



2009 SENATE BILL 334

October 8, 2009 – Introduced by Senators PLALE, DARLING, HANSEN, COGGS, SCHULTZ and HOPPER, cosponsored by Representatives ZEPNICK, HONADEL, SINICKI, JORGENSEN, STEINBRINK, KERKMAN, MONTGOMERY, BROOKS, TOWNSEND, BENEDICT, BIES, NERISON, MURSAU, NASS, LEMAHIEU and A. OTT. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1 **AN ACT** *to repeal* 941.375 (2) (b) of the statutes; **relating to:** throwing or
2 expelling a bodily substance at a public safety worker and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, any person who throws or expels a bodily substance, such as blood, semen, vomit, saliva, urine, or feces, at an emergency medical technician, a first responder, a law enforcement officer, a fire fighter, or a person operating or staffing an ambulance (public safety worker) is guilty of a Class I felony if the person intends that the substance come into contact with the public safety worker and intends to cause bodily harm to the public safety worker. This bill eliminates the element that the person intend to cause bodily harm to the public safety worker.

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:

3 **SECTION 1.** 941.375 (2) (b) of the statutes is repealed.

