



1997 ASSEMBLY BILL 411

June 10, 1997 - Introduced by Representatives LADWIG, DOBYNS, ALBERS, BAUMGART, HASENOHRL, HOVEN, OWENS, PORTER, SERATTI, STASKUNAS, SYKORA and VRAKAS, cosponsored by Senators C. POTTER, FITZGERALD, ROSENZWEIG and WELCH. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT to create** 939.622 of the statutes; **relating to:** burglary and providing
2 a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person is guilty of burglary if he or she intentionally enters a building, dwelling or certain other places without the consent of the person in lawful possession of the building, dwelling or other place and with intent to steal or commit a felony in the building, dwelling or other place. A person convicted of burglary may be fined not more than \$10,000 or imprisoned for not more than 10 years or both, except that the person may be imprisoned for not more than 40 years if he or she commits the burglary while armed, commits a battery during the burglary on a person lawfully inside the building, dwelling or other place, or uses explosives to open a depository in the building, dwelling or other place.

This bill provides that the maximum prison term for burglary may be increased by not more than 5 years if the place that is burglarized is a dwelling and if another person was lawfully present in the dwelling at the time of the burglary.

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

3 **SECTION 1.** 939.622 of the statutes is created to read:

