$\begin{array}{c} LRB-1438/1 \\ PJH; jld:rs \end{array}$

2007 SENATE BILL 159

April 19, 2007 – Introduced by Senators Schultz, Roessler, Olsen and A. Lasee, cosponsored by Representatives Albers, Musser, Hahn, Berceau, Vos, Nygren, Townsend, Gunderson, Hraychuck and Molepske. Referred to Committee on Judiciary and Corrections.

- 1 AN ACT to renumber and amend 940.20 (5); and to create 940.20 (5) (b) 1.,
- 940.20 (5) (b) 2. and 940.20 (5) (b) 3. of the statutes; **relating to:** threatening a school official.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from intentionally causing bodily harm to a technical college district or school district officer or employee acting in his or her official capacity if the person knows that the victim is a technical college district or school district officer or employee.

This bill prohibits a person from intentionally causing bodily harm or threatening to cause bodily harm to a technical college district or school district officer or employee if, at the time of the harm or threat, all of the following are true: 1) at the time of the act or threat, the person knows or should have known that the victim is a technical college district or school district officer or employee; 2) the technical college district or school district officer or employee is acting in an official capacity at the time of the act or threat or the act or threat is in response to any action taken in an official capacity; and 3) there is no consent by the person harmed or threatened.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

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report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

SECTION 1. 940.20 (5) of the statutes is renumbered 940.20 (5) (b) (intro.) amended to read:

940.20 (5) (b) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to a technical college district or school district officer or employee acting in that capacity, and the person knows or has reason to know that the victim is a technical college district or school district officer or employee, without the consent of the person so injured, under all of the following circumstances is guilty of a Class I felony:

Section 2. 940.20 (5) (b) 1. of the statutes is created to read:

940.20 (5) (b) 1. At the time of the act or threat, the actor knows or should have known that the victim is a technical college district or school district officer or employee.

Section 3. 940.20 (5) (b) 2. of the statutes is created to read:

940.20 **(5)** (b) 2. The technical college district or school district officer or employee is acting in an official capacity at the time of the act or threat or the act or threat is in response to any action taken in an official capacity.

Section 4. 940.20 (5) (b) 3. of the statutes is created to read:

940.20 (5) (b) 3. There is no consent by the person harmed or threatened.

19 (END)