



1997 ASSEMBLY BILL 813

February 24, 1998 - Introduced by Representative WALKER, cosponsored by Senator ROSENZWEIG. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT to amend** 943.23 (1g) of the statutes; **relating to:** taking a vehicle
2 without consent of the owner by using or threatening to use force or violence.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from taking a vehicle without the consent of the owner. If a person violates this prohibition while possessing a dangerous weapon and using or threatening to use force or the dangerous weapon (a crime often referred to as "carjacking"), he or she may be imprisoned for not more than 40 years. If the person causes great bodily harm to another person while committing a carjacking, he or she is subject to a presumptive minimum sentence of 10 years of imprisonment. Finally, a person who causes the death of another while committing a carjacking must be sentenced to life imprisonment.

This bill eliminates the requirement that a person actually possess a dangerous weapon before he or she can be convicted of the crime of carjacking. Under the bill, a person is guilty of carjacking if the person takes a vehicle without the consent of the owner by using or threatening to use force or violence, regardless of whether the person actually possesses a dangerous weapon.

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

3 **SECTION 1.** 943.23 (1g) of the statutes is amended to read:

