



2009 ASSEMBLY BILL 324

June 16, 2009 - Introduced by Representatives GUNDERSON, BERCEAU, BALLWEG, BIES, BROOKS, HUEBSCH, KAUFERT, KLEEFISCH, KERKMAN, LEMAHIEU, MOLEPSKE JR., MURSAU, MURTHA, NERISON, A. OTT, PETERSEN, PETROWSKI, RIPP, SHERMAN, SMITH, SPANBAUER, STEINBRINK, SUDER and TOWNSEND, cosponsored by Senators LEHMAN, COWLES, DARLING, KEDZIE, OLSEN, SCHULTZ and TAYLOR. Referred to Committee on Criminal Justice.

1 **AN ACT** *to renumber* 946.70 (1); *to amend* 946.70 (title) and 946.70 (2); and *to*
2 *create* 946.70 (1) (b), (c) and (d) of the statutes; **relating to:** impersonating
3 certain officials and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from impersonating a peace officer. A person who violates this prohibition intending to mislead others into believing he or she is a peace officer is guilty of a misdemeanor and is subject to a fine of up to \$10,000 or imprisonment for no more than nine months or both. A person who violates this provision to commit or aid or abet the commission of a crime is guilty of a felony and is subject to a fine of up to \$10,000 or imprisonment of up to six years or both. In addition, any vehicle used in the violation of the prohibition is subject to seizure and forfeiture proceedings. This bill creates parallel provisions for impersonating a fire fighter, an emergency medical technician, or a first responder.

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

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

ASSEMBLY BILL 324

1 SECTION 1. 946.70 (title) of the statutes is amended to read:

2 946.70 (title) **Impersonating peace officers, fire fighters, or other**
3 **emergency personnel.**

4 SECTION 2. 946.70 (1) of the statutes is renumbered 946.70 (1) (a).

5 SECTION 3. 946.70 (1) (b), (c) and (d) of the statutes are created to read:

6 946.70 (1) (b) Except as provided in sub. (2), whoever impersonates a fire
7 fighter with intent to mislead others into believing that the person is actually a fire
8 fighter is guilty of a Class A misdemeanor.

9 (c) Except as provided in sub. (2), whoever impersonates an emergency medical
10 technician, as defined in s. 256.01 (5), with intent to mislead others into believing
11 that the person is actually an emergency medical technician is guilty of a Class A
12 misdemeanor.

13 (d) Except as provided in sub. (2), whoever impersonates a first responder, as
14 defined in s. 256.01 (9), with intent to mislead others into believing that the person
15 is actually a first responder is guilty of a Class A misdemeanor.

16 SECTION 4. 946.70 (2) of the statutes is amended to read:

17 946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet
18 the commission of a crime other than ~~the~~ a crime under this section is guilty of a Class
19 H felony.

20 (END)