



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 673

Assembly Amendment 1

Memo published: February 26, 2002

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2001 Assembly Bill 673 prohibits intentionally making a threat to release or disseminate a harmful substance knowing that the threat is false, if the threat induces a reasonable expectation or fear that the person making the threat will release or disseminate the harmful substance. The bill defines “harmful substance” as a radioactive material that is dangerous to human life, a toxic or poisonous chemical or its precursor, or a disease organism. A violation of this prohibition is a Class E felony (punishable by a fine not to exceed \$10,000 or imprisonment not to exceed five years, or both).

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

Assembly Amendment 1 creates definitions of terms essential to understanding the key term “harmful substance” that is used in the bill. Specifically, the amendment defines the terms “biological agent,” “harmful substance,” “microorganism,” “precursor,” and “toxic chemical.” Although similar terms are used in the definition of “harmful substance in the bill,” these terms, with the exception of “radioactive material” are not limited to their effects on humans. Under the definitions of these key terms in the amendment, the potential harm from a “toxic chemical or its precursor, or biological agent” is tied to its harmful effect on humans.

Assembly Bill 673, as amended, was recommended for passage on a vote of Ayes, 14; Noes, 0.

SPH:wu:jal:tlu:jal