



## 1997 SENATE BILL 96

February 25, 1997 - Introduced by Senators HUELSMAN, ROSENZWEIG, BUETTNER, DARLING, DRZEWIECKI, WEEDEN and WELCH, cosponsored by Representatives OTTE, URBAN, DUFF, BLACK, LADWIG, CARPENTER, OLSEN, GOETSCH, WASSERMAN, KREIBICH, GREEN, SERATTI, SCHAFFER, HARSDFOR, ROBSON and PLALE. Referred to Committee on Judiciary, Campaign Finance Reform and Consumer Affairs.

1     **AN ACT** *to amend* 940.09 (1) (intro.) of the statutes; **relating to:** homicide by  
2           intoxicated use of a vehicle and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

Under current law, a person is guilty of homicide by the intoxicated use of a vehicle if he or she causes the death of another by doing any of the following: a) operating or handling a vehicle while under the influence of an intoxicant; b) operating or handling a vehicle while having a prohibited blood alcohol concentration (0.1 if the person has one or fewer prior alcohol-related offenses, or 0.08 if the person has 2 or more prior alcohol-related offenses); or c) operating a commercial motor vehicle while having a blood alcohol concentration of 0.04 or more but less than 0.1. Currently, a person who is guilty of homicide by the intoxicated use of a vehicle may be fined not more than \$10,000 or imprisoned for not more than 10 years or both. This bill changes the penalties for intoxicated use of a vehicle by increasing the maximum imprisonment from 10 years to 40 years and eliminating the fine.

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

3           **SECTION 1.** 940.09 (1) (intro.) of the statutes is amended to read:  
4           940.09 (1) (intro.) Any person who does any of the following is guilty of a Class  
5           C B felony:

