



2009 SENATE BILL 101

March 3, 2009 – Introduced by Senators LEHMAN and A. LASEE, cosponsored by Representatives VOS, KERKMAN, A. OTT, TURNER, ZEPNICK and BROOKS. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

- 1 **AN ACT** *to create* 940.20 (6m) of the statutes; **relating to:** battery to a highway
2 construction or maintenance worker and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another without the other person's consent commits the crime of ordinary battery. A person convicted of ordinary battery is guilty of a Class A misdemeanor and may be fined not more than \$10,000, imprisoned for not more than nine months, or both.

Current law provides more severe penalties for battery committed against certain public agents, emergency care providers, and government officials and employees, including a person operating or driving a public transit vehicle. A person who causes bodily harm to the operator or driver on a public transit vehicle is guilty of a Class I felony and may be fined not more than \$10,000, imprisoned for not more than three years and six months, or both.

Under this bill, a person who causes bodily harm to a person who is working to construct, repair, or maintain a highway is guilty of a Class I felony and may be fined not more than \$10,000, imprisoned for not more than three years and six months, or both.

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:

