



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBa2004/1
JEO;jlg:ch

**ASSEMBLY AMENDMENT 1,
TO 1997 ASSEMBLY BILL 648**

March 10, 1998 - Offered by Representatives L. YOUNG, DOBYNS and
MORRIS-TATUM.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: delete "940.20 (1)," and substitute "940.20".

3 **2.** Page 2, line 6: after that line insert:

4 "**SECTION 1m.** 302.11 (1g) (a) 2m. of the statutes is created to read:

5 302.11 (**1g**) (a) 2m. A violation of s. 940.20 (1), if the violation involved bodily
6 harm to an officer, employe or visitor of the prison or institution in which the prisoner
7 was confined."

8 **3.** Page 2, line 9: delete "940.20 (1)," and substitute "940.20".

9 **4.** Page 2, line 12: after that line insert:

10 "**SECTION 2j.** 939.62 (2m) (a) 2p. of the statutes is created to read:

11 939.62 (**2m**) (a) 2p. A violation of s. 940.20 (1), if the violation involved bodily
12 harm to an officer, employe or visitor of the prison or institution in which the prisoner
13 was confined.

1 **SECTION 2k.** 939.62 (2m) (a) 4. of the statutes is amended to read:

2 939.62 **(2m)** (a) 4. A crime at any time under federal law or the law of any other
3 state or, prior to April 28, 1994, under the law of this state that is comparable to a
4 crime specified in subd. 1., 2., 2p. or 3.

5 **SECTION 2L.** 939.62 (2m) (d) of the statutes is amended to read:

6 939.62 **(2m)** (d) If a prior conviction is being considered as being covered under
7 par. (a) 4. as comparable to a felony specified under par. (a) 1., 2., 2p. or 3., the
8 conviction may be counted as a prior conviction under par. (b) only if the court
9 determines, beyond a reasonable doubt, that the violation relating to that conviction
10 would constitute a felony specified under par. (a) 1., 2., 2p. or 3. if committed by an
11 adult in this state.”.

12 **5.** Page 3, line 2: delete “940.20 (1).” and substitute “940.20”.

13 **6.** Page 3, line 5: after that line insert:

14 “**SECTION 3j.** 973.0135 (1) (b) 2m. of the statutes is created to read:

15 973.0135 **(1)** (b) 2m. A violation of s. 940.20 (1), if the violation involved bodily
16 harm to an officer, employe or visitor of the prison or institution in which the prisoner
17 was confined.

18 **SECTION 3k.** 973.0135 (1) (b) 4. of the statutes is amended to read:

19 973.0135 **(1)** (b) 4. A crime at any time under federal law or the law of any other
20 state or, prior to April 21, 1994, under the law of this state that is comparable to a
21 crime specified in subd. 1., 2., 2m. or 3.

22 **SECTION 3L.** 973.0135 (4) of the statutes is amended to read:

23 973.0135 **(4)** If a prior conviction is being considered as being covered under
24 sub. (1) (b) 4. as comparable to a felony specified under sub. (1) (b) 1., 2., 2m. or 3.,

1 the conviction may be counted as a prior conviction under sub. (1) (a) only if the court
2 determines, beyond a reasonable doubt, that the violation relating to that conviction
3 would constitute a felony specified under sub. (1) (b) 1., 2., 2m. or 3. if committed by
4 an adult in this state.”.

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(END)