

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB564)**

Received: 01/23/2008

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Albers@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Rendering assistance

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 01/23/2008	wjackson 01/23/2008		_____			
/1			rschluet 01/23/2008	_____	cduerst 01/23/2008	cduerst 01/23/2008	

FE Sent For:

<END>

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1/23/08

WSB

FE Sent For:

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## 2007 ASSEMBLY BILL 564

November 2, 2007 – Introduced by Representatives GUNDRUM, MUSSER, LEMAHIEU, JESKEWITZ, BERCEAU, HAHN, SHILLING, TOWNSEND and A. OTT, cosponsored by Senators KAPANKE, VINEHOUT, LAZICH, OLSEN and ROESSLER. Referred to Committee on Judiciary and Ethics.

- 1 **AN ACT to repeal** 29.341 and 346.74 (5) (e); and **to create** 940.245 of the statutes;
- 2 **relating to:** duties upon causing an injury, and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person who accidentally injures another person while hunting with a firearm or a bow has a duty to give his or her name to the injured person, render assistance to the person, obtain immediate medical care for the person, and report the incident to a local law enforcement agency. A person who fails to comply with these requirements is subject to a fine of up to \$5,000 or imprisonment for up to one year if the person intentionally failed to comply, or for up to nine months if the person negligently failed to comply, or both.

Under this bill, any person who knows that he or she has injured another with a dangerous weapon is required to give his or her name to the injured person, render assistance to the person, obtain immediate medical care for the person, and report the incident to a local law enforcement agency. A person who fails to do so is guilty of: 1) a Class A misdemeanor if the violation involved injury to a person but the person did not suffer great bodily harm; 2) a Class E felony if the violation involved injury to a person and the person suffered great bodily harm; or 3) a Class D felony if the violation involved death to a person. The bill also eliminates a provision in the statutes that leaving the scene of a motor vehicle accident is a felony if the accident involved injury, but not great bodily harm, to another person.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.



WJ

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 564

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At the locations indicated, amend the bill as follows:

✓ 1. Page 2, line 6: delete "give" and substitute "leave".

✓ 2. Page 2, line 7: delete "to the injured person" and substitute "at the scene in a manner that is reasonably discoverable".

✓ 3. Page 2, line 7: after "assistance" insert "that he or she is reasonably able to render".

✓ 4. Page 2, line 8: after "person and" insert "then".

✓ 5. Page 2, line 8: delete "person", and substitute "person".

(END)