



2003 ASSEMBLY BILL 483

August 26, 2003 - Introduced by Representatives YOUNG and MUSSER, cosponsored by Senator KANAVAS. Referred to Committee on Criminal Justice.

- 1 **AN ACT to create** 946.41 (2r) and (2u) of the statutes; **relating to:** the prohibition
2 against resisting or obstructing an officer and providing penalties.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from resisting or obstructing a peace officer while the officer is acting in his or her official capacity. A person who violates this prohibition is guilty of a Class A misdemeanor. Current law also prohibits a person from intentionally causing bodily harm to a law enforcement officer while the officer is acting in his or her official capacity if the person knows or has reason to know that the victim is a law enforcement officer. A person who violates this prohibition is guilty of a Class H felony.

This bill increases the penalty for violating the prohibition against resisting or obstructing a peace officer if the person harms the officer. Under the bill, a person who causes bodily harm to an officer while resisting or obstructing the officer is guilty of a Class I felony. A person who causes substantial bodily harm to an officer while resisting or obstructing the officer is guilty of a Class H felony.

The penalties for the crimes mentioned above are as follows:

<i>Crime</i>	<i>Maximum Fine</i>	<i>Maximum Imprisonment</i> (For felonies, includes term of extended supervision)
Class A misdemeanor	\$10,000	Nine months
Class I felony	\$10,000	Three and one-half years
Class H felony	\$10,000	Six years

