1997 ASSEMBLY BILL 242

April 3, 1997 - Introduced by Representatives F. Lasee, Linton, Musser, Ladwig, Skindrud, Williams, Porter, Ainsworth, Olsen, Hasenohrl, Gronemus, Notestein, Sykora, Albers, Seratti, Lorge, Ryba, Lazich, Gunderson, Robson, Vrakas, Ott and Powers, cosponsored by Senators Shibilski and Darling. Referred to Committee on Criminal Justice and Corrections.

- AN ACT to renumber and amend 941.325; and to create 939.66 (8) and 941.325
- 2 (2) of the statutes; **relating to:** placing bodily substances in edibles and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from placing objects, drugs or other substances in candy or other liquid or solid edibles with the intent to cause bodily harm to another person. A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than 2 years or both.

This bill prohibits a person from placing blood, saliva, urine, feces or other bodily substances in candy or other liquid or solid edibles. The bill does not require that a person who violates this prohibition have the intent to cause bodily harm to another person. A person who violates the prohibition created in the bill may be fined not more than \$10,000 or imprisoned for not more than 2 years or both. The bill also provides that a person may be convicted and punished for violating either the prohibition in current law or the prohibition created in the bill, but not both.

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

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1	939.66 (8) The crime specified in s. 941.325 (2) when the crime charged is
2	specified in s. 941.325 (1).
3	Section 2. 941.325 of the statutes is renumbered 941.325 (intro.) and amended
4	to read:
5	941.325 (title) Placing foreign objects or bodily substances in edibles.
6	(intro.) Whoever places does any of the following is guilty of a Class E felony:
7	(1) Places objects, drugs or other substances in candy or other liquid or solid
8	edibles with the intent to cause bodily harm to another person is guilty of a Class E
9	felony.
10	Section 3. 941.325 (2) of the statutes is created to read:
11	941.325 (2) Places blood, saliva, urine, feces or other bodily substances in candy
12	or other liquid or solid edibles.
13	Section 4. Initial applicability.
14	(1) This act first applies to offenses occurring on the effective date of this
15	subsection.
16	(END)