



2023 SENATE BILL 96

March 1, 2023 - Introduced by Senators WANGGAARD, BALLWEG, CABRAL-GUEVARA, JAMES and MARKLEIN, cosponsored by Representatives SPIROS, BEHNKE, CALLAHAN, DITTRICH, DONOVAN, EDMING, GREEN, KITCHENS, MOSES, MURPHY, MURSAU, NEYLON, PENTERMAN, PLUMER, RETTINGER and ROZAR. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to create** 947.065 of the statutes; **relating to:** participation in a riot and
2 providing a penalty.

Analysis by the Legislative Reference Bureau

This bill makes it a Class I felony to urge, promote, organize, encourage, or instigate others to commit a riot and a Class H felony to intentionally commit an act of violence while participating in a riot.

The bill defines a “riot” as a public disturbance that involves an act of violence, as part of an assembly of at least three persons, that constitutes a clear and present danger of property damage or personal injury or a threat of an act of violence, as part of an assembly of at least three persons having the ability of immediate execution of the threat, if the threatened action constitutes a clear and present danger of property damage or personal injury.

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.

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

3 **SECTION 1.** 947.065 of the statutes is created to read:
4 **947.065 Rioting. (1)** In this section:

