



2005 ASSEMBLY BILL 459

June 2, 2005 - Introduced by Representatives STASKUNAS, ZEPNICK, MONTGOMERY, HAHN, LEHMAN, SINICKI, RICHARDS, TURNER, TOWNSEND, NASS, VRAKAS, OTT and LOTHIAN, cosponsored by Senators PLALE, DARLING, CARPENTER, S. FITZGERALD and WIRCH. Referred to Committee on Criminal Justice and Homeland Security.

1 **AN ACT** *to amend* 943.017 (2) (d) of the statutes; **relating to:** graffiti and
2 providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally marks, draws, or writes on or etches onto another person's property without the person's consent is guilty of a misdemeanor and may be fined not more than \$10,000 or sentenced to the county jail for up to nine months or both. If, however, the property is reduced in value by more than \$2,500, the person is guilty of a felony and may be fined up to \$10,000 or sentenced to a term of imprisonment of up to three and a half years (which, if the sentence is for more than one year, consists of a term of confinement in state prison followed by a term of extended supervision) or both. This bill lowers the damage threshold for the felony version of the offense to \$1,000.

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:

