



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2011 Senate Bill 109

**Senate Substitute
Amendment 1 and Assembly
Amendment 1**

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Senate Substitute Amendment 1 to 2011 Senate Bill 109

2011 Senate Bill 109 relates to soft tissue injury to a law enforcement officer when resisting or obstructing arrest.

Under **current law**, a person who causes substantial bodily harm to a law enforcement officer, while knowingly resisting or obstructing an officer in the officer's official capacity, is guilty of a Class H felony. Also under current law, any prisoner confined to a state prison or other state, county, or municipal detention facility who intentionally causes bodily harm to an officer, employee, visitor, or other inmate of the facility is guilty of a Class H felony.

Senate Bill 109 specifies that causing a soft tissue injury, in addition to the current basis of causing substantial bodily harm, while knowingly resisting or obstructing an officer in the officer's official capacity, is a Class H felony.

Senate Substitute Amendment 1 maintains the language of Senate Bill 109 to specify that causing a soft tissue injury to an officer while resisting or obstructing an officer in the officer's official capacity is a Class H felony, and adds causing great bodily harm in that circumstance as a Class G felony.

The substitute amendment also specifies that causing a soft tissue injury, in addition to the current basis of causing bodily harm, when any prisoner confined to a state prison or other state, county, or municipal detention facility intentionally injures an officer, employee, visitor, or other inmate of the facility is a Class H felony.

Assembly Amendment 1 to 2011 Senate Bill 109

Assembly Amendment 1 specifies that a soft tissue injury means "an injury that requires medical attention to a tissue that connects, supports, or surrounds other structures and organs of the body and

includes tendons, ligaments, fascia, skin, fibrous tissues, fat, synovial membranes, muscles, nerves, and blood vessels.”

Legislative History

2011 Senate Bill 109 was introduced by Senator Leibham and others on May 26, 2011. On June 7, 2011, the Senate Committee on Labor, Public Safety, and Urban Affairs voted to recommend passage of the bill on a vote of Ayes, 5; Noes, 0.

Senate Substitute Amendment 1 was introduced by Senator Leibham and others on June 14, 2011. On June 14, 2011, the Senate adopted Senate Substitute Amendment 1 and passed the bill, as amended, on a voice vote.

On June 14, 2011, the Assembly received the bill from the Senate, and referred it to the Assembly Committee on Criminal Justice and Corrections.

Assembly Amendment 1 to Senate Bill 109 was introduced by Representative Endsley on October 3, 2011. On October 6, 2011, the Assembly Committee on Criminal Justice and Corrections recommended adoption of the amendment on a vote of Ayes, 8; Noes, 0, and recommended concurrence with the bill, as amended, on a vote of Ayes, 8; Noes, 0.

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