



1999 ASSEMBLY BILL 943

March 29, 2000 – Introduced by Representatives UNDERHEIM, KLUSMAN, POCAN, GUNDERSON and STONE, cosponsored by Senator ROESSLER, by request of Department of Health and Family Services. Referred to Committee on Criminal Justice.

1 **AN ACT to amend** 940.207 (title), 940.207 (2) (intro.) and 940.207 (2) (a) of the
2 **statutes; relating to:** threats to or battery of employes of department of health
3 and family services and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits making certain threats to cause bodily harm to the person or family member of a judge, a witness or an official, employe or agent of the department of revenue (DOR), department of commerce or department of workforce development (DWD). Under current law, the penalties for a battery committed under certain circumstances against one of these individuals is also greater than the penalty for battery in general.

This bill prohibits making certain threats to cause bodily harm to the person or family member of an official, employe or agent of the department of health and family services (DHFS). The bill also increases the penalty for battery committed under certain circumstances against an official, employe or agent of DHFS (making it identical to the penalty imposed for battery committed against an official, employe or agent of DOR, department of commerce or DWD under comparable circumstances). A threat is covered by this prohibition and the penalty for the battery is increased if: 1) the person making the threat or committing the battery knows or should have known that the victim is an official, employe or agent of DHFS or a member of the official's, employe's or agent's family; 2) at the time of the threat or battery, the victim is acting in his or her official capacity or the threat is made or the battery is committed in response to any action taken in an official capacity; and

