

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
11.61(1)(c.)	Various campaign financing violations	Max. \$1,000, 6 months	Do Not Change
12.03 and 12.60(1)(b)	Electioneering on election day by certain persons at certain locations	Max. \$1,000, 6 months	Do Not Change
12.05 and 12.60(1)(b)	False representations affecting elections	Max. \$1,000, 6 months	Do Not Change
12.07 and 12.60(1)(b)	Election restrictions on employers	Max. \$1,000, 6 months	Do Not Change
12.08 and 12.60(1)(b)	Causing another to support a candidate by threatening to deny government benefits	Max. \$1,000, 6 months	Do Not Change
12.13 (2) (b) 8. or (3) (b), (c), (d), (g), (i), (n) to (x), (ze), (zm) or (zn) and 12.60(1)(b)	Certain acts of election fraud	Max. \$1,000, 6 months	Do Not Change
12.60(1)(bm)	Unauthorized release of records or investigatory information relating to elections	Max. \$10,000, 9 months	Do Not Change
13.27(2)	Contempt of the legislature	Max. \$200, 1 year	Do Not Change
13.69(3)	Falsified statements on a lobbying expense statement	Max. \$1,000, 1 year	Do Not Change
16.009(5)(b)	Discriminating against any person cooperating with the Board on Aging and Long-Term Care	Max. \$1,000, 6 months	B
16.845(1)	Use of state facilities without a permit	Max. \$100, 30 days	C
16.846(1)(a)	Violations of Department of Administration rules relating to the use, care, and preservation of property under department control	Max. \$100, 30 days	C
19.24	Refusal by a public officer to deliver to a successor money and other property belonging to the office	Max. \$100, 6 months	B
19.58(1)(a)	Intentional violations of the code of ethics for public officials and employees	\$100-\$5,000; Max. 1 year	Do Not Change
20.906(3)	Improper use of a receipts form issued by or for a state agency collecting or receiving money for the state		Do Not Change
23.095(3)(d)2.	Intentional damage or attempt to damage an archaeological feature or natural resource	Max. \$10,000, 9 months	A
23.22(8)(b) and (c)	Violations of Department of Natural Resources rules controlling invasive species	\$700-\$5,000; 6-9 months	A
23.24(6)(b)	Violations relating to aquatic plant management (second offense within five years)	\$700-\$2,000; 6-9 months	A
23.33(13)(b)2.	Intoxicated operation of an all-terrain vehicle or utility terrain vehicle (second offense within five years)	\$300-\$1,100; 5 days-6 months	Do Not Change
23.33(13)(b)3.	Intoxicated operation of an all-terrain vehicle or utility terrain vehicle (third or subsequent offense within five years)	\$600-\$2,000; 30 days- 1 year	Do Not Change
23.33(13)(c)	Intoxicated operation of an all-terrain vehicle or utility terrain vehicle causing injury	\$600-\$2,000; 30 days- 1 year	Do Not Change
26.14(5)	Failure to totally extinguish a fire (second or subsequent offense)	Max. \$500, 30 days	C
26.14(6)	Causing a forest fire	Max. \$1,000, 90 days	B
26.14(7)	Setting a fire upon marsh or other land to drive out game birds or animals	Max. \$1,000, 90 days	B
26.19(1)	Destruction of forest protection equipment or notices	Max. \$10,000, 9 months	A
26.20(9)(b)	Willful violations by a corporation relating to fire protection devices	Max. \$1,000	Forfeiture (\$10,000)
26.985(2)	Violations relating to the protection of forest lands and productivity (second or third offense within five years)	Max. \$100, 6 months	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
26.985(3)	Violations relating to the protection of forest lands and productivity (fourth or subsequent offense within three years)	Max. \$2,000, 9 months	A
29.088(2)	Taking, capturing, or killing wild animals with the aid of any explosive or poison gas	Max. \$300, 30 days	C
29.314(7)(a)	Shining deer, elk, or bear while hunting or possessing weapons	\$1,000-\$2,000; Max. 6 months	Do Not Change
29.331(5)(b)	Tampering with lawfully placed animal traps	\$300-\$1,000; Max. 90 days	B
29.341(2)	Failure to follow lawful procedures and duties following an accidental shooting while hunting	Max. \$5,000, 9 months (neglect) or 1 year (intentional)	A (Intentional & Negligent)
29.501(10)	Violations relating to fur dealers	Max. \$1,000, 9 months	A
29.601(1)(b)	Use of explosives or stupefactive in state waters	Max. \$500, 90 days	B
29.601(3)(c)2.	Throwing or depositing deleterious substances in state waters	Max. \$200, 90 days	B
29.604(5)(a)1.	Intentionally taking, transporting, possessing, processing, or selling within the state an endangered or threatened wild animal	\$2,000-\$5,000; Max. 9 months	A
29.604(5)(a)2.	Intentional violations relating to endangered and threatened plant species	Max. \$1,000, 9 months	A
29.957	Tampering with Department of Natural Resources seals or tags attached to an animal, carcass, or object	Max. \$500, 90 days	B
29.964(1)	Changing or altering a Department of Natural Resources approval	Max. \$200, 90 days	B
29.967(1)(b)	Violations relating to a suspended or revoked Department of Natural Resources approval (second or subsequent offense within five years)	\$500-\$1,000	Forfeiture
29.967(3)	Obtaining a Department of Natural Resources approval during a period of time when that approval is revoked	Max. \$200, 90 days	B
29.971(1)(b)	Violations relating to taking, transporting, acquiring, selling, purchasing, or possessing fish	\$1,000-\$5,000; Max. 30 days	A
29.971(1m)(b)	Violations relating to possession of clams	Max. \$5,000, 30 days	A
29.971(5)	Violations relating to the sale of wild animals	\$1,000-\$2,000; Max. 6 months	B
29.971(5g)	Violations relating to serving game to guests of restaurants, clubs, hotels, boarding houses, taverns, or camps	Max. \$500, 90 days	C
29.971(5m)	Illegally taking or possessing lake sturgeon	\$1,500; Max. 90 days	A
29.971(7)	Hunting with the aid of an aircraft	Max. \$1,000 (1st offense) or \$2,000 (subsequent offenses), 90 days	B
29.971(11)	Deer hunting violations	\$1,000-\$2,000; Max. 6 months	A
29.971(11g)(a)	Elk hunting violations	\$1,000-\$15,000; Max. 6 months	A
29.971(11m)(a)	Bear hunting violations	\$1,000-\$2,000 (1st offense) or \$10,000 (subsequent offenses); Max. 6 months (1st offense) or 9 months (subsequent offenses)	A (1st & 2+)
29.971(11p)(a)	Entering the den of a hibernating black bear and harming the bear	Max. \$10,000, 9 months	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
29.974(1)	Determination by a court following a conviction for a violation relating to wild animals and plants that the guilty person has a prior conviction within a period of five years	Max. \$100, 6 months	B
29.974(2)(b)	Determination by a court following a conviction for a violation relating to wild animals and plants that the guilty person has three prior convictions within a period of three years	Max. \$2,000, 9 months	A
30.12(5)	Unlawful structures and deposits in navigable waters	Max. \$1,000, 6 months	B
30.80(2)	Reckless or negligent operation of a boat endangering life or property	Max. \$200, 6 months	B
30.80(2g)(a)	Failure to render aid in a boat accident (if the accident did not involve death or injury to a person)	\$300-\$1,000; Max. 6 months	B
30.80(2g)(b)	Failure to render aid in a boat accident (if the accident involved injury to a person but the person did not suffer great bodily harm)	Max. \$10,000, 9 months	A
30.80(6)(a)2.	Intoxicated boating (second offense within five years)	\$300-\$1,000; 5 days-6 months	Do Not Change
30.80(6)(a)3.	Intoxicated boating (third offense within five years)	\$600-\$2,000; 30 days- 1 year	Do Not Change
30.80(6)(a)4.	Intoxicated boating (fourth offense within five years)	\$600-\$2,000; 60 days-1 year	Do Not Change
30.80(6)(a)5.	Intoxicated boating (fifth or subsequent offense within five years)	\$600-\$2,000; 6 months-1 year	Do Not Change
30.80(6)(b)	Intoxicated boating causing an injury	\$300-\$2,000; 30 days-1 year	Do Not Change
31.34	Violations of water flow and dam regulations	\$50-\$1,000	Forfeiture
32.29	False statements by an employee of a governmental entity with condemnation power to an owner of property concerning the condemnation of such property	\$50-\$1,000; Max. 1 year	A
34.11	Violations relating to public deposits	Max. \$500, 6 months	B
36.11(1)(a)	Violations of rules promulgated by the Board of Regents of the University of Wisconsin System to protect the lives, health, and safety of persons or property under its jurisdiction	Max. \$500, 90 days	B
36.35(3)	Entering campus property without permission following prior misconduct	Max. \$500, 3 months	B
38.50(8)(i)	Soliciting of students	Max. \$200, 3 months	B
38.50(13)(b)	Issuing or manufacturing a false academic credential	A	
42.05(3)	Unlawful auto racing without a properly equipped muffler	Max. \$200, 6 months	B
42.07(2)	Ticket scalping for entry to an event under the auspices of the state fair park	\$10-\$100; Max. 60 days	C
44.47(7)(a)2.	Tampering with archaeological objects or data belonging to the state or intentionally interfering with related work	\$1,000-\$5,000	Forfeiture
45.03(16)(b)	False statements with the intent to secure veterans benefits	Max. \$500, 6 months	B
45.06(2)	Withholding from a veteran any discharge paper, citation, warrant, medal, badge, or evidence that the veteran is entitled to certain rights	Max. \$100, 6 months	B
46.10(14)(e)4.	Denial of employment, discharge, or discipline of an employee by an employer based on an assignment of certain social services benefits	Max. \$500	Forfeiture
46.90(6)(d)	Requesting or obtaining confidential information relating to the elder abuse reporting system under false pretenses	Max. \$500, 1 year	A
46.90(9)(d)	Discriminating against any person for reporting in good faith under the elder abuse reporting system	Max. \$10,000, 6 months	B
46.90(9)(e)	Failure to report under the elder abuse reporting system	Max. \$500, 6 months	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
47.02(7)(c)	Violations relating to vocational rehabilitation	Max. \$500, 6 months	B
47.03(3)(d)	Advertising, selling, or distributing a product as being blind-made when less than 75% of the labor involved in creating the product was performed by visually impaired persons	Max. \$10,000, 9 months	A
48.025(6)(b)	Intentionally obtaining, using, or disclosing confidential information relating to a declaration of paternal interest in matters affecting children	Max. \$1,000, 90 days	B
48.42(5)	False statements in the course of a proceeding for the termination of parental rights with an intent to prevent a person from receiving notice of such proceeding	Max. \$10,000, 9 months	A
48.658(3)(a)	Transporting a child to or from a child care provider in a child care vehicle in which a child safety alarm has not been installed or is not in good working order	Max. \$1,000, 1 year	A
48.60 and 48.76	Violations relating to child welfare agency licensing	Max. \$500, 1 year	A
48.62 and 48.76	Violations relating to foster home licensing	Max. \$500, 1 year	A
48.625 and 48.76	Violations relating to group home licensing	Max. \$500, 1 year	A
48.63 and 48.76	Violations relating to child placements in foster homes or group homes	Max. \$500, 1 year	A
48.65 and 48.76	Violations relating to child care center licensing	Max. \$500, 1 year	A
48.825(5)	Unlawful adoption advertising	Max. \$10,000, 9 months	A
48.981(6)	Failure to report abused or neglected children or abused unborn children	Max. \$1,000, 6 months	B
48.981(7)(f)	Confidentiality violations of records concerning the reporting of abused or neglected children or abused unborn children	Max. \$1,000, 6 months	B
49.141(7)(b)	False statements, concealment, or failure to disclose information relating to eligibility for a payment under Wisconsin Works	Max. \$10,000, 9 months	A
49.22(4)	Unlawful use or disclosure of information obtained by the state location service assisting in locating parents	\$25-\$500; Max. 1 year	A
49.345(14)(e)4.	Denial of employment, discharge, or discipline of an employee by an employer based on an assignment of certain public assistance benefits	Max. \$500	Forfeiture
49.45(4m)(e)	Unlawful disclosure or retention of information relating to the financial record matching program by a financial institution	\$50-\$1,000; 10 days-1 year	A
49.45(6m)(g)	Refusal by an intermediate care facility or skilled nursing facility to recover costs reimbursable for persons eligible for certain Medicare benefits or to obtain Medicare certification required by federal law	\$10/day-\$100/day	Forfeiture
49.49(1)(b)2.	False statements or concealments relating to the acquisition of Medical Assistance benefits or payments	Max. \$10,000, 1 year	A
49.688(9)(c)	Violations of Department of Health Services rules relating to prohibitions on Medical Assistance fraud	Max. \$10,000, 1 year	A
49.795(8)(a)1.	First food stamp offense (if the value of the food coupons does not exceed \$100)	Max. \$1,000, 1 year	A
49.795(8)(b)1.	Second food stamp offense (if the value of the food coupons does not exceed \$100)	Max. \$1,000, 1 year	A
49.83	Using or disclosing information concerning applicants to various public assistance programs for purposes not connected with the administration of the programs	\$25-\$500; 10 days-1 year	A
49.853(3)(c)	Disclosure or retention of information unrelated to matching records by a financial institution participating in the financial institution matching option.	\$25-\$500; 10 days-1 year	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
49.853(4)(d)	Unlawful request of information by a financial institution participating in the state matching option to the Department of Health Services	\$25-\$500; 10 days-1 year	A
49.95(1)(b)	Making false representations to secure certain public assistance (if the value of the assistance exceeds \$300 but does not exceed \$1,000)	Max. \$250, 6 months	B
49.95(1)(c)	Making false representations to secure certain public assistance (if the value of the assistance exceeds \$1,000 but does not exceed \$2,000)	Max. \$10,000, 9 months	A
49.95(2)	Willful interference with the proper administration of public assistance	\$10-\$100; 10-60 days	C
49.95(4m)	Obtaining pecuniary advantage by sending, bringing, or advising another to secure certain public assistance benefits	Max. \$500, 30 days	C
50.03(1)	Unlicensed operation of a community-based residential facility or nursing home	Max. \$500/day, 6 months	Do Not Change
50.032(6)	Uncertified operation of an adult family home	Max. \$500, 1 year	A
50.033(6)	Unlicensed operation of an adult family home	Max. \$500, 1 year	A
50.07(2)	Violations relating to uniform licensure	Max. \$1,000, 6 months	B
50.49(8)	Unlicensed operation of a home health agency	Max. \$100 (1st offense), \$200 (2nd offense)	Forfeiture
50.55(2)	Actions intended to interfere with a Department of Health Services investigation of licensure violations by a rural medical center	Max. \$1,000, 6 months	B
51.30(10)(a)	Intentionally unlawful violations relating to mental health records (if not for pecuniary gain)	Max. \$25,000, 9 months	A
51.61(5)(d)	Intentional retaliation or discrimination against a mental health patient for contacting or providing information to a state protection and advocacy agency	Max. \$1,000, 6 months	B
51.61(7m)	Intentionally depriving a mental health patient of the ability to seek redress for an alleged violation of rights	Max. \$1,000, 6 months	B
54.62(8)	Willful or inexcusable failure by a guardian to file a guardian's account as required by law or ordered by a court	Max. \$250, 10 days	Forfeiture
55.043(9m)(d)	Retaliating or discriminating against a person for reporting an adult at risk in good faith	Max. \$10,000, 6 months	B
55.043(9m)(e)	Failure to report an adult at risk	Max. \$500, 6 months	B
59.39	Violations relating to a coroner or medical examiner performing funeral services upon the body whose death is required to be investigated by such office	Max. \$50	Forfeiture
59.66(2)(c)	Violations relating to unclaimed funds in a county's public treasury	\$50-\$200; 30 days-6 months	B
59.74(2)(e)1.	Unlawful tampering with a landmark, monument of survey, corner post of government survey, survey made by the county surveyor, or survey of public record	Max. \$1,000, 1 year	A
59.76(2)	Various violations by a register of deeds relating to registration of farms	\$5-\$25; 10-30 days	C
62.23(8)	Unlawful structure	Max. \$500	Forfeiture
63.17	Various county civil service system violations	\$50-\$1,000; 30 days-1 year	A
63.2	Violation of a subpoena issued by a board of city service commissioners	No penalty expressed	C
63.52(1)	Various first class city civil service system violations	\$50-\$1,000; Max. 6 months	B
66.0413(1)(br)2.	Renting, leasing, or occupying a building which has been condemned for human habitation, occupancy or use	\$5/week-\$50/week; 30 days/week	Do Not Change

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
66.0417(5)(a)	Violations relating to local enforcement of certain food and health regulations	Max. \$10,000, 1 year	A
66.0417(5)(b)	Obstructing a local inspector enforcing food and health regulation	Max. \$5,000, 1 year	A
66.0425(9)	Violations relating to an obstruction or excavation beyond a lot line or within a highway	\$25-\$500; 10 days-6 months	B
66.0615(1m)(f)5.	Failure to register with the Department of Revenue for the room tax	No penalty expressed	C
66.0903(11)(b)1.	Violations by a contractor, subcontractor, or agent relating to the municipal prevailing wage and hour scales	Max. \$200, 6 months	B
66.1207(1)(a)	False representations to secure or assist in securing financial assistance for subsidized housing accommodations (if the financial assistance is more than \$1,000 but less than \$2,500)	Max. \$10,000, 9 months	A
69.24(2)	Violations relating to the collection of vital statistics or documents	Max. \$1,000, 90 days	B
70.40(2)	Willful failure or refusal by any person on whom an occupational iron ore concentrate tax is imposed to furnish a true list or statement of all iron ore concentrates received or handled	Max. \$1,000	Forfeiture
70.41(2)	Failure or refusal by an operator of a grain elevator or warehouse to furnish a true list or statement of all grain received or handled	Max. \$1,000	Forfeiture
70.42(2)	Failure or refusal by an operator of a coal dock to furnish a true list or statement of all coal received or handled	Max. \$1,000	Forfeiture
70.421(2)	Failure or refusal by an operator of a refinery to furnish a true list or statement of all crude oil and petroleum products refined	Max. \$1,000	Forfeiture
70.47(18)(b)	Intentional tampering with a public notice of a local board of review meeting before the expiration of the time for which the notice was posted	Max. \$200, 6 months	B
71.65(6)	Willfully providing false information to the Department of Revenue by a construction contractor employer to evade income and franchise tax withholding requirements	\$25,000	Forfeiture
71.66(1)(e)	Willfully supplying an employer with false information regarding a withholding exemption	Max. \$200	Forfeiture
71.83(2)(a)1.	Income and franchise tax violations: failure or refusal to make, render, sign, or verify a tax return on time; failure or refusal to make deposits of withheld taxes; false or fraudulent employer statements or deposit reports	Max. \$10,000, 9 months	A
71.83(2)(a)2.	Willfully making or subscribing false documents relating to income and franchise taxes	Max. \$10,000, 9 months	A
71.83(2)(a)3.	Divulging or circulating confidential information derived from income and franchise tax documents	\$100-\$500; 1-6 months	B
71.83(2)(a)3m.	Unlawful browsing of another's confidential information derived from income and franchise tax documents	\$100-\$500	Forfeiture
71.83(2)(a)4.	Coercing an employee to prepay taxes	\$25-\$200	Forfeiture
71.83(2)(a)5.	Supplying an employer with a false income and franchise tax withholding agreement	Max. \$500; 6 months	B
71.83(2)(a)6.	Failure to file a surety bond with the Department of Revenue by a construction contractor	\$300-\$5,000	Forfeiture

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
71.91(8)(e)	Using information provided to a financial institution in the financial record matching program for purposes other than administration of the program	\$25-\$500; 10 days-1 year	A
75.375	Waste on lands subject to a tax certificate	Max. \$500, 90 days	B
77.27	Intentionally falsifying value on a return for the real estate transfer fee	Max. \$1,000, 1 year	A
77.52(12)	Operating as a seller without a permit	No penalty expressed	C
77.52(16)	Sales tax evasion using a resale certificate	No penalty expressed	C
77.52(19)	Failure to comply with rules relating to permitting for persons temporarily engaged in selling	No penalty expressed	C
77.53(8)	Sales and use tax violations: failure to collect the tax from a purchaser, give a purchaser a receipt, or display the tax separately from the list price	No penalty expressed	C
77.60(6)	Failure to provide a required tax return or data to the Department of Revenue	No penalty expressed	C
77.60(7)	Sales and use tax evasion through false or fraudulent reporting or failure to furnish a report	No penalty expressed	C
77.60(10)	Assisting another in making any false or fraudulent return or statement relating to the sales and use tax	No penalty expressed	C
77.61(5)(g)	Various violations relating to administration of sales and use taxes	\$100-\$500; 1-6 months	B
77.61(6)(d)	Inspection of a return or claim for sales and use taxes by an unauthorized person	\$100-\$500; 1-6 months	B
77.61(9)	Failure to file, submit, prepare, or retain sales and use tax documents required by the Department of Revenue	No penalty expressed	C
77.982(4)	Failure to register with the Department of Revenue for the local food and beverage tax	No penalty expressed	C
77.991(4)	Failure to register with the Department of Revenue for the local rental car tax	No penalty expressed	C
77.9951(3)	Failure to register with the Department of Revenue for the state rental vehicle fee	No penalty expressed	C
78.68(6)	Failure to furnish a return or data relating to vehicle or general aviation fuel taxes required by the Department of Revenue	Max. \$500, 30 days	C
78.68(7)	Making a false or fraudulent return or failure to furnish a return when due to evade vehicle or general aviation fuel taxes	Max. \$500, 30 days	C
78.68(8)	Assisting another in evading vehicle or general aviation fuel taxes	Max. \$500, 30 days	C
78.73(1)	Various violations relating to unlawful use or display of a license to sell vehicle or general aviation fuel	Max. \$500, 6 months	B
78.73(2)	Selling vehicle or general aviation fuel without a license	Max. \$5,000, 1 year	A
78.73(3)	Attempting to assign a license to sell vehicle or general aviation fuel or failure to display such license conspicuously at a place of business	Max. \$25, 10 days	Forfeiture
78.73(4)	Failure to make a report or payment relating to vehicle or general aviation fuel taxes	Max. \$5,000, 1 year	A
83.027(12)	Driving a vehicle into or from a controlled-access county highway (if not through an opening provided for that purpose)	Max. \$100, 30 days	C
84.25(12)	Driving a vehicle into or from a controlled-access state highway (if not through an opening provided for that purpose)	Max. \$100, 30 days	C
86.01	Unlawfully leaving materials in a highway	\$10-\$100	Forfeiture
86.021(2)	Highway damage by cultivation or a machine	\$10-\$50; 10-30 days	C

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
86.022	Obstructing a highway with an embankment or a ditch	\$10-\$100	Forfeiture
86.025	Camping on highways or adjacent lands	Max. \$10, 30 days	C
86.03(6)	Violations relating to trees or shrubs adjacent to a highway	\$25 per damaged tree or shrub	Forfeiture
86.03(7)	Cutting of veterans memorial trees	\$10-\$200; Max. 30 days	C
86.06(2)	Unlawfully traveling beyond or tampering with a highway barrier	\$10-\$100; 10-60 days	C
86.07(1)	Drawing, painting, printing, or pasting upon a culvert, bridge, or guard rail	\$10-\$200; Max. 30 days	C
86.07(2)	Unlawfully disturbing or making an alteration to a highway	\$5-\$100; Max. 6 months	B
86.17(2)	Interference with the free use of water running across highways	No penalty expressed	C
86.19(3)	Unlawfully erecting a sign on a public highway	\$10-\$100 (1st offense), \$10-\$500 (2nd offense)	
86.191(5)	Violations of highway advertisement prohibitions	\$25-\$100; Max. 30 days	C
86.192(2)	Tampering with a sign, guide board, mile post, signal, or marker	\$25 (1st offense), \$100 (subsequent offenses); Max. 30 days (1st offense), 60 days (subsequent offenses)	C
87.17	Tampering with flood control improvements or personnel	Max. \$1,000, 1 year	A
87.30(2)	Placing or maintaining a building within a floodplain in violation of a zoning ordinance	Max. \$50	Forfeiture
88.82(6)	Tampering with a drain constructed by a drainage district	Max. \$100	Forfeiture
88.91(2)	Placing an obstruction in a lawfully constructed drainage ditch	Max. \$100	Forfeiture
93.12(6)	Operating a laboratory without a certificate of approval	\$100-\$1,000	Forfeiture
93.21(1)	Failure by a manufacturer of dairy products to furnish required information to the person from whom milk is purchased or received	Max. \$200, 6 months	B
93.21(2)(a)	Obstructing an officer performing inspection duties	Max. \$1,000, 6 months	B
93.21(4)	Various violations for failing to obey orders relating to agriculture, trade, and consumer protection	Max. \$5,000, 1 year	A
93.21(6)(a)	Fraudulent use of official seals of the Department of Agriculture, Trade, and Consumer Protection	Max. \$10,000, 1 year	A
93.23(8)	Violations relating to local fairs	Max. \$200, 6 months	B
93.35(15)(a)	Unlawful weather modification	Max. \$1,000, 6 months	B
94.46(4)(b)	Various violations relating to seeds	Max. \$500, 6 months	B
94.64(12)(a)	Willful violations of fertilizer regulations	\$250-\$5,000; Max. 1 year	A
94.65(11)(b)	Soil and plant additive violations	Max. \$5,000, 1 year	A
94.71(1)(a)2.	Pesticide violations by a commercial applicator, dealer, or distributor	Max. \$5,000, 1 year	A
94.71(1)(a)2.	Pesticide violations by a private applicator	Max. \$1,000, 30 days	B
94.72(14)(a)	Commercial animal feed violations	Max. \$200, 6 months	B
94.77(1)	Various plant industry violations	Max. \$1,000 (1st offense), \$500-\$5,000 (subsequent offenses); Max. 6 months (subsequent offenses)	Forfeiture (1st), A (2+)
95.21(10)(b)	Refusal by an animal owner to comply with an order or quarantine	\$100-\$1,000; Max. 60 days	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
95.68(9)	Conducting animal market business after revocation of a license	\$500-\$1,000; Max. 6 months	B
95.69(9)	Conducting animal dealer business after revocation of a license	\$500-\$1,000; Max. 6 months	B
95.71(9)	Conducting animal trucking business after revocation of a license	\$500-\$1,000; Max. 6 months	B
95.99(1)	Various animal health violations	Max. \$1,000 (1st offense), \$500-\$5,000 (subsequent offenses); Max. 6 months (subsequent offenses)	Do Not Change(1st), B (2+)
96.17(3)	Intentional violation of a Department of Agriculture, Trade, and Consumer Protection marketing order or agreement	Max. \$10,000, 9 months	A
97.12(2)(d)1.	Violations relating to food regulation enforcement	Max. \$10,000	Forfeiture
97.12(4)	Interfering with or giving false information to a food inspector	Max. \$5,000, 1 year	A
97.18(6)	Violations of oleomargarine regulations	\$100-\$500 (1st offense), \$500-\$1,000 (subsequent offenses); Max. 3 months (1st offense), 6 months-1 year (subsequent offenses)	B (1st) A (2 +)
97.42(8)	Interfering with inspection of animals, poultry, and carcasses	Max. \$5,000, 1 year	A
97.72(1)	Various food regulation violations	\$100-\$1,000 (1st offense), \$500-\$5,000 (subsequent offenses); Max. 6 months (1st offense), 30 days-1 year (subsequent offenses)	B (1st) A (2 +)
98.26(1)	Various violations relating to weights and measures	Max. \$10,000, 9 months	A
99.07(2)	Various violations relating to public warehouses	\$200-\$1,000; Max. 6 months	B
100.07(5)	Milk payment violations	Max. \$200, 6 months	B
100.15 and 100.26 (3)	Use of trading stamps	\$25-\$5,000; Max. 1 year	A
100.18 (9) and 100.26(5)	Deceptive advertising	Max. \$10,000, 9 months	A
100.182 and 100.26 (7)	Fraudulent drug advertising	Max. \$10,000, 9 months	A
100.19 and 100.26 (3)	Wasteful distribution methods and practices	\$25-\$5,000; Max. 1 year	A
100.195(5m)(e)	Unfair billing for consumer goods or services	\$25-\$5,000; Max. 9 months	A
100.20 and 100.26 (3)	Violations relating to methods of competition and trade practices	\$25-\$5,000; Max. 1 year	A
100.2095(6)(d)	Violations relating to labeling and materials of bedding	Max. \$10,000, 9 months	A
100.235(11)(b)	Unfair trade practices in procurement of vegetable crops	\$100-\$10,000; Max. 1 year	A
100.26(1)	Various marketing or trade practice violations	Max. \$200, 6 months	B
100.335(4)(b)	Manufacturing or selling a child's container containing bisphenol A or failing to label a child's container as not containing bisphenol A	Max. \$5,000, 1 year	A
100.37(8)	Violations of the hazardous substances act	Max. \$5,000, 1 year	A
100.38(7)	Selling adulterated or misbranded antifreeze	\$50-\$500	Forfeiture
100.383(5)	Selling antifreeze without a bittering agent	Max. \$1,500, 90 days	B
100.48(4)(a)	Tampering with an hour meter attached to farm equipment	Max. \$5,000, 1 year	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
100.48(4)(c)	Tampering with an hour meter attached to a snowmobile, all-terrain vehicle, utility terrain vehicle, or boat	Max. \$5,000, 1 year	A
101.13(7)	Use of an accessibility symbol in violation of standards	\$50	Forfeiture
101.14(4)(e)	Failure to install required fire detection, prevention, or suppression devices	\$100-\$500	Forfeiture
101.149(8)(c)1.	Tampering with an installed carbon monoxide detector	Max. \$10,000, 9 months	A
101.16(5)(am)	Unlawful filling, evacuating, or use of containers for liquefied petroleum gas; various violations relating to a failure to provide the Department of Safety and Professional Services with liquefied petroleum gas information	\$25-\$2,000; 30 days-6 months	B
101.16(5)(cm)	Intentional violation by a retail supplier of liquefied petroleum gas of licensing and financial responsibility requirements	\$500-\$1,000 (1st offense), \$2,000-\$5,000 (subsequent offenses); 30 days-6 months	B (1st and 2 +)
101.16(5)(cn)	Intentional violation by a retail supplier of liquefied petroleum gas who only fills Department of Transportation cylinders and containers of licensing and financial responsibility requirements	\$200-\$400 (1st offense), \$800-\$2,000 (subsequent offenses); 30 days-6 months	B (1st and 2 +)
101.9209(5)(b)	Intent to defraud during a transfer of interest in a manufactured home	Max. \$1,000, 30 days	C
101.937(5)(b)	Rule violations relating to water and sewer service to manufactured home communities	\$25-\$5,000; Max. 1 year	A
101.94(8)(b)	Violations by a corporation that threaten the health or safety of a purchaser of manufactured homes and mobile homes	Max. \$10,000, 9 months	A
101.951(8)	Violations relating to manufactured home dealers	\$25-\$100	Forfeiture
101.953 and 101.965 (1)	Violations relating to warranty and disclosure for manufactured homes	Max. \$1,000, 6 months	B
101.955 and 101.965 (1)	Violations relating to jurisdiction and venue over out-of-state manufacturers of manufactured homes	Max. \$1,000, 6 months	B
101.988(3)	Violations relating to elevators, escalators, and other conveyances	Max. \$1,500, 30 days	C
102.07(8)(d)	Misclassifying an employee by a construction contractor to evade worker's compensation	\$25,000	Forfeiture
102.17(3)	Willfully failing to testify or produce documents as required for a worker's compensation hearing	\$25-\$100; Max. 30 days	C
102.835(18)	Discrimination by an employer against an employee whose earnings have been subject to a levy for delinquent uninsured employer payments	Max. \$10,000, 9 months	A
102.88(1)	Second worker's compensation related offense in five years	Max. \$2,000, 90 days	B
102.88(2)	Third or subsequent worker's compensation related offense in three years	Max. \$10,000, 9 months	A
103.13(8)	Violations by an employer relating to records open to an employee	\$10-\$100	Forfeiture
103.16	Failure by an employer to provide seats for employees	\$10-\$30	Forfeiture
103.165(4)	Violations relating to an employee's cash bonds held in a trust	Amount of the bond; 10-60 days	Do Not Change
103.15 (2) or (3) and 103.20	Requiring an HIV test for employment	Max. \$100	Forfeiture
103.17 and 103.20	Failure by a manufacturing employer to mutually forfeit	Max. \$100	Forfeiture
103.18 and 103.20	Threatening to reduce wages or discharge employees to influence their votes	Max. \$100	Do Not Change

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
103.19 and 103.20	Employing children in certain shows	Max. \$100	Forfeiture
103.29(1)	Violations relating to employment of minors in street trades	\$250-\$5,000; Max. 30 days	C
103.34(12)(a)	Repeat offenses relating to traveling sales crews	\$250-\$5,000; Max. 30 days	C
103.37(4)	Requiring an employee to pay for a medical examination as a condition of employment	Max. \$100	Forfeiture
103.43(2)	Fraudulent advertising for labor	Max. \$2,000, 1 year	A
103.45	Unlawful payments of wages with time checks	\$10-\$100	Forfeiture
103.49(6m)(am)	Violations by a contractor, subcontractor, or agent relating to wage rates on state work	Max. \$200, 6 months	B
103.50(7)(a)	Violations by a contractor, subcontractor, or agent relating to wage rates and hours of labor for highway contracts	Max. \$200, 6 months	B
103.545(5)	Recruiting strikebreakers	Max. \$2,000, 1 year	A
103.61	Contempt for violation of a restraining order or injunction issued by a court	Max. \$25, 10 days	Do Not Change
103.75(2)	False evidence of age to obtain an age certificate or altering an age certificate	Max. \$100, 3 months	B
103.82(1)(a)	Repeat offenses of employing a minor for certain jobs	\$250-\$5,000/day; Max. 30 days	Do Not Change
103.86(1)	Failure by an employer to make required payments to employee welfare funds	Max. \$200	Forfeiture
103.87	Disciplining an employee for testifying in a proceeding pertaining to a crime of the children's code or juvenile justice code	Max. \$200	Forfeiture
104.1	Employer intimidation of a witness in a minimum wage investigation or proceeding	\$25	Forfeiture
107.02	Violation of mining statement requirements	Min. \$100; Max. 3 months	Do Not Change
107.15(6)(a)	Violations of reporting requirements for mineral exploration	Max. \$50,000	Do Not Change
107.15(6)(c)	Violations of confidentiality requirements for mineral exploration	\$50-\$50,000; 1-6 months	Do Not Change
108.16(8)(m)3.	False statements relating to determining the assignment of unemployment insurance contribution rates	A	Already Classified
108.225(18)	Discriminating terms and conditions of employment against an employee whose earning have been subject to a levy for delinquent unemployment insurance contributions	Max. \$10,000, 9 months	A
108.24(1)	False statements to obtain unemployment insurance benefit payments	\$100-\$500; Max. 90 days	B
108.24(2)	False statements or other information required by the Department of Workforce Development for unemployment insurance	\$100-\$500; Max. 90 days	B
108.24(2m)	Misclassifying an employee by a construction contractor to evade unemployment insurance payments	\$25,000	Forfeiture
108.24(3)(a)	Violations relating to acts against an employee or former employee concerning unemployment insurance	\$100-\$1,000; Max. 90 days	B
108.24(4)	Unlawful disclosure or inspection of unemployment insurance documents	\$100-\$500; Max. 1 year	A
109.11(3)	Failure by an employer to pay wages due	Max. \$500, 1 year	A
111.14	Interfering with the Employment Relations Commission	Max. \$500, 1 year	A
111.327	Misclassifying an employee by a construction contractor to evade fair employment requirements	\$25,000	Forfeiture
111.62	Strikes, work stoppages, slowdowns, and lockouts by employees of a public utility	No penalty expressed	C

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
111.70(7m)(c)2.	Striking following an injunction against a strike	\$10	Forfeiture
114.09(2)(a)2.	Intoxicated operation of an aircraft (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals two)	\$350-\$1,100; 5 days-6 months	Do Not Change
114.09(2)(a)3.	Intoxicated operation of an aircraft (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals three)	\$600-\$2,000; 30 days- 1 year	Do Not Change
114.09(2)(a)4.	Intoxicated operation of an aircraft (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals four)	\$600-\$2,000; 30 days- 1 year	Do Not Change
114.09(2)(c)2.	Two or more reckless flying convictions within four years	\$50-\$500; Max. 1 year	A
114.103(3)	Failure by private security personnel to report to a law enforcement authority	Max. \$500, 30 days	C
114.27	Various violations relating to aeronautics and astronautics	Max. \$500, 90 days	B
115.31(7)	Failure by a school administrator to report various crimes or acts committed by an employee of an educational agency to the state superintendent of public instruction	Max. \$1,000, 6 months	B
118.03(4)	Unlawful textbook pricing	\$25-\$100	Forfeiture
118.15(5)(a)1.a.	Compulsory school attendance violation (first offense)	Max. \$500, 30 days	C
118.15(5)(a)1.b.	Compulsory school attendance violation (second or subsequent offenses)	Max. \$1,000, 90 days	B
118.20(5)	Discrimination against applicants for teaching or administrative positions	\$25-\$50; 5-30 days	C
120.13(35)(b)1.	Unlawful presence in school buildings that provokes a breach of peace	Max. \$10,000, 90 days	B
125.04(13)	Selling or manufacturing alcoholic beverages without a required license or permit	Max. \$10,000, 9 months	A
125.07(1)(b)2.b.	Facilitating underage drinking (second offense within 30 months)	Max. \$500, 30 days	C
125.07(1)(b)2.c.	Facilitating underage drinking (third offense within 30 months)	Max. \$1,000, 90 days	B
125.07(1)(b)2.d.	Facilitating underage drinking (fourth or subsequent offense within 30 months)	Max. \$10,000, 9 months	A
125.07(2)(b)	Selling alcohol to an intoxicated person	\$100-\$500; Max. 60 days	C
125.085(3)(a)1.	Falsification of proof of age to show that an underage person has attained the legal drinking age	\$300-\$1,250; 10-30 days	C
125.105(2)(a)	Impersonating an inspector of the Department of Revenue or Department of Justice with the intent to mislead	Max. \$10,000, 9 months	A
125.11(1)	Various violations relating to alcoholic beverages	Max. \$1,000, 90 days	B
125.28(5)(d)1.	Violations relating to fermented malt beverage wholesalers' permits	Max. \$10,000	Forfeiture
125.315(2)	Evading provisions of law by giving away fermented malt beverages	Max. \$10,000, 9 months	A
125.33(7)(d)	Violations by fermented malt beverage retail licensees relating to retail purchase credit	Max. \$1,000	Forfeiture
125.33(9)	Campuses purchasing fermented malt beverages from anybody other than a licensed wholesaler	Max. \$10,000, 9 months	A
125.54(7)(c)1.	Violations of wholesaler requirements	Max. \$10,000	Forfeiture
125.545(7)(a)	Distributing wine directly to a retailer rather than a wholesaler by a winery	Max. \$10,000	Forfeiture
125.545(7)(b)	Preferential treatment to a Wisconsin winery or discrimination against an out-of-state winery by a cooperative wholesaler	Max. \$10,000	Forfeiture

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
125.65(9)	Violations relating to permits for wholesale sales for future delivery to solicit orders of intoxicating liquor	\$100-\$500; 30 days-6 months	B
125.66(1)	Selling intoxicating liquor without a required license or permit	Max. \$10,000, 9 months	A
125.66(4)	Selling of intoxicating liquor by a Class A liquor licensee to a Class B liquor licensee for resale	Max. \$100	Forfeiture
125.67	Evading provisions of law by giving away intoxicating liquor	Max. \$10,000, 9 months	A
125.68(8)(a)	Selling diluted intoxicating liquor as undiluted intoxicating liquor	\$150-\$500; 60 days-6 months	B
125.68(9)(g)	Intoxicating liquor violations relating to labels, contents, and packaging	\$500-\$1,000; 3 months-1 year	A
125.69(4)(d)	Violations by intoxicating liquor retail licensees relating to retail purchase credit	Max. \$1,000	Forfeiture
125.69(6)(b)	Campuses purchasing intoxicating liquor from anybody other than a licensed wholesaler (if the total volume of liquor in one month is more than 12 liters)	\$1,000-\$10,000	Forfeiture
125.69(6)(c)	Purchasing of intoxicating liquor by a Class B liquor licensee from a Class A liquor licensee for resale	Max. \$100	Forfeiture
126.87(2)(b)	Various violations relating to agricultural producer security	Max. \$10,000, 1 year	A
132.01 and 132.03	Violations relating to labeling marks	Max. \$10,000, 6 months	B
132.02 and 132.03	Violations relating to duplication or reproduction of labeling marks	Max. \$10,000, 6 months	B
132.032	Fraudulent labeling mark filing	Max. \$10,000, 6 months	B
132.07	Willfully and unlawfully converting a labeling mark to one's own use	Max. \$10,000, 6 months	B
132.13(3)	Possession of unlabeled convict-made products for the purpose of sale	\$100-\$500; Max. 90 days	B
132.16(7)	Unlawful use of registered organizations' insignia or names	Max. \$100, 60 days	C
132.17	Unauthorized wearing of certain badges	Max. \$20, 30 days	C
132.18(5)	Unlawful use of gaseous compounds in containers	Max. \$1,000, 1 year	A
132.19	Use of a labeling mark without authority	Max. \$100, 3 months	B
133.04(2)	Price discrimination with the intent to destroy competition	Max. \$25,000, 1 year	A
133.05(3)	Unfair trade practices through secret rebates	Max. \$25,000, 1 year	A
134.01	Willfully or maliciously causing injury to the reputation or trade of a business	Max. \$500, 1 year	A
134.02(1)	Blacklisting and coercion of employees	\$100-\$500	Forfeiture
134.03	Preventing pursuit of work	Max. \$100, 6 months	B
134.04(2)	Sale of certain merchandise by employers to employees	\$100-\$1,000 (1st offense), \$500-\$1,000 (subsequent offenses)	Forfeiture
134.05(4)	Bribery of an agent or employee with intent to influence business action	Max. \$10,000, 9 months	A
134.06	Bonus to chauffeurs for purchases	Max. \$25	Forfeiture
134.10(1)	Invading a right to choose an insurance agent or insurer by persons engaged in financing	\$50-\$200; Max. 6 months	B
134.11(1)	Invading a right to choose an insurance agent or insurer by persons engaged in selling property	\$50-\$200; Max. 6 months	B
134.15(1)	Issuing and using counterfeit money	Max. \$100, 6 months	B
134.17(1)	Unlawful use of a corporate name with the intent to obtain credit	Max. \$1,000, 1 year	A
134.19	Fraud on exemption laws	\$10-\$50	Forfeiture
134.21	Unauthorized presentation of dramatic plays	\$5-\$100; Max. 60 days	C
134.25(1)(a)	Misbranding of gold articles	\$25-\$500; Max. 3 months	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
134.26(1)	Misbranding of sterling silver articles	\$25-\$500; Max. 3 months	B
134.27(1)	Misbranding of coin silver articles	\$25-\$500; Max. 3 months	B
134.28	Misbranding of base silver articles	\$25-\$500; Max. 3 months	B
134.3	Misbranding of gold-plated articles	\$25-\$500; Max. 3 months	B
134.31	Misbranding of silver-plated articles	\$25-\$500; Max. 3 months	B
134.33(8)	Unlawful platinum stamping	Max. \$1,000, 6 months	B
134.35(2)	Violation of endorsed time of filing on telegrams	No penalty expressed	C
134.36	Unlawfully divulging a telegraph message or giving preference in the transmission of such messages	Max. \$500, 1 year	A
134.37	Unlawfully divulging a telegraph message or forging the name of the intended receiver	Max. \$500, 1 year	A
134.39	Fraudulent knowledge of a telegraph dispatch or injury or interference with wires	Max. \$1,000, 1 year	A
134.405(5)(a)1.	Violations relating to the purchase and sale of certain scrap material (first offense)	Max. \$1,000, 90 days	B
134.405(5)(a)2.	Violations relating to the purchase and sale of certain scrap material (second offense)	Max. \$10,000, 9 months	A
134.41(1)	Poles and wires on private property without the owner's consent	Max. \$25	Forfeiture
134.45(3)(a)	Entering into a contract to restrict days for exhibiting motion picture films	\$25-\$300 (1st offense), \$300-\$500 (subsequent offenses)	Forfeiture
134.50(3)	Violations relating to poultry dealing	\$10-\$100 (1st offense), \$25-\$500 (subsequent offenses)	Forfeiture
134.50(4)	Giving a false name or address to a poultry dealer by any person selling poultry	30 days-1 year	A
134.52(4)	Unlawful shipment of chickens	\$10-\$50; 10-30 days	C
134.53(4)	Transporting cattle without documents containing required information	Max. \$500, 3 months	B
134.57	Failure by an employer or its employed detective to submit facts of a case relating to settlement with an employee	\$100-\$500; 3 months-1 year	A
134.6	Unlawful cutting or transportation of evergreen trees	\$10-\$500	Forfeiture
134.65(5)	Violations relating to cigarette and tobacco products retailer licenses	\$25-\$100 (1st offense), \$25-\$300 (subsequent offenses)	Forfeiture
134.69	Peddling finger alphabet cards	\$25-\$100; Max. 90 days	B
134.715(3)	Selling certain merchandise without proof of ownership at a flea market	Max. \$500, 30 days	C
134.97(4)(b)	Possession of a record that was disposed of by a financial institution, medical business, or tax preparation business	Max. \$1,000, 90 days	B
137.01(1)(k)	Violations relating to actions of a notary public (first offense)	Max. \$10,000, 9 months	A
138.05 and 138.06(2)	Violations relating to the maximum lending rate, prepayment, and disclosure	\$25-\$500; Max. 6 months	B
138.051 and 138.06(2)	Violations relating to residential mortgage loans	\$25-\$500; Max. 6 months	B
138.052 and 138.06(2)	Violations relating to residential mortgage loans	\$25-\$500; Max. 6 months	B
138.09(10)	Violations relating to licensed lenders	Max. \$500, 6 months	B
138.10(14)	Receiving interest or charges greater than permitted by a pawnbroker	Max. \$500, 1 year	A
138.12(3)(a)	Engaging in the business of financing insurance premiums without a license	Max. \$200	Forfeiture
138.14(15)(a)	Violations relating to payday loans	Max. \$500, 6 months	B
138.20(2)	Discrimination in granting credit or loans	Max. \$1,000	Forfeiture

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
139.03(5)(c)	Entering the state in unlawful possession of intoxicating liquor or wine	\$25-\$500 (1st offense), \$100-\$500 (subsequent offenses); Max. 90 days (1st offense), 6 months (subsequent offenses)	B (1st and 2 +)
139.05(7)(d)	Shipping into the state or knowingly receiving fermented malt beverages from a brewer without a valid license	\$50-\$500; 10-90 days	B
139.05(7)(f)	Shipping into the state, receiving, or selling within the state fermented malt beverages produced in a state with laws discriminating against any production ingredient	\$50-\$500; 10-90 days	B
139.25(6)	Failure to furnish data or returns relating to beverage taxes to the Department of Revenue	Max. \$500, 30 days	C
139.25(7)	Evading beverage taxes through fraudulent reporting	Max. \$500, 30 days	C
139.25(8)	Assisting another in evading beverage taxes through fraudulent reporting	Max. \$500, 30 days	C
139.25(10)	Various violations relating to beverage taxes	\$50-\$500; 10-90 days	B
139.44(2)	Assisting another in evading cigarette taxes through fraudulent reporting	Max. \$10,000, 9 months	A
139.44(3)	Failure to keep required records relating to cigarette and tobacco taxes	\$100-\$500; Max. 6 months	B
139.44(4)	Refusal by a cigarette or tobacco retailer to permit a state inspector to examine records	Max. \$500, 90 days	B
139.44(5)	Various violations relating to cigarette and tobacco taxes	\$100-\$1,000; 10-90 days	B
139.44(6)	Various violations of Department of Revenue rules relating to cigarette and tobacco taxes	\$100-\$500; Max. 6 months	B
139.44(8)(a)	Unlawful possession of cigarettes (if the number of cigarettes does not exceed 6,000)	Max. \$200, 6 months	B
139.44(8)(b)	Unlawful possession of cigarettes (if the number of cigarettes exceeds 6,000 but does not exceed 36,000)	Max. \$1,000, 1 year	A
139.85(1)	Violations relating to tobacco tax records or returns	Max. \$10,000, 9 months	A
139.95(4)	Confidentiality violation by the Department of Revenue in administering the tax on controlled substances	Max. \$1,000, 60 days	C
145.12(1)	Acting as a plumber or automatic fire sprinkler contractor without a license	\$100-\$500; 30 days	C
145.12(2)	Various violations relating to plumbing, fire protection, or swimming pools	Max. \$500, 3 months	B
145.12(3)	Falsely representing an apprentice to be a journeyman by a master plumber	Max. \$25, 30 days	C
145.26(6)	Violations relating to public swimming pool plan reviews	\$100-\$5,000	Forfeiture
146.085(2)	Charging an admission fee to use a toilet	\$10-\$50	Forfeiture
146.60(9)(ag)	Failure to provide notice of a release of genetically engineered organisms into the environment (first offense)	\$100-\$20,000; Max. 1 year	A
146.60(9)(am)	Failure to provide notice of a release of genetically engineered organisms into the environment (second and subsequent offenses)	Max. \$50,000, 9 months	A
146.60(9)(b)	Confidentiality violation relating to records for notices of a release of genetically engineered organisms into the environment	\$50-\$50,000; 1-6 months	B
146.84(2)(a)	Violations relating to patient health care records	Max. \$25,000, 9 months	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
153.45(5) and 153.78(1)	Unlawful release of certain health care information by the Department of Health Services	Max. \$15,000, 1 year	A
153.50 and 153.78(1)	Patient confidentiality violations relating to health care information	Max. \$15,000, 1 year	A
153.75(1)(a) and 153.78(1)	Violations of Department of Health Services rules relating to certain health care information	Max. \$15,000, 1 year	A
154.15(1)	Intentionally tampering with a declaration to physicians without the consent of the declarant	Max. \$500, 30 days	C
154.29(1)	Willfully tampering with the do-not-resuscitate bracelet of another person without that person's consent	Max. \$500, 30 days	C
154.29(3)	Intimidating another into signing a do-not-resuscitate order	Max. \$500, 30 days	C
154.30(10)	Intentionally tampering with an authorization for final disposition of another without the declarant's consent	Max. \$500, 30 days	C
155.80(1)	Intimidating another into executing a power of attorney for health care instrument	Max. \$500, 30 days	C
155.80(2)	Intentionally tampering with a power of attorney for health care instrument	Max. \$500, 30 days	C
155.80(3)	Falsifying a power of attorney for health care instrument	Max. \$1,000, 9 months	A
155.80(4)	Intentionally withholding knowledge of the revocation of a power of attorney for health care or of the falsification of a power of attorney for health care instrument	Max. \$1,000, 9 months	A
155.80(5)	Attempting to act as a health care agent based on a false power of attorney for health care	Max. \$1,000, 9 months	A
157.60'	Making a public easement in a cemetery	Max. \$300, 1 year	A
157.64(2)	Various violations relating to the disposition of human remains	Max. \$1,000, 90 days	B
157.70(10)(e)	Disturbing a burial site for commercial gain not related to use of the land where a burial site is located	Max. 2x value gained or lost	Forfeiture
165.55(13)	Neglect by an officer to comply with certain arson investigation requirements	\$25-\$200	Forfeiture
165.765(1)	Failure to comply with a requirement to submit a biological specimen	Max. \$10,000, 9 months	A
165.77(5)	Intentionally disseminating a biological specimen in an unauthorized manner	Max. \$500, 30 days	C
167.07(5)	Violations relating to the manufacture, storage, or distribution of matches	\$5-\$25 (1st offense), \$25 (subsequent offenses)	Forfeiture
167.10(9)(a)	Violation of a court order enjoining the sale, use, storage, or handling of fireworks	Max. \$10,000, 9 months	A
167.151	Unlawful operation of corn shredders	\$25-\$100	Forfeiture
167.18	Failure to cover or secure threshing machine joints	\$2-\$50	Forfeiture
167.20(2)	Failure to provide stairway guards	\$25-\$100; 30 days-6 months	B
167.25(1)	Discarding or abandoning a refrigerator without its door removed	Max. \$50, 30 days	C
167.26(6)	Leaving unguarded ice holes	Max. \$100, 6 months	B
167.27(7)	Violations relating to capping and filling wells or similar structures	\$10-\$200; Max. 6 months	B
167.30(1)	Use of firearms near a public park, square, or enclosure	\$1-\$25; Max. 60 days	C
167.31(3)(c)	Unlawful transport of a firearm, bow, or crossbow on an aircraft	Max. \$1,000, 90 days	B
168.12(6)(f)	Signing or verifying a fraudulent claim for aviation fuel allowance	Max. \$500, 30 days	C
168.12(6)(g)	Assisting another in making a fraudulent claim for aviation fuel allowance	Max. \$500, 30 days	C
169.45(2)(b)	Unlawfully selling or purchasing a live wild animal	\$100-\$2,000; Max. 6 months	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
169.45(2)(d)	Unlawfully taking bear or deer from the wild	\$1,000-\$2,000; Max. 6 months	B
169.45(2)(e)	Unlawfully taking a harmful wild animal from the wild	\$500-\$5,000; Max. 6 months	B
169.45(2)(g)	Obtaining a license relating to captive wildlife during a period of revocation	Max. \$200, 90 days	B
169.45(5)(a)	Repeat violations relating to captive wildlife within a period of five years	Max. \$100, 6 months	B
169.45(8)(a)2.	Engaging in activity authorized by a captive wildlife license during a period of revocation or suspension	\$500-\$1,000	Forfeiture
172.015	Permitting livestock on highways	Max. \$200	Do Not Change
173.41(15)(a)	Operating an animal shelter or dog dealer without a license	Max. \$10,000, 9 months	A
174.15	Violations relating to dogs	Max. \$500, 60 days	C
175.05(2)(b)	Willfully entering upon certain posted premises without permission	Max. \$50, 30 days	C
175.05(5)	Going upon closed or restricted highways	Max. \$50, 10 days	Do Not Change
175.09(3)	Failure to use standard time in a place of business	\$25-\$500; 10-30 days	C
175.10(2)	Sale of certain merchandise to employees by state agencies or any political subdivision thereof	\$100-\$500; 30-90 days	B
175.15(2)	Attending an endurance contest lasting more than 16 hours in any 24 hour period over a period of more than six days in one month	\$5-\$25; Max. 10 days	Do Not Change
175.15(3)	Operating an endurance contest lasting more than 16 hours in any 24 hour period over a period of more than six days in one month	\$100-\$500; 10 days-1 year	A
175.20(3)	Operating an amusement place without a required license	Max. \$10,000, 9 months	A
175.25(5)	Violations relating to the storage of junk automobiles	\$10-\$50; Max. 30 days	C
175.35(3)	Intentional violations relating to waiting periods for the purchase of handguns	\$500-\$10,000; Max. 9 months	A
175.37(2)	Failure to provide to the buyer of a firearm a written warning before transferring the firearm	Max. \$500, 30 days	C
175.60(17)(ag)	Violations relating to the maintenance, use and publication of records relating to licenses to carry a concealed weapon	Max. \$500, 30 days	C
175.60(17)(ar)	Use of excessive force by a law enforcement officer based solely on an individual's status as a licensee to carry a concealed weapon	Max. \$500, 30 days	C
175.60(17)(b)	Carrying a concealed weapon in certain places	Max. \$500, 30 days	C
175.60(17)(e)	Failure to relinquish or deliver a revoked or suspended license to carry a concealed weapon	Max. \$500, 30 days	C
177.34(4)	Willfully refusing, after written demand by an administrator, to pay or deliver property	\$100-\$5,000; Max. 9 months	A
182.0175(3)(b)	Damage to transmission facilities	Max. \$500, 30 days	C
185.94(2)	Improper use of the term "cooperative"	Max. \$100	Forfeiture
186.03(4)	Improper use of the term "credit union"	Max. \$5,000	Forfeiture
191.13(6)	Falsely representing a temporary railroad to be something other than a temporary railroad	Max. \$500, 6 months	B
192.292	Trains obstructing highways	Max. \$500, 15 days	C
192.327(8)	Violation by a railroad company to comply with an order from the Office of the Commissioner of Railroads relating to transport of railroad workers by motor vehicle	Max. \$500	Forfeiture

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
193.105(2)	Misuse of the term "cooperative"	Max. \$250	Forfeiture
193.311(6)(c)	Agricultural product and commodity marketing contract interference	Max. \$1,000, 6 months	B
195.286(6)	Interference with advance warning signs for railroad highway crossings	Max. \$25	Forfeiture
196.171(3)	Obstructing an officer performing inspections duties for meters, pipes, fittings, wires, and works	Max. \$25	Forfeiture
196.525(3)	Unlawful loans to officers or directors of a public utility and loans to and investments in securities of holding companies	Max. \$10,000	Forfeiture
196.60(1)(b)	Discrimination in services or charges by an officer of a public utility	\$50-\$5,000	Forfeiture
196.604	Unlawful rebates, concessions, and discriminations from a public utility service	\$50-\$5,000	Forfeiture
196.65(1)	Violations by an officer or agent of a public utility relating to information and records	\$100-\$5,000	Forfeiture
196.65(3)(b)	Violations by telecommunications workers relating to information and records	\$100-\$25,000	Forfeiture
196.65(3)(c)	Violations relating to information and records under the direction of a telecommunications provider	\$500-\$25,000	Forfeiture
196.67(3)	Failure by a public utility to place warning signs near certain overhead electrical supply lines	\$50-\$5,000	Forfeiture
196.69(1)	Interference with Public Service Commission equipment	Max. \$5,000, 30 days	C
199.105(3)	Interfering with the utility service of another who contributes to the Citizens Utility Board	Max. \$1,000	Forfeiture
199.14(3)	Corrupt practices and conflicts of interest with the Citizen Utility Board	Max. \$1,000, 6 months	B
200.35(6)(b)	Failure to comply with a requirement by the Metropolitan Sewerage District Commission to remove obstructions	\$100	Forfeiture
213.15	Offering for sale nonstandard hose couplings, fittings, or apparatus fittings for fire hoses	\$100-\$500	Forfeiture
215.11(7)	Failure to furnish a surety bond	\$10	Forfeiture
215.21(23)	False statement in a loan application	Max. \$1,000, 6 months	B
215.26(6)	Acting on behalf of any unauthorized savings and loan association	\$100-\$500	Forfeiture
216.03	Business with or for an unauthorized investment association	\$100-\$1,000; 3 months-1 year	A
217.16	Various violations relating to a seller of checks	Max. \$500, 6 months	B
218.0147(3)	Unlawful sale of a motor vehicle to a minor	Max. \$200, 6 months	B
218.02(10)	Violations relating to adjustment service companies	Max. \$500, 90 days	B
218.04(12)	Violations relating to collection agencies	Max. \$1,000, 6 months	B
218.05(15)	Violations relating to community currency exchanges	Max. \$2,000, 9 months	A
218.11(5m)	Violations relating to recreational vehicle dealers	\$25-\$100	Forfeiture
218.205(1)	Conducting the business of a motor vehicle salvage dealer without a license	\$500-\$5,000; Max. 60 days	C
218.23(3)	Violations relating to the sale of a vehicle to motor vehicle salvage dealers and maintenance of records	\$25-\$200; Max. 60 days	B
218.24(4)	Failure to lawfully display a salvage dealer license number on trucks and truck-tractors	\$25-\$200; Max. 60 days	B
218.305	Auctioning motor vehicles at wholesale without a license	\$25-\$200; Max. 60 days	B
218.33(3)	Violations relating to conducting the business of a motor vehicle auction dealer	\$25-\$200; Max. 60 days	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
218.43	Violations relating to moped dealers	\$25-\$100	Forfeiture
218.53	Violations relating to motor vehicle salvage pools and buyer identification	\$1,000-\$10,000; Max. 90 days	B
220.06(3)(b)	Redisclosure of information in examination reports possessed by a bank	\$100-\$1,000; Max. 6 months	B
221.0525	Failure to comply with certification requirements for the transfer of shares of stock	Max. \$100	Forfeiture
221.0610(5)(c)	False entries in the minute book for meetings of the board of directors of a bank	\$100-\$500; 30 days-6 months	B
223.08	Unlawful use of the word "trust"	\$300-\$1,000; 60 days-1 year	A
224.03	Unlawful banking without a charter	\$300-\$1,000; 60 days-1 year	A
224.06(7)	Violations relating to fidelity bonds for bank officers and employees	\$100	Forfeiture
224.07	Violation of requirements to clear checks at par	No penalty expressed	C
224.80(1)	Various violations relating to mortgage bankers, loan originators, and mortgage brokers	Max. \$25,000, 9 months	A
230.43	Obstruction or falsifications of civil service examinations	\$50-\$1,000; Max. 1 year	A
231.02(6)(a)	Conflicts of interest for members of the Wisconsin Health and Educational Facilities Authority	\$50-\$1,000; Max. 30 days	C
236.31(1)	Transfer of lots without a recorded plat	Max. \$500, 6 months	B
236.32	Disturbing or not placing monuments	Max. \$250, 1 year	A
236.33	Unlawfully dividing land into small parcels in cities of the first class	\$100-\$500; Max. 6 months	B
236.35(2)	Sale of lands abutting on a private way outside the corporate limits of a municipality	Max. \$200, 30 days	C
241.025	Contracts for employment	No penalty expressed	C
250.04(7)	Violations of Department of Health Services rules governing the duties of local health officers	\$10-\$100	Forfeiture
250.045(5)(a)	Violations relating to pharmaceutical drugs and order authority of the Department of Health Services	Max. \$10,000, 1 year	A
250.045(5)(b)	Obstructing a Department of Health Services employee in performing duties relating to pharmaceutical drugs	Max. \$5,000, 1 year	A
252.06(4)(b)2.	Unauthorized entrance into isolation or quarantine premises	Max. \$10,000, 9 months	A
252.15(9)	Unlawful disclosure of the results of an HIV test causing bodily or psychological harm	Max. \$50,000, 9 months	A
252.25	Various violations relating to communicable diseases	Max. \$500, 30 days	C
254.30(2)(b)	Various violations relating to toxic substances and environmental health	\$100-\$5,000	Forfeiture
254.47(3)	Violations relating to recreational sanitation permits and fees	\$25-\$250	Forfeiture
254.59(2)	Maintaining certain human health hazards	Max. \$300, 90 days	B
254.59(4)	Refusal to allow a local health officer to enter into and examine a place to ascertain health conditions	\$10-\$100	Forfeiture
254.59(5)	Maintaining certain human health hazards	Max. \$300, 90 days	B
254.76(1)	Causing fires by tobacco smoking	\$50-\$250; 10 days-6 months	B
254.83(1)	Failure to post hotel rates or changing rates	\$50-\$100	Forfeiture
254.83(2)(d)	Failure to post a notice of special hotel rates	\$50-\$100	Forfeiture
254.84(6)	Violations relating to motel rates	Max. \$300, 6 months	B

