



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2115/en
CMH:ahe:kf

2015 SENATE BILL 117

1 **AN ACT** *to amend* 940.20 (2), 940.203 (title), 940.203 (1) (b), 940.203 (2) (intro.),
2 940.203 (2) (a) and 940.203 (2) (b); and *to create* 940.203 (1) (c) and 940.203 (1)
3 (d) of the statutes; **relating to:** battery and threats to a judge, a prosecutor, or
4 a law enforcement officer and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 940.20 (2) of the statutes is amended to read:
6 940.20 (2) BATTERY TO ~~LAW ENFORCEMENT OFFICERS,~~ FIRE FIGHTERS, AND
7 COMMISSION WARDENS. Whoever intentionally causes bodily harm to a law
8 enforcement officer or fire fighter, as those terms are defined in s. 102.475 (8) (b) and
9 (e), or to a commission warden, acting in an official capacity and the person knows
10 or has reason to know that the victim is a ~~law enforcement officer,~~ fire fighter, or

SENATE BILL 117**SECTION 1**

1 commission warden, by an act done without the consent of the person so injured, is
2 guilty of a Class H felony.

3 **SECTION 2.** 940.203 (title) of the statutes is amended to read:

4 **940.203** (title) **Battery or threat to judge, prosecutor, or law**
5 **enforcement officer.**

6 **SECTION 2m.** 940.203 (1) (b) of the statutes is amended to read:

7 940.203 (1) (b) “Judge” means a person who currently is or who formerly was
8 a supreme court justice, court of appeals judge, circuit court judge, municipal judge,
9 temporary or permanent reserve, judge or circuit, supplemental, or municipal court
10 commissioner.

11 **SECTION 3.** 940.203 (1) (c) of the statutes is created to read:

12 940.203 (1) (c) “Law enforcement officer” has the meaning given in s. 102.475
13 (8) (c) and includes a person who formerly was a law enforcement officer under that
14 definition.

15 **SECTION 4.** 940.203 (1) (d) of the statutes is created to read:

16 940.203 (1) (d) “Prosecutor” means a person who currently is or formerly was
17 any of the following:

18 1. A district attorney, a deputy district attorney, an assistant district attorney,
19 or a special prosecutor appointed under s. 978.045 or 978.05 (8) (b).

20 2. The attorney general, a deputy attorney general, or an assistant attorney
21 general.

22 **SECTION 5.** 940.203 (2) (intro.) of the statutes is amended to read:

23 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
24 cause bodily harm to the person or family member of any judge, prosecutor, or law

SENATE BILL 117

1 enforcement officer under all of the following circumstances is guilty of a Class H
2 felony:

3 **SECTION 6.** 940.203 (2) (a) of the statutes is amended to read:

4 940.203 (2) (a) At the time of the act or threat, the actor knows or should have
5 known that the victim is a judge, prosecutor, or law enforcement officer or a member
6 of ~~his or her~~ the judge's, prosecutor's, or law enforcement officer's family.

7 **SECTION 7.** 940.203 (2) (b) of the statutes is amended to read:

8 940.203 (2) (b) ~~The judge is acting in an official capacity at the time of the act~~
9 ~~or threat or the act or threat~~ is in response to any action taken by a judge, prosecutor,
10 or law enforcement officer in an official capacity.

11

(END)