10,000 or~~  
4 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

5           **SECTION 628.** 813.122 (11) of the statutes is amended to read:

6           813.122 (11) PENALTY. Whoever knowingly violates a temporary restraining  
7 order or injunction issued under this section ~~shall be fined not more than \$1,000 or~~  
8 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

9           **SECTION 629.** 813.123 (10) of the statutes is amended to read:

10          813.123 (10) PENALTY. Whoever intentionally violates a temporary restraining  
11 order or injunction issued under this section ~~shall be fined not more than \$1,000 or~~  
12 ~~imprisoned for not more than 9 months or both~~ is guilty of a Class A misdemeanor.

13          **SECTION 630.** 813.125 (7) of the statutes is amended to read:

14          813.125 (7) PENALTY. Whoever violates a temporary restraining order or  
15 injunction issued under this section ~~shall be fined not more than \$10,000 or~~  
16 ~~imprisoned not more than 9 months or both~~ is guilty of a Class A misdemeanor.

17          **SECTION 631.** 813.128 (2) of the statutes is amended to read:

18          813.128 (2) PENALTY. A person who knowingly violates a condition of a foreign  
19 protection order or modification of a foreign protection order that is entitled to full  
20 faith and credit under s. 806.247 ~~shall be fined not more than \$1,000 or imprisoned~~  
21 ~~for not more than 9 months or both~~ is guilty of a Class A misdemeanor. If a foreign  
22 protection order and any modification of that order that is entitled to full faith and  
23 credit under s. 806.247 remains current and in effect at the time that a court convicts  
24 a person for a violation of that order or modification of that order, but that order or

**ASSEMBLY BILL 128**

1 modification has not been filed under s. 806.247, the court shall direct the clerk of  
2 circuit court to file the order and any modification of the order.

3 **SECTION 632.** 823.12 of the statutes is amended to read:

4 **823.12 Punishment for violation of injunction.** A party found guilty of  
5 contempt for the violation of any injunction granted under ss. 823.09 to 823.15 shall  
6 ~~be punished by a fine of not less than \$200 nor more than \$1,000 or by imprisonment~~  
7 ~~in the county jail not less than 3 nor more than 6 months or both~~ is guilty of a Class  
8 B misdemeanor.

9 **SECTION 633.** 846.40 (10) (d) 1. of the statutes is amended to read:

10 846.40 **(10)** (d) 1. A foreclosure purchaser who violates this section by engaging  
11 in any practice that would operate as a fraud or deceit upon a foreclosed homeowner  
12 may be fined not more than \$50,000 or imprisoned for not more than one year in the  
13 county jail or both is guilty of a Class A misdemeanor.

14 **SECTION 634.** 846.45 (6) (e) of the statutes is amended to read:

15 846.45 **(6)** (e) Whoever violates this section may be fined not less than \$25 nor  
16 more than \$10,000 or imprisoned for not more than one year in the county jail, or both  
17 is guilty of a Class A misdemeanor.

18 **SECTION 635.** 856.05 (3) of the statutes is amended to read:

19 856.05 **(3)** PENALTY. Any person who with intent to injure or defraud any person  
20 interested in a will suppresses or secretes any will of a person then deceased or any  
21 information as to the existence or location of any will or having custody of any will  
22 fails to file it in the court or to deliver it to the person named in the will to act as  
23 personal representative shall be fined not more than \$500 or imprisoned in the  
24 county jail for not more than one year or both is guilty of a Class A misdemeanor.

25 **SECTION 636.** 939.51 (1) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           939.51 (1) (intro.) Misdemeanors in ~~chs. 939 to 951~~ the statutes are classified  
2 as follows:

3           **SECTION 637.** 944.36 of the statutes is amended to read:

4           **944.36 Solicitation of drinks prohibited.** Any licensee, permittee or  
5 bartender of a retail alcohol beverage establishment covered by a license or permit  
6 issued under ch. 125 who permits an entertainer or employee to solicit a drink of any  
7 alcohol beverage, as defined in s. 125.02 (1), or any other drink from a customer on  
8 the premises, or any entertainer or employee who solicits such drinks from any  
9 customer, is ~~guilty of~~ subject to a Class B misdemeanor forfeiture.

10          **SECTION 638.** 949.165 (14) of the statutes is amended to read:

11          949.165 (14) PENALTY. Any person who violates sub. (2) ~~shall be fined not more~~  
12 ~~than \$500 or imprisoned not more than 30 days or both~~ is guilty of a Class C  
13 misdemeanor.

14          **SECTION 639.** 949.17 (2) of the statutes is amended to read:

15          949.17 (2) PENALTIES. Any person who violates this section ~~shall be fined not~~  
16 ~~more than \$500 or imprisoned not more than 6 months or both~~ is guilty of a Class B  
17 misdemeanor. The person shall further forfeit any benefit received and shall  
18 reimburse the state for payments received or paid to or on behalf of the person.

19          **SECTION 640.** 949.37 (2) of the statutes is amended to read:

20          949.37 (2) PENALTIES. Any person who violates this section ~~shall be fined not~~  
21 ~~more than \$500 or imprisoned not more than 6 months or both~~ is guilty of a Class B  
22 misdemeanor. The person shall forfeit any benefit received and shall reimburse the  
23 state for payments received.

24          **SECTION 641.** 968.075 (5) (a) 2. of the statutes is amended to read:



**ASSEMBLY BILL 128**

1           968.075 (5) (a) 2. An arrested person who intentionally violates this paragraph  
2           may be fined not more than \$10,000 or imprisoned for not more than 9 months or both  
3           is guilty of a Class A misdemeanor.

4           **SECTION 642.** 968.255 (4) of the statutes is amended to read:

5           968.255 (4) A person who intentionally violates this section ~~may be fined not~~  
6           ~~more than \$1,000 or imprisoned not more than 90 days or both~~ is guilty of a Class  
7           B misdemeanor.

8           **SECTION 643.** 968.34 (3) of the statutes is amended to read:

9           968.34 (3) Whoever knowingly violates sub. (1) ~~may be fined not more than~~  
10          ~~\$10,000 or imprisoned for not more than 9 months or both~~ is guilty of a Class A  
11          misdemeanor.

12          **SECTION 644.** 968.49 of the statutes is amended to read:

13          **968.49 Fine for nonattendance.** Any person lawfully summoned to attend  
14          as a grand juror who fails to attend without any sufficient excuse shall ~~pay a fine~~  
15          ~~forfeit~~ not exceeding more than \$40, which shall be imposed by the court to which the  
16          person was summoned and shall be paid into the county treasury.

17          **SECTION 645.** 973.05 (5) (g) of the statutes is amended to read:

18          973.05 (5) (g) No employer may use an assignment under sub. (4) (b) as a basis  
19          for the denial of employment to a defendant, the discharge of an employee or any  
20          disciplinary action against an employee. An employer who denies employment or  
21          discharges or disciplines an employee in violation of this paragraph may be fined  
22          required to forfeit not more than \$500 and may be required to make full restitution  
23          to the aggrieved person, including reinstatement and back pay. Restitution shall be  
24          in accordance with s. 973.20. An aggrieved person may apply to the district attorney  
25          or to the department of workforce development for enforcement of this paragraph.

**ASSEMBLY BILL 128**

1           **SECTION 646.** 976.03 (11) of the statutes is amended to read:

2           **976.03 (11) PENALTY FOR NONCOMPLIANCE WITH PRECEDING SECTION.** Any officer  
3 who delivers to the agent for extradition of the demanding state a person in the  
4 officer's custody under the governor's warrant in disobedience to sub. (10) ~~shall be~~  
5 ~~guilty of a misdemeanor, and on conviction shall be fined not more than \$1,000, or~~  
6 ~~be imprisoned not more than 6 months or both~~ is guilty of a Class B misdemeanor.

7           **SECTION 647.** 979.01 (2) of the statutes is amended to read:

8           **979.01 (2)** Unless s. 948.23 (1) (b) applies, any person who violates this section  
9 ~~shall be fined not more than \$1,000 or imprisoned not more than 90 days~~ is guilty of  
10 a Class B misdemeanor.

11           **SECTION 648.** 979.10 (4) of the statutes is amended to read:

12           **979.10 (4)** Whoever accepts, receives, or takes any corpse of a deceased person  
13 with intent to destroy the corpse by means of cremation, or who cremates or aids and  
14 assists in the cremation of any corpse of a deceased person without having presented  
15 the permit specified in sub. (1) ~~shall be fined not more than \$10,000 or imprisoned~~  
16 ~~not more than 9 months or both~~ is guilty of a Class A misdemeanor.

17           **SECTION 649.** 985.03 (2) of the statutes is amended to read:

18           **985.03 (2)** Any person charged with the duty of causing legal notices to be  
19 published, and who causes any legal notice, to be published in any newspaper not  
20 eligible to so publish under the requirements of sub. (1), or who fails to cause such  
21 legal notice to be published in any newspaper eligible under this section, may be  
22 ~~finned not to exceed~~ required to forfeit not more than \$100 for each offense. Each day  
23 in which a legal notice should have been but was not published as required by law  
24 shall constitute a separate offense hereunder. A newspaper in order to be eligible

**ASSEMBLY BILL 128**

1 under this section shall also file a certificate with the county clerk stating that it  
2 qualifies under this section and stating its place of publication.

3 **SECTION 650.** 995.67 (2) (b) of the statutes is amended to read:

4 995.67 (2) (b) Any person who violates this subsection ~~may be fined not more~~  
5 ~~than \$500 or imprisoned for not more than 30 days or both~~ is guilty of a Class C  
6 misdemeanor.

7 **SECTION 651. Effective date.**

8 (1) This act takes effect on the first day of the 7th month beginning after  
9 publication.

10 (END)