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
254.85(5)(a)	Violations relating to enforcement of food and lodging protections	Max. \$10,000, 1 year	A
254.85(5)(b)	Obstructing a state officer in the performance of duties relating to food and lodging protections	Max. \$5,000, 1 year	A
254.88	Various violations relating to food and lodging protections	\$100-\$1,000	Forfeiture
254.92(2m)(b)	Purchasing tobacco products for a minor (second offense within 30 months)	Max. \$500, 30 days	C
254.92(2m)(c)	Purchasing tobacco products for a minor (third offense within 30 months)	Max. \$1,000, 90 days	B
254.92(2m)(d)	Purchasing tobacco products for a minor (fourth or subsequent offenses within 30 months)	Max. \$10,000, 9 months	A
255.04(10)(a)	Unlawful use of information from cancer reporting	Max. \$15,000, 1 year	A
256.30(7)	Refusal or delay of emergency service	Max. \$1,000	Forfeiture
256.35(10)(a)	Unlawfully dialing "911"	\$100-\$600; Max. 90 days	B
256.35(10)(b)	Unlawful use of information from emergency medical services	Max. \$10,000	Forfeiture
280.97	Various violations relating to pure drinking water	\$10-\$100; Max. 30 days	Do Not Change
283.91(3)	Various violations relating to pollution discharge	\$10-\$25,000 (1st offense), \$10-\$50,000 (subsequent offenses); Max. 6 months (1st offense), 1 year (subsequent offenses)	Do Not Change
283.91(4)	False statements in pollution discharge elimination documents	\$10-\$10,000; Max. 6 months	Do Not Change
285.87(2)(a)	Various violations relating to air pollution	Max. \$25,000, 6 months	Do Not Change
291.97(2)(a)	False statements or tampering with hazardous waste management documents	\$100-\$25,000; Max. 1 year	Do Not Change
293.87(2)	False statements in a metallic mining application	\$1,000-\$5,000	Do Not Change
295.37(1)	False statements in an application relating to oil and gas	\$1,000-\$5,000	Do Not Change
299.53(4)(c)2.	False statements in a use oil fuel notification	Max. \$25,000, 1 year	Do Not Change
299.62(3)(b)	Second violation relating to unlawful transport of oil or hazardous material in bulk on certain waterways	\$10,000-\$25,000; Max. 6 months	Do Not Change
299.83(10)	False statements relating to the Green Tier Program	\$10-\$10,000; Max. 6 months	B
299.85(10)	False statements relating to the Environmental Compliance Audit Program	\$10-\$10,000; Max. 6 months	B
301.12(14)(e)4.	Using an assignment of child support to discriminate against an employee	Max. \$500	Forfeiture
301.45(6)(a)2.	Failure to provide information for sex offender registration	Max. \$10,000, 9 months	A
301.45(6)(ag)2.	Unlawful establishment or change of residence by a sex offender	Max. \$10,000, 9 months	A
301.45(6)(am)	Failure to keep confidential information relating to sex offender registration	Max. \$500, 30 days	C
301.47(3)(b)	Sex offender name changes	Max. \$10,000, 9 months	A
302.07	Failure to obey commands to maintain order in a prison	Max. \$500, 1 year	A
302.375(1m)	Selling or giving a prisoner liquor or dangerous drugs	Max. \$10,000, 9 months	A
302.375(2)	Use of intoxicating liquor by a prisoner	Max. \$10,000, 9 months	A
302.375(3)(a)	Allowing prisoners of different sexes to participate together in treatment or activities	Max. \$500, 6 months	B
321.62(5)(d)	Making or using a false affidavit relating to service members civil relief	Max. \$10,000, 9 months	A
321.62(11)(c)	Taking part in the eviction of family of a service member during a period of state active duty	Max. \$10,000, 9 months	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
321.62(12)(c)2.	Causing a foreclosure, sale, or seizure of property for any breach of terms occurring within 90 days after a service member's period of active duty	Max. \$10,000, 9 months	A
321.62(14)(e)	Seizing or retaining personal property belonging to a service member who lawfully terminates a lease	Max. \$10,000, 9 months	A
321.62(15)(c)	Enforcing a lien for storage of household goods or furniture of a service member during a period of state active duty	Max. \$10,000, 9 months	A
322.048	Contempt before a military judge	\$100	Forfeiture
323.60(11)(d)	Releasing certain trade secrets relating to hazardous substances entitled to protection	\$100-\$20,000; Max. 1 year	A
341.45(6)(a)	False information in a form relating to the regulation of importation in vehicle tanks	Max. \$500, 6 months	B
341.45(6)(b)	Failure or refusal to make a report or payment relating to the regulation of importation in vehicle tanks	Max. \$5,000, 1 year	A
341.6	Fraudulent application for a vehicle registration or license	Max. \$200, 6 months	B
342.15(5m)(b)	Fraud relating to a transfer of interest in a vehicle	Max. \$5,000	Forfeiture
342.15(6)(b)	Failure to apply for a new certificate of title immediately upon transfer of a vehicle with intent to defraud	Max. \$1,000, 30 days	C
342.16(4)(b)	Transferring a motor vehicle without disclosing certain information with intent to defraud	Max. \$5,000	Forfeiture
343.05(5)(am)1.	Unlawful motor vehicle operation or licensing (first offense)	\$200-\$600; Max. 6 months	B
343.05(5)(am)2.	Unlawful motor vehicle operation or licensing (second offense within three years)	\$300-\$1,000; 5 days-6 months	B
343.05(5)(am)3.	Unlawful motor vehicle operation or licensing (third or subsequent offenses within three years)	\$1,000-\$2,000; 10 days-6 months	B
343.05(5)(b)1.	Operating a non-commercial motor vehicle without a required license	Max. \$300 (2nd offense), \$500 (subsequent offenses); Max. 30 days (2nd offense), 6 months (subsequent offenses)	C (1st); B (2 +)
343.12(9)(a)	Operating a school bus without authorization (first offense)	\$200-\$600; Max. 6 months	B
343.12(9)(b)	Operating a school bus without authorization (second offense within three years)	\$300-\$1,000; 5 days-6 months	B
343.12(9)(c)	Operating a school bus without authorization (third or subsequent offenses within three years)	\$1,000-\$2,000; 10 days-6 months	B
343.14(9)	Committing fraud in an application for a motor vehicle license or identification card	Max. \$1,000, 6 months	B
343.16(7)(a)	Securing the services of another person to take an examination for a vehicle license	\$100-\$200; Max. 6 months	B
343.16(7)(b)	Taking an examination for a vehicle license in the place of another person	\$100-\$200 (1st offense), \$200-\$500 (subsequent offenses); Max. 6 months (1st offense), 1 year (subsequent offenses)	B (1st); A (2 +)

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
343.19(4)	False statements relating to duplicate motor vehicle licenses or identification cards	Max. \$1,000, 6 months	B
343.245(4)(b)	Allowing certain unauthorized employees to operate a commercial motor vehicle	\$2,750-\$25,000; Max. 90 days	B
343.28(4)	Failure to comply with requirements for courts to forward records of convictions to the Department of Transportation	Max. \$100, 6 months	B
343.315(1m)	Employers allowing drivers to operate a commercial motor vehicle during a period of disqualification	Max. \$5,000, 90 days	B
343.43(3)(a)	Unlawful use of a motor vehicle license (first offense)	\$200-\$600; Max. 6 months	B
343.43(3)(b)	Unlawful use of a motor vehicle license (second offense within three years)	\$300-\$1,000; 5 days-6 months	B
343.43(3)(c)	Unlawful use of a motor vehicle license (third of subsequent offenses within three years)	\$1,000-\$2,000; 10 days-6 months	B
343.43(3m)	Violations relating to operating a "Class D" or "Class M" vehicle	Max. \$300 (2nd offense), \$500 (subsequent offenses); Max. 30 days (2nd offense), 6 months (subsequent offenses)	C (1st); B (2 +)
343.44(2)(ar)2.	Operating a vehicle while revoked (if the revocation did not result from causing bodily harm)	Max. \$2,500, 1 year	A
343.44(2)(ar)3.	Operating a vehicle while revoked (if the operator causes great bodily harm to another person and does not know his or her operating privileges had been revoked)	\$5,000-\$7,500; Max. 1 year	A
343.44(2)(ar)4.	Operating a vehicle while revoked (if the operator causes the death of another person and does not know his or her operating privileges had been revoked)	\$7,500-\$10,000; Max. 1 year	A
343.44(2)(br)	Operating a vehicle while disqualified	Max. \$2,500, 1 year	A
344.48(2)	Forged proof relating to financial responsibility of a vehicle	Max. \$10,000, 9 months	A
345.37(6)	Failure to forward records of convictions to the Department of Transportation	Max. \$100	Forfeiture
346.17(2t)	Knowingly resisting a traffic officer by failing to stop a vehicle after receiving a visible or audible signal to stop	Max. \$10,000, 9 months	A
346.65(1)(b)	Two or more reckless driving convictions within a four-year period	\$50-\$500; Max. 1 year	A
346.65(2)(am)2.	Operating a vehicle under the influence of an intoxicant or other drug (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals two)	\$350-\$1,100; 5 days-6 months	Do Not Change
346.65(2)(am)3.	Operating a vehicle under the influence of an intoxicant or other drug (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals three)	\$600-\$2,000; 30 days- 1 year	Do Not Change
346.65(2)(am)4.	Operating a vehicle under the influence of an intoxicant or other drug (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals four)	\$600-\$2,000; 60 days-1 year	Do Not Change
346.65(2)(f)1.	Operating a vehicle under the influence of an intoxicant or other drug (if there was a minor passenger in the motor vehicle at the time of the violation)	\$350-\$1,100; 5 days-6 months	Do Not Change

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
346.65(2j)(am)2.	Operating a vehicle with an alcohol concentration of 0.04 or more but less than 0.08 (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals two)	\$300-\$1,000; 5 days-6 months	Do Not Change
346.65(2j)(am)3.	Operating a vehicle with an alcohol concentration of 0.04 or more but less than 0.08 (if the number of prior convictions of causing injury from intoxicated operation of a vehicle plus the total number of other suspensions and revocations equals three or more)	\$600-\$2,000; 30 days- 1 year	Do Not Change
346.65(2q)	Operation of a vehicle by a person who has not attained the legal drinking age with an alcohol concentration of more than 0.0 but less than 0.08 (if accompanied by a minor under 16 years of age)	\$400	Do Not Change
346.65(3)	Causing bodily harm to another by the negligent operation of a vehicle	\$300-\$2,000; 30 days-1 year	A
346.65(3m)	Causing injury to another by operating a vehicle under the influence of an intoxicant or other drug (if the driver has a prohibited alcohol concentration under 0.08 or detectable controlled substance in his or her blood)	\$300-\$2,000; 30 days-1 year	Do Not Change
346.65(4)	Employment of drunken operators	\$50-\$500; Max. 6 months	Do Not Change
346.74(5)(a)	Failure to fulfill a required duty upon striking a person or an occupied vehicle (if the accident did not involve death or injury to a person)	\$300-\$1,000; Max. 6 months	B
346.74(5)(b)	Failure to fulfill a required duty upon striking a person or an occupied vehicle (if the accident involved injury but not great bodily harm)	Max. \$10,000, 9 months	A
347.50(1m)	Operating a vehicle equipped with a transmitter emitting a signal to activate an emergency preemption device	Max. \$10,000, 1 year	A
347.50(1s)	Tampering with an ignition interlock device or immobilization device	\$150-\$600 (1st offense), \$300-\$1,000 (subsequent offenses); Max. 6 months	
347.50(2)	Tampering with an odometer or airbag	Max. \$5,000, 1 year	A
349.25(1)	Operating a vehicle for hayrack, sleigh, boxesled, or bobsled rides without a license	Max. \$100, 30 days	C
350.11(3)(a)2.	Intoxicated snowmobiling (second offense within five years)	\$300-\$1,000; 5 days-6 months	Do Not Change
350.11(3)(a)3.	Intoxicated snowmobiling (third offense within five years)	\$600-\$2,000; 30 days- 1 year	Do Not Change
350.11(3)(b)	Causing injury to another by intoxicated snowmobiling; refusal to stop for a law enforcement officer	\$300-\$2,000; 30 days-1 year	Do Not Change
351.08	Operation of a motor vehicle by a habitual traffic offender or repeat habitual traffic offender	Max. \$5,000, 180 days	B
425.401(1)	Various violations relating to consumer transactions	Max. \$2,000	Forfeiture
425.401(2)	Intentional violation of requirements to notice law enforcement about repossessing certain motor vehicle collateral or goods	Max. \$500	Forfeiture
440.03(14)(f)	Violations relating to practicing certain therapies	Max. \$200, 6 months	B
440.032(9)	Violations relating to sign language interpreting	Max. \$200, 6 months	B
440.21(4)(b)	Violating a temporary restraining order or injunction issued by a court relating to engaging in a practice without a credential required by the Department of Safety and Professional Services	\$25-\$5,000; Max. 1 year	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
440.26(8)	Acting as a private detective, investigator, or private security person without a license or permit	\$100-\$500; 3-6 months	B
440.311(2)	Using the title "behavior analyst" without a license	Max. \$250, 3 months	B
440.86(1)	Various violations relating to crematory authorities	Max. \$1,000, 6 months	B
440.95(1)	Knowing failure by a cemetery authority to be licensed	Max. \$100	Forfeiture
440.95(2)	Failure by a cemetery salesperson to register with the Department of Safety and Professional Services	\$25-\$200; Max. 6 months	B
440.95(3)	Violations relating to cemetery authorities and cemetery salespersons	Max. \$1,000, 6 months	B
440.95(4)	Violations relating to cemetery preneed sellers	Max. \$1,000, 90 days	B
440.968(2)	Using the title "Wisconsin registered interior designer" without being registered	\$100-\$500; Max. 3 months	B
440.981(2)	Using the title "licensed midwife" without a license	Max. \$250, 3 months	B
440.9965	Violations by an athlete agent intending to induce a student athlete to enter into an agency contract	Max. \$10,000, 9 months	A
441.13(1)	Various violations relating to nursing regulation	Max. \$250, 1 year	A
442.11	Violations relating to practicing as a certified public accountant without the required credentials	Max. \$500, 1 year	A
443.18(1)(a)	Violations relating to practicing as an architect or engineer without the required credentials	\$100-\$500; Max. 3 months	B
443.18(3)	Various violations relating to architects, engineers, designers, and surveyors	Max. \$500, 3 months	B
444.16(1)	Violations relating to boxing and mixed martial arts fighting	No penalty expressed	C
445.15(1)	Various violations relating to funeral directors	Max. \$5,000; 30 days-3 months	B
445.15(1m)	Requirements by a funeral director or operator for a client who enters into a burial agreement to purchase a life insurance policy used to fund the agreement from a specified insurance intermediary	Max. \$5,000	Forfeiture
446.07	Various violations relating to the practice of chiropractic	Max. \$10,000, 9 months	A
447.09	Various violations relating to the practice of dentistry	Max. \$1,000, 1 year	A
448.09(1)	Billing a patient for a test performed by the state laboratory of hygiene by a Medical Examining Board licensee	Max. \$250	Forfeiture
448.09(1)	Various violations by any person relating to the Medical Examining Board	Max. \$10,000, 9 months	A
448.09(1m)	Various violations by a physician relating to the Medical Examining Board	Max. \$25,000, 9 months	A
448.59	Various violations relating to the Physical Therapy Examining Board	Max. \$10,000, 9 months	A
448.69(1)(a)	Various violations relating to the Podiatry Affiliated Credentialing Board	Max. \$10,000, 9 months	A
448.69(1)(b)	Billing a patient for a test performed by the state laboratory of hygiene by a Podiatry Affiliated Credentialing Board licensee	Max. \$250	Forfeiture
448.94	Various violations relating to the Dietitians Affiliated Credentialing Board	Max. \$1,000, 6 months	B
448.959	Various violations relating to the Athletic Trainers Affiliated Credentialing Board	Max. \$10,000, 9 months	A
448.970(1)	Various violations relating to the Occupational Therapists Affiliated Credentialing Board	Max. \$10,000, 9 months	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
449.11	Various violations relating to the Optometry Examining Board	\$50-\$200 (1st offense), \$200-\$500 (subsequent offenses); Max. 3 months (1st offense), 3-6 months (subsequent offenses)	B (1st and 2 +)
450.11(9)(a)	Violations relating to prescription drugs and devices	Max. \$500, 6 months	Do Not Change
450.155(2)(b)	Exhibition, display, or advertisement of certain vending machines by use of material harmful to minors	Max. \$10,000, 9 months	A
450.16(3)	Sale of contraceptives in a public school	Max. \$10,000, 9 months	A
450.18	Various violations relating to the Pharmacy Examining Board	\$50-\$100; 30-90 days	B
451.16	Various violations relating to acupuncture	\$100-\$1,000; Max. 90 days	B
452.17(1)	Acting as a broker or salesperson without a license	Max. \$1,000; 6 months	B
452.17(2)	Acting as a time-share salesperson without being registered	\$25-\$200; 10 days-6 months	B
452.17(3)	Various violations relating to real estate practice	Max. \$1,000, 6 months	B
453.05(3)	Violations relating to veterinary practice	Max. \$1,000 (1st offense) or \$3,000 (2nd offense within 3 years)	Forfeiture
454.16	Various violations relating to the Cosmetology Examining Board	\$100-\$5,000; 10-90 days	B
454.295	Various violations relating to barbering	\$100-\$5,000; 10-90 days	B
455.11	Various violations relating to the Psychology Examining Board	Max. \$200, 6 months	B
456.09(2)	Violations relating to nursing home administration	Max. \$1,000, 1 year	A
458.30	Various violations relating to the Real Estate Appraisers Board	Max. \$1,000, 6 months	B
470.09(2)	Various violations relating to the Examining Board of Professional Geologists, Hydrologists, and Soil Scientists	Max. \$10,000	Forfeiture
480.26(1)	Various violations relating to the Auctioneer Board	Max. \$1,000, 6 months	B
562.025 and 562.13 (2)(c)	Conflicts of interest relating to racing and pari-mutuel wagering	Max. \$10,000, 9 months	A
562.05 (1) and 562.13 (2)(c)	Engaging in racing or pari-mutuel wagering activities without a license	Max. \$10,000, 9 months	A
562.06 (5) and 562.13 (2)(c)	Accepting a wager or making a payout on a wager to a minor	Max. \$10,000, 9 months	A
562.11 (1) and 562.13 (2)(c)	Violations relating to certain racing or pari-mutuel wagering activities	Max. \$10,000, 9 months	A
562.13(2)	False statements in an application for a license relating to racing and pari-mutuel wagering	Max. \$10,000, 9 months	A
563.73(1)	Violations relating to restrictions on the conduct of bingo	Max. \$10,000, 9 months	A
563.73(2)	Various violations relating to bingo and raffle control	Max. \$5,000, 90 days	B
563.99(1)	Various violations relating to raffles	Max. \$1,000, 30 days	C
565.02(2m) and 565.50(1)	False statements in applications for positions administering state lottery operations	Max. \$10,000, 9 months	A
565.05 and 565.50(1)	Conflicts of interest for employees administering the state lottery	Max. \$10,000, 9 months	A

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
565.10(3m) and 565.50(1)	False statements by retailers applying for a state lottery retail contract	Max. \$10,000, 9 months	A
565.17 and 565.50(1)	Violations relating to limitations on state lottery ticket and share sales and purchases	Max. \$10,000, 9 months	A
565.25(3m) and 565.50(1)	False statements in proposing to contract for a major procurement for the state lottery	Max. \$10,000, 9 months	A
565.32(1),(2)(b), or (3) and 565.50(1)	Violations relating to advertising and ticket and share contents for the state lottery	Max. \$10,000, 9 months	A
565.50(3)	Possessing an altered or forged lottery ticket with intent to defraud	Max. \$10,000, 9 months	A
610.70(7)(a)	Willfully obtaining information about an individual from an insurer under false pretenses	Max. \$25,000, 9 months	A
647.07	Various violations relating to continuing care contracts	Max. \$10,000, 9 months	A
708.03	Designation of an attorney by a lender for a mortgagor	Max. \$100	Forfeiture
756.255	Use of jury duty service by an employer for a discriminatory action	Max. \$200	Forfeiture
757.22(5)	Judges acting as an attorney or attorneys having office with a judge	Max. \$100	Forfeiture
757.295(4)	Barratry	Max. \$500, 6 months	B
757.30(1)	Practicing law without a license	\$50-\$500; Max. 1 year	A
757.45	Sharing of compensation by attorneys	Max. \$500, 6 months	B
765.30(1)	Marriage outside the state to circumvent laws	Max. \$10,000, 9 months	A
765.30(2)	False statements in applying for a marriage license	Max. \$10,000, 9 months	A
765.30(3)	Unlawful solemnization of marriage	\$100-\$500; Max. 6 months	B
765.30(4)	Unlawful solemnization of marriage by the parties to the marriage	\$10-\$200; Max. 3 months	B
765.30(5)	Various violations relating to marriage	\$10-\$50	Forfeiture
767.75(6)(c)	Use of a child or family support assignment by an employer to discriminate against an employee or applicant	Max. \$500	Forfeiture
768.07	Various violations relating to the abolishment of actions for breach of promise, alienation of affection, or criminal conversation	Max. \$10,000, 9 months	A
778.16	Neglect by a treasurer of a municipality to perform forfeiture collection duties	\$50-\$300; 3-6 months	B
778.30(4)	Use by an employer of an order assigning an employee's income to pay forfeitures to discriminate against the employee	Max. \$500	Forfeiture
779.02(7)	Wrongful use of materials by a contractor	Max. \$300, 3 months	B
779.42	Obtaining a mechanic's services by misrepresentation of interest in personal property	Max. \$200, 6 months	B
779.49(2)	Unlawful sale, disposal, or mortgage of a dam (animal)	Max. \$10, 60 days	C
782.38	Reimprisonment	Max. \$1,000, 6 months	B
782.39	Concealment of a person entitled to a writ of habeas corpus	Max. \$1,000, 6 months	B
785.04(2)(a)	Contempt of court in a nonsummary procedure	Max. \$5,000, 1 year	A
785.04(2)(b)	Contempt of court in a summary procedure	Max. \$500, 30 days	C
800.095(1)(c)11.	Use by an employer of an assignment for failure to pay a monetary judgment to discriminate against the employee	Max. \$500	Forfeiture

