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## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1997 ASSEMBLY BILL 493

December 23, 1997 - Offered by Representatives Goetsch and Steinbrink.

1	AN ACT to repeal 943.50 (2); to renumber and amend 943.50 (1m); and to
2	$\textbf{\textit{create}}\ 943.50\ (1)\ (ar),\ (as)\ and\ (at),\ 943.50\ (1m)\ (a),\ 943.50\ (1m)\ (b),\ 943.50\ (1m)$
3	$(c),943.50\;(1m)\;(d),943.50\;(1m)\;(e),943.50\;(1m)\;(f),943.50\;(1m)\;(g)\;and\;943.50\;(g)$
4	(1m) (h) of the statutes; <b>relating to:</b> retail theft.

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

**SECTION 1.** 943.50 (1) (ar), (as) and (at) of the statutes are created to read: 943.50 (1) (ar) "Theft detection device" means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant.

(as) "Theft detection device remover" means any tool or device used, designed for use or primarily intended for use in removing a theft detection device from merchandise held for resale by a merchant or property of a merchant.

1	(at) "Theft detection shielding device" means any laminated or coated bag or
2	device designed to shield merchandise held for resale by a merchant or property of
3	a merchant from being detected by an electronic or magnetic theft alarm sensor.
4	SECTION 2. 943.50 (1m) of the statutes is renumbered 943.50 (1m) (intro.) and
5	amended to read:
6	943.50 (1m) (intro.) Whoever intentionally alters indicia of price or value of
7	merchandise or who takes and carries away, transfers, conceals or retains possession
8	of merchandise held for resale by a merchant or property of the merchant A person
9	may be penalized as provided in sub. (4) if he or she does any of the following without
10	his or her the merchant's consent and with intent to deprive the merchant
11	permanently of possession, or the full purchase price, of the merchandise may be
12	penalized as provided in sub. (4). or property:
13	<b>Section 3.</b> 943.50 (1m) (a) of the statutes is created to read:
14	943.50 (1m) (a) Intentionally alters indicia of price or value of merchandise
15	held for resale by a merchant or property of a merchant.
16	<b>Section 4.</b> 943.50 (1m) (b) of the statutes is created to read:
17	943.50 (1m) (b) Intentionally takes and carries away merchandise held for
18	resale by a merchant or property of a merchant.
19	Section 5. 943.50 (1m) (c) of the statutes is created to read:
20	943.50 (1m) (c) Intentionally transfers merchandise held for resale by a
21	merchant or property of a merchant.
22	<b>Section 6.</b> 943.50 (1m) (d) of the statutes is created to read:
23	943.50 (1m) (d) Intentionally conceals merchandise held for resale by a
24	merchant or property of a merchant.
25	<b>SECTION 7.</b> 943.50 (1m) (e) of the statutes is created to read:

1	943.50 (1m) (e) Intentionally retains possession of merchandise held for resale
2	by a merchant or property of a merchant.
3	<b>Section 8.</b> 943.50 (1m) (f) of the statutes is created to read:
4	943.50 (1m) (f) While anywhere in the merchant's store, intentionally removes
5	a theft detection device from merchandise held for resale by a merchant or property
6	of a merchant.
7	<b>Section 9.</b> 943.50 (1m) (g) of the statutes is created to read:
8	943.50 (1m) (g) Uses, or possesses with intent to use, a theft detection shielding
9	device to shield merchandise held for resale by a merchant or property of merchant
10	from being detected by an electronic or magnetic theft alarm sensor.
11	<b>Section 10.</b> 943.50 (1m) (h) of the statutes is created to read:
12	943.50 (1m) (h) Uses, or possesses with intent to use, a theft detection device
13	remover to remove a theft detection device from merchandise held for resale by a
14	merchant or property of a merchant.
15	<b>Section 11.</b> 943.50 (2) of the statutes is repealed.
16	Section 12. Initial applicability.
17	(1) This act applies to offenses committed on or after the effective date of this
18	subsection.
19	(END)