



## 2015 SENATE BILL 197

June 17, 2015 – Introduced by Senators BEWLEY and RINGHAND, cosponsored by Representatives DOYLE, T. LARSON, BERCEAU, KAHL, SUBECK and ZAMARRIPA. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT to amend** 301.048 (2) (bm) 1. a., 895.035 (4a) (a) 2., 938.34 (14q), 941.291  
2             (1) (b), 946.82 (4), 969.08 (10) (b) and 973.137 (1m); and **to create** 947.019 of  
3             the statutes; **relating to:** making a false threat to use a firearm to injure or kill  
4             another person in a school zone and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, a person who conveys or causes to be conveyed a false threat to use a firearm to injure or kill another person on or within 1,000 feet from the premises of a school, on a school bus or public transportation transporting students to and from a school, or at school bus stops where students are waiting for a school bus or are being dropped off by a school bus, is guilty of a Class I felony.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

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

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

**SENATE BILL 197****SECTION 1**

1           301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195  
2           (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,  
3           940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (4) or (5), 940.195 (4)  
4           or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.235, 940.285  
5           (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3),  
6           940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011,  
7           943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.30, 943.32, 946.43,  
8           947.015, 947.019, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,  
9           948.07, 948.08, 948.085, or 948.30.

10           **SECTION 2.** 895.035 (4a) (a) 2. of the statutes is amended to read:

11           895.035 (4a) (a) 2. An act resulting in a violation of s. 943.01, 943.02, 943.03,  
12           943.05, 943.06 ~~or~~, 947.015, or 947.019.

13           **SECTION 3.** 938.34 (14q) of the statutes is amended to read:

14           938.34 (14q) CERTAIN BOMB SCARES AND FIREARM VIOLATIONS. In addition to any  
15           other disposition imposed under this section, if the juvenile is found to have violated  
16           s. 947.015 and the property involved is owned or leased by the state or any political  
17           subdivision of the state, or if the property involved is a school premises, as defined  
18           in s. 948.61 (1) (c), or if the juvenile is found to have violated s. 941.235, 947.019, or  
19           948.605, immediately suspend the juvenile's operating privilege, as defined in s.  
20           340.01 (40), for 2 years. The court shall immediately forward to the department of  
21           transportation the notice of suspension, stating that the suspension is for a violation  
22           of s. 947.015 involving school premises, or for a violation of s. 941.235, 947.019, or  
23           948.605. If otherwise eligible, the juvenile is eligible for an occupational license  
24           under s. 343.10.

25           **SECTION 4.** 941.291 (1) (b) of the statutes is amended to read:

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1           941.291 (1) (b) “Violent felony” means any felony, or the solicitation, conspiracy,  
2           or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,  
3           940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,  
4           940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3), 940.30,  
5           940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29,  
6           941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2),  
7           943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89,  
8           943.90, 946.43, 947.015, 947.019, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,  
9           948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial institution,  
10          as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or attempt to  
11          commit a felony under s. 943.84 (1) or (2).

12           **SECTION 5.** 946.82 (4) of the statutes is amended to read:

13           946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961  
14          (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission  
15          of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49,  
16          134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625,  
17          221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6),  
18          940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 941.20 (2) and  
19          (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g), 943.011,  
20          943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e),  
21          943.201, 943.203, 943.23 (1g), (2) and (3), 943.24 (2), 943.27, 943.28, 943.30, 943.32,  
22          943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)  
23          (bf), (bm), and (c) and (4m), 943.60, 943.70, 943.76, 943.81, 943.82, 943.83, 943.84,  
24          943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e), 944.32, 944.34,  
25          945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,

**SENATE BILL 197****SECTION 5**

1 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 946.79, 947.015,  
2 947.019, 948.05, 948.051, 948.08, 948.12, and 948.30.

3 **SECTION 6.** 947.019 of the statutes is created to read:

4 **947.019 Threat to use a firearm on school premises.** Whoever  
5 intentionally conveys or causes to be conveyed any threat or false information,  
6 knowing such to be false, concerning an attempt or alleged attempt being made or  
7 to be made to use a firearm in a school zone, as defined in s. 939.632 (1) (d), to injure  
8 or kill another individual is guilty of a Class I felony.

9 **SECTION 7.** 969.08 (10) (b) of the statutes is amended to read:

10 969.08 (10) (b) "Serious crime" means any crime specified in s. 943.23 (1m),  
11 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,  
12 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,  
13 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,  
14 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01  
15 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), 943.30,  
16 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90,  
17 946.01, 946.02, 946.43, 947.015, 947.019, 948.02 (1) or (2), 948.025, 948.03, 948.04,  
18 948.05, 948.051, 948.06, 948.07, 948.085, or 948.30 or, if the victim is a financial  
19 institution, as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).

20 **SECTION 8.** 973.137 (1m) of the statutes is amended to read:

21 973.137 (1m) A violation of s. 947.015, if the property involved is owned or  
22 leased by the state or any political subdivision of the state, or if the property involved  
23 is a school premises, as defined in s. 948.61 (1) (c), or a violation of s. 947.019.

24

(END)