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
800.12(3)	Contempt of court including misconduct in the presence of the court or the refusal of a witness to appear	Max. 7 days	
813.12(8)(a)	Violation of a temporary domestic abuse restraining order or injunction	Max. \$1,000, 9 months	A
813.122(11)	Violation of a temporary child abuse restraining order or injunction	Max. \$1,000, 9 months	A
813.123(10)	Violation of a temporary restraining order or injunction for individuals at risk	Max. \$1,000, 9 months	A
813.125(7)	Violation of a temporary harassment restraining order or injunction	Max. \$1,000, 9 months	A
813.128(2)	Violation of a condition of a foreign protection order	Max. \$1,000, 9 months	A
823.12	Violation of various injunctions relating to nuisances	\$200-\$1,000; 3-6 months	B
846.40(10)(d)1.	Fraud relating to foreclosure reconveyances	Max. \$50,000, 1 year	A
846.45(6)(e)	Violations relating to foreclosure consultants	\$25-\$10,000; Max. 1 year	A
856.05(3)	Failure to deliver a will or suppression of a will	Max. \$500, 1 year	A
885.11(3)	Inexcusable failure by a witness to attend a court of record	Max. \$200	Do Not Change
939.32(1)(bm)	Attempt to commit a Class I felony	A	
939.615(7)(b)1.	Violation of a condition of lifetime supervision	A	
940.19(1)	Battery	A	
940.195(1)	Battery to an unborn child	A	
940.22(3)(d)	Failure by a therapist to report sexual exploitation by another therapist	A	
940.22(4)(d)	Failure to maintain confidentiality of reports and records relating to sexual exploitation by a therapist	A	
940.225(3m)	Fourth degree sexual assault	A	
940.285(2)(b)4.	Subjecting an individual at risk to abuse under circumstances causing bodily harm	A	
940.285(2)(b)5.	Subjecting an individual at risk to abuse under circumstances not causing bodily harm	B	
940.291(1)	Failure by a law enforcement officer to render first aid	A	
940.291(2)	Law enforcement officer permitting another to fail to render first aid	A	
940.295(3)(b)4.	Reckless abuse or neglect of patients or residents at community residential facilities under circumstances causing bodily harm	A	
940.295(3)(b)5.	Reckless abuse or neglect of patients or residents at community residential facilities under circumstances not causing bodily harm	B	
940.34(1)(a)	Failure to summon law enforcement for a victim of a crime causing bodily harm	C	
940.34(1)(b)	Failure by a private detective to notify law enforcement of a crime	C	
940.34(1)(c)	Failure by a private security person to notify law enforcement of a crime	C	
940.42	Intimidation of witnesses	A	
940.44	Intimidation of victims	A	
941.01(1)	Negligent operation of a vehicle endangering another's safety	A	
941.10(1)	Negligent handling of burning material	A	
941.12(2)	Interfering with fire fighting	A	
941.12(3)	Interfering with accessibility to a fire hydrant	C	
941.13	False alarms	A	
941.20(1)	Endangering safety by use of a dangerous weapon	A	
941.23(2)	Unqualified carrying of a concealed weapon	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
941.235(1)	Unqualified carrying of a firearm in a public building	A	
941.237(2)	Carrying a handgun where alcoholic beverages may be sold and consumed	A	
941.24(1)	Possession of a switchblade knife	A	
941.26(2)(c)	Possession of a bomb	A	
941.26(4)(b)	Intentional use of pepper spray to cause bodily harm	A	
941.26(4)(h)	Selling pepper spray where customers have direct access to it	A	
941.26(4)(i)1.	Selling pepper spray that does not meet state requirements	A	
941.26(4)(j)1.	Selling pepper spray without adequate labeling	A	
941.26(4)(L)	Possession of pepper spray by a felon	A	
941.299(3)(a)	Directing a laser pointer at law enforcement	B	
941.315(2)	Possession or inhalation of nitrous oxide	A	
941.316(2)	Possession or abuse of hazardous substances	A	
941.318(2)	Manufacture, distribution, or delivery of salvinorin A with intent that it be consumed	Max. \$10,000	
941.36(1)	Fraudulent tapping of electric wires, gas, water, meters, or pipes	C	
941.37(2)	Obstructing emergency or rescue personnel	A	
941.38(3)	Violation of a court order to refrain from contacting a criminal gang member	A	
941.39(2)	Violation of a court order prohibiting contact with victims	A	
941.40(1)	Disturbing telecommunications or electricity lines by affecting a structure	B	
941.40(2)	Intentional disturbance of telecommunications or electricity lines	B	
941.40(3)	Intentionally causing an electrical connection with telecommunications or electricity lines	A	
942.01(1)	Defamation	A	
942.03	Giving false information for publication	A	
942.05	Opening letters	A	
942.06(3)	Use of polygraphs and similar tests	B	
942.07(4)	Use of genetics tests	B	
942.08(2)	Invasion of privacy	A	
942.09(5)(a)	Capturing a representation of a nude person in a locker room	B	
942.09(5)(b)1.	Capturing and distributing a representation of a nude person in a locker room	A	
943.01(1)	Damage to physical property	A	
943.014(2)	Demolition of a historic building without authorization	A	
943.017(1)	Graffiti	A	
943.07(3)	Throwing or shooting at railroads	B	
943.07(4)	Depositing dangerous debris on a railroad track	B	
943.11	Entry into a locked vehicle	A	
943.125(1)	Entry into a locked coin box	A	
943.125(2)	Possession of a device intended for breaking into a coin box	A	
943.14	Criminal trespass to dwellings	A	
943.145(2)	Criminal trespass to a medical facility	B	
943.15(1)	Entry onto a construction site or into a locked building, dwelling, or room	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
943.20(3)(a)	Theft (if the value of the property does not exceed \$2,500)	A	
943.207(3m)(a)	Unlawful transfer of recorded sounds (if involving fewer than 1,000 recordings that do not exceed \$2,500 in value)	A	
943.208(2)(a)	Recording a performance without the consent of the performance owner (if involving fewer than 1,000 sound recordings or 100 audiovisual recordings during a 180-day period and the value of the recordings does not exceed \$2,500)	A	
943.209(2)(a)	Failure to disclose the manufacturer of a recording (if involving fewer than 100 recordings during a 180-day period and the value of the recordings does not exceed \$2,500)	A	
943.21(3)(am)1.	Fraud on a hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station (if the value of the service is \$2,500 or less)	A	
943.215(1)	Absconding without paying rent	A	
943.23(3m)	Operating a vehicle without the owner's consent for less than 24 hours	A	
943.23(4m)	Riding as a passenger in a vehicle operated without the owner's consent	A	
943.23(5)	Removal of minor parts of a vehicle without the owner's consent	A	
943.24(1)	Issuing worthless checks for \$2,500 or less	A	
943.26(1)	Removing or damaging encumbered real property	A	
943.34(1)(a)	Receiving stolen property (if the value of the property does not exceed \$2,500)	A	
943.37	Alteration of property identification marks	A	
943.38(3)	Forgery; falsely making or altering objects and certain writings or documents	A	
943.392	Fraudulent data alteration	A	
943.395(2)(a)	Fraudulent insurance and employee benefit program claims (if the value of the claim does not exceed \$2,500)	A	
943.41(8)(a)	Making false statements to procure a financial transaction card; theft by taking a card or signing another's card	A	
943.41(8)(c)	Fraudulent use of a financial transaction card (if the value of the money, goods, services, or property does not exceed \$2,500)	A	
943.45(3)(b)	Theft of telecommunications service (second or subsequent offenses)	B	
943.45(3)(c)	Theft of telecommunications service (for direct or indirect commercial advantage or private financial gain)	A	
943.455(4)(b)	Theft of commercial mobile service (second or subsequent offenses)	B	
943.455(4)(c)	Theft of commercial mobile service (for direct or indirect commercial advantage or private financial gain)	A	
943.46(4)(b)	Theft of cable television service (second or subsequent offenses)	B	
943.46(4)(c)	Theft of cable television service (for direct or indirect commercial advantage or private financial gain)	A	
943.47(3)(b)	Theft of satellite cable programming (second or subsequent offenses)	B	
943.47(3)(c)	Theft of satellite cable programming (for direct or indirect commercial advantage or private financial gain)	A	
943.49(2)(b)1.	Use of a recording device in a movie theater without written consent	A	
943.50(4)(a)	Retail theft (if the value of the merchandise does not exceed \$500)	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
943.61(5)(a)	Theft of library material (if the value of the library materials does not exceed \$2,500)	A	
943.62(4)(a)	Unlawful receipt of payments to obtain a loan for another (if the value of the payment does not exceed \$2,500)	A	
943.70(2)(b)1.	Computer crimes; offenses against computer data and programs	A	
943.70(3)(b)1.	Computer crimes; offenses against computers, computer equipment, or supplies	A	
943.74(3)(a)	Theft of farm-raised fish	A	
943.75(2)	Unauthorized release of animals	C (first offense), A (second offense)	
943.76(3)(a)	Infecting livestock with a contagious disease through reckless conduct	A	
943.76(3)(b)	Infecting wild deer with a contagious disease through reckless conduct	A	
943.81 and 943.91 (1)	Theft from a financial institution (if the value of the money, funds, credits, assets, securities, or property does not exceed \$500)	A	
943.82 (1) and 943.91 (1)	Fraud against a financial institution (if the value of the money, funds, credits, assets, securities, or property does not exceed \$500)	A	
943.83 and 943.91 (1)	Loan fraud (if the value of the loan does not exceed \$500)	A	
943.84 and 943.91 (1)	Transfer of encumbered property (if the value of the property does not exceed \$500)	A	
944.15(2)	Public fornication	A	
944.17(2)	Sexual gratification	A	
944.20(1)	Lewd or lascivious behavior	A	
944.21(5)(b)	Obscenity (if the person has one prior obscenity conviction)	A	
944.23	Making, lewd, obscene, or indecent drawings in public	C	
944.25(2)	Sending obscene or sexually explicit electronic messages	A	
944.30	Prostitution	A	
944.31	Patronizing prostitutes	A	
944.33(1)	Pandering	A	
944.36	Solicitation of drinks by an entertainer or employee of a licensee, permittee, or bartender of a retail alcohol beverage establishment	B	
945.02	Gambling	B	
945.04(1m)	Permitting premises to be used for commercial gambling	A	
945.07(1)	Gambling by participants in a contest	A	
945.08(2)	Agreeing to being bribed as a participant in a contest	A	
946.06(1)	Improper use of the flag	A	
946.15(2)	Public construction contracts at less than full rate (kickbacks)	C	
946.15(4)	Public construction contracts at less than full rate (targeting)	C	
946.16	Judicial officer collecting claims	B	
946.17	Corrupt means to influence legislation; disclosure of interest	A	
946.32(2)	False swearing	A	
946.40(1)	Refusing to aid an officer	C	
946.41(1)	Resisting or obstructing an officer	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
946.42(2)	Escape from custody	A	
946.425(1m)(a)	Failure to report to jail (for a person who receives a stay of execution of imprisonment of less than 10 days)	A	
946.425(1r)(a)	Failure to report to jail (for a person who is subject to a confinement order as the result of a conviction for a misdemeanor)	A	
946.45(1)	Negligently allowing escape	B	
946.46	Encouraging a violation of probation, extended supervision, or parole	A	
946.49(1)(a)	Bail jumping (if the offense with which the person is charged is a misdemeanor)	A	
946.495	Violation of a nonsecure custody order	A	
946.50(6)	Absconding (if the person was adjudicated delinquent for committing a misdemeanor if committed by an adult)	A	
946.67(1)	Compounding crime	A	
946.70(1)(a)	Impersonating a peace officer with intent to mislead others	A	
946.70(1)(b)	Impersonating a fire fighter with intent to mislead others	A	
946.70(1)(c)	Impersonating an emergency medical technician with intent to mislead others	A	
946.70(1)(d)	Impersonating a first responder with intent to mislead others	A	
946.71(2)	Unlawful use of a license for carrying concealed weapons	A	
946.72(2)	Tampering with public notices	B	
946.73	Violation of laws governing state fair park or any state or county charitable, curative, reformatory, or penal institution while within the same grounds	C	
946.74(1)	Aiding escape from mental institutions	A	
946.75	Denial of right of counsel	A	
947.01(1)	Disorderly conduct	B	
947.011(3)(a)	Disrupting a funeral or memorial service	A	
947.012(1)	Unlawful use of a telephone	B	
947.0125(2)	Unlawful use of computerized communication systems	B	
947.013(1r)	Harassment accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm	A	
947.02	Vagrancy	C	
947.04(1)	Drinking in common carriers	C	
947.06(3)	Intentional failure or refusal to withdraw from an unlawful assembly which the person knows has been ordered to disperse	A	
947.07(2)	Causing violence or a breach of peace by damaging or destroying a U.S. flag	A	
948.09	Sexual intercourse with a child age 16 or older	A	
948.10(1)(b)	Exposing genitals or pubic area to a child, or causing a child to expose genitals or pubic area, for purposes of sexual arousal or sexual gratification (when the actor is a child)	A	
948.11(2)(b)	Intent to expose a child to harmful material	A	
948.21(1)(a)	Neglecting a child (when no bodily harm is a consequence)	A	
948.22(3)	Failure to provide spousal, grandchild, or child support (for less than 120 consecutive days)	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
948.23(3)(c)1.	Failure to report the disappearance of a child (when no bodily harm is a consequence)	A	
948.40(4)	Contributing to the delinquency of a child	A	
948.45(1)	Contributing to truancy	C	
948.50(3)	Strip search of a pupil by a school employee	B	
948.51(3)(a)	Hazing (if the act results in or is likely to result in bodily harm to another)	A	
948.53(2)(b)1.	Child left unattended in a child care vehicle (when no bodily harm is a consequence)	A	
948.55(2)	Leaving or storing a loaded firearm within the reach or easy access of a child (if the child discharges the firearm causing bodily harm)	A	
948.55(3)	Leaving or storing a loaded firearm within the reach or easy access of a child (if the child possesses or exhibits the firearm in a public place)	C	
948.60(2)(a)	Possession of a dangerous weapon by a person under 18	A	
948.61(2)(a)	Possession of a dangerous weapon other than a firearm on school premises	A	
948.62(1)(a)	Receiving stolen property from a child (if the value of the property does not exceed \$500)	A	
948.63	Receiving property from a child	A	
949.165(14)	Violations relating to payment to and establishment of escrow accounts	Max. \$500, 30 days	C
949.17(2)	Misrepresentation associated with the crime victim compensation program	Max. \$500, 6 months	B
949.37(2)	Misrepresentation associated with awards for sexual assault forensic examination compensation	Max. \$500, 6 months	B
951.02 and 951.18(1)	Mistreating animals	A	
951.025 and 951.18(1)	Killing an animal by means of decompression	A	
951.03 and 951.18(1)	Dognapping and catnapping	A	
951.04 and 951.18(1)	Leading an animal upon a highway from a motor vehicle	A	
951.05 and 951.18(1)	Transportation of animals in a cruel manner	A	
951.06 and 951.18(1)	Exposing a domestic animal to poisonous or controlled substances	A	
951.07 and 951.18(1)	Using certain devices on animals to ready them for an exhibition, competition, rodeo, circus, or other performance	A	
951.08 (2m) and 951.18 (2)	Owning an animal within 5 years of conviction for instigating fights between animals	A	
951.08 (3) and 951.18 (2)	Spectating a cockfight, dog fight, bullfight, or other fight between animals	A	
951.09 and 951.18 (1)	Shooting at caged or staked animals	A	
951.095 and 951.19 (2m)	Harassment of police and fire animals (when no injury is a consequence)	A	
951.097 (1) (b) 1. or (2) (a) and 951.18 (2s)	Reckless harassment of service dogs	B	
951.097 (1) (b) 2., (2) (b), or (3) (a) and 951.18 (2s)	Intentional harassment of service dogs or recklessly injuring a service dog	A	

Draft Recommendations on Misdemeanor Classifications

2011 Statute Section	Summary of Misdemeanor	Current Penalty or Class	New Penalty or Class
951.10 and 951.18 (1)	Unlawful sale of baby rabbits, chicks, and other fowl	A	
951.11 and 951.18 (1)	Artificially coloring animals	A	
951.13 and 951.18 (1)	Failure to provide proper food and drink to confined animals	A	
951.14 and 951.18 (1)	Failure to provide proper shelter to confined animals	A	
951.15 and 951.18 (1)	Abandoning animals	A	
961.41(3g)(b)	Possession of a controlled substance not included in schedule I or II that is a narcotic drug		
961.41(4)(bm)	Manufacture, delivery, distribution, or dispensation of imitation controlled substances	Max. \$500, 6 months	Do Not Change
961.435	Use or prescription by a practitioner of a controlled substance in schedule I, II, III, or IV	Max. \$500, 30 days	Do Not Change
961.573(1)	Possession of drug paraphernalia	Max. \$500, 30 days	Do Not Change
961.574(1)	Manufacture or delivery of drug paraphernalia	Max. \$1,000, 90 days	Do Not Change
961.575(1)	Delivery of drug paraphernalia to a minor	Max. \$10,000, 9 months	Do Not Change
961.576	Advertisement of drug paraphernalia	Max. \$500, 30 days	Do Not Change
968.075(5)(a)2.	Contact with an alleged victim immediately following an arrest for a domestic abuse incident	Max. \$10,000, 9 months	A
968.255(4)	Intentional violation of strip search requirements	Max. \$1,000, 90 days	B
968.34(3)	Unlawful use of a pen register or trap and trace device	Max. \$10,000, 9 months	A
968.49	Failure to attend as a grand juror after being lawfully summoned without a sufficient excuse	Max. \$40	Forfeiture
973.05(5)(g)	Use by an employer of an assignment for an employee's failure to pay certain fines, surcharges, costs, or fees to discriminate against the employee	Max. \$500	Forfeiture
973.07	Failure to pay a fine, fees, surcharges, or costs or to comply with certain community service work	Max. 6 months	
976.03(11)	Officer delivering a person in custody to an extradition agent of another state	Max. \$1,000, 6 months	B
979.01(2)	Violations relating to reporting deaths	Max. \$1,000, 90 days	B
979.10(4)	Unlawful cremation without a permit	Max. \$10,000, 9 months	A
985.03(2)	Causing a legal notice to be published in an ineligible newspaper or failure to cause such legal notice in any newspaper	Max. \$100	Forfeiture
995.67(2)(b)	Disclosure by a domestic abuse services organization of the location of certain people to a service recipient	Max. \$500, 30 days	C