

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1474/1dn
JEO:kmg:km

February 25, 2000

Representative La Fave:

This amendment limits the coverage of AB-699 to persons convicted of a “violent felony”, which is defined as any of the following felonies:

1. First-degree intentional homicide (s. 940.01).
2. First-degree reckless homicide (s. 940.02).
3. Felony murder (s. 940.03).
4. Second-degree intentional homicide (s. 940.05).
5. Second-degree reckless homicide (s. 940.06).
6. Homicide by negligent handling of dangerous weapon, explosives or fire (s. 940.08).
7. Homicide by intoxicated use of a vehicle or firearm (s. 940.09).
8. Homicide by negligent use of a vehicle (s. 940.10).
9. Felony battery (s. 940.19).
10. Felony battery to an unborn child (s. 940.195).
11. Special circumstances battery (s. 940.20).
12. Battery or threat to a witness (s. 940.201).
13. Battery or threat to a judge (s. 940.203).
14. Mayhem (s. 940.21).
15. Felony sexual assault (s. 940.225).
16. Reckless injury (s. 940.23).
17. Felony abuse of a vulnerable adult (s. 940.285 (2)).
18. Abuse of residents of a penal facility (s. 940.29).
19. Felony abuse and neglect of a patient or resident of certain facilities (s. 940.295 (3)).
20. False imprisonment (s. 940.30).
21. Taking hostages (s. 940.305).

22. Kidnapping (s. 940.31).
23. Certain felony intimidation of witness offenses (s. 940.43 (1) to (3)).
24. Certain felony intimidation of victim offenses (s. 940.45 (1) to (3)).
25. Felony endangering safety by use of a dangerous weapon (s. 941.20).
26. Machine gun and certain other weapons violations (s. 941.26).
27. Possession of short-barreled shotgun or rifle (s. 941.28).
28. Unlawful possession of a firearm (s. 941.29).
29. Recklessly endangering safety (s. 941.30).
30. Felony tampering with household products (s. 941.327).
31. Damage to property of a juror (s. 943.01 (2) (c)).
32. Damage or threat to property of a witness (s. 943.011).
33. Damage or threat to property of a judge (s. 943.013).
34. Arson of a building; property damage by explosives (s. 943.02).
35. Arson with intent to defraud (s. 943.04).
36. Violations relating to Molotov cocktails and fire bombs (s. 943.06).
37. Armed burglary (s. 943.10 (2)).
38. Carjacking (s. 943.23 (1g), (1m) and (1r)).
39. Robbery (s. 943.32).
40. Assault by a prisoner (s. 946.43).
41. Bomb scares (s. 947.015).
42. First and second degree sexual assault of a child (s. 948.02 (1) and (2)).
43. Repeat first and second degree sexual assault of a child (s. 948.025).
44. Physical abuse of a child (s. 948.03).
45. Causing mental harm to a child (s. 948.04).
46. Sexual exploitation of a child (s. 948.05).
47. Incest with a child (s. 948.06).
48. Child enticement (s. 948.07).
49. Soliciting a child for prostitution (s. 948.08).
50. Abduction of another's child (s. 948.30).

This list is based on the definition of “violent offense” under s. 301.048 (2) (bm), though I’ve made a few additions and deletions. Note that some of these statutes provide for both misdemeanor and felony penalties, depending on the circumstances under which the crime is committed—for instance, see the battery crimes under s. 940.19. This amendment provides that only *felony* violations of the specified statute

will be covered; thus, a person convicted of a violation of s. 940.19 (1) will not be prohibited from possessing body armor, but a person convicted of a violation of s. 940.19 (2), (3), (4), (5) or (6) will be prohibited from possessing body armor.

Please review the list carefully and let me know if you want to make any changes to it.

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