# 1999 DRAFTING REQUEST

### Bill

Received: 12/20/1999	Received By: mdsida			
Wanted: As time permits	Identical to LRB:			
For: Robert Ziegelbauer (608) 266-0315	By/Representing: Luanne			
This file may be shown to any legislator: NO	Drafter: mdsida			
May Contact:	Alt. Drafters:			
Subject: Criminal Law - miscellaneous	Extra Copies: jeo			

#### **Pre Topic:**

No specific pre topic given

Topic:

Threat to state and county social service employes or their family members

## Instructions:

Companion to LRB-3250

## **Drafting History:**

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	Jacketed	<u>Reauired</u>
/?	mdsida 1 <b>2/20/1999</b>	chanaman 1 <b>2/20/1999</b>					
/1			martykr <b>12/20/199</b>	9	lrb-docadmin 12/20/1999	lrb-docadmin 0 1/24/2000	1

FE Sent For:

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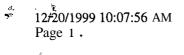
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Companion to LRB-3250

Drafting History:							
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State af Misconsin 1999 - 2000 LEGISLATURE

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1999 SENATE BIL

Hink

1 AN ACT to create 940.208 of the statutes; relating to: threats to state or county

SOC

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social service workers and providing a penalty.

#### Analysis by the Legislative Reference Bureau

Current law prohibits certain threats to cause bodily harm to the person or family member of a judge, a witness or an official, employe or agent of the department of revenue, department of commerce or department of workforce development. This bill prohibits certain threats to cause bodily harm to the person or family member of a social service worker, defined under the bill to mean an official or an employe of the department of health and family services, a county department of human services, a county department of social services, a county department of community programs or a county department of developmental disabilities services. A threat is covered by this prohibition if: 1) the person making the threat knows or should have known that the victim is a social service worker or a member of the social service worker's family; 2) at the time of the threat, the victim is acting in his or her official capacity or the threat is made in response to any action taken in an official capacity; and 3) the victim did not consent to the threat. A person who violates this prohibition may be imprisoned for up to nine months, fined up to \$10,000 or both.

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

**SECTION 1. 940.208** of the statutes is created to read:

1999 - 2000 Legislature

# **SENATE BILL**

1	940.208 Threat to state or county social service worker. (1) In this
2	section:
3	(a) "Family member" means a parent, spouse, sibling, child, stepchild, foster
4	child or treatment foster child.
5	(b) "Social service worker" means an official or employe of the 'department of
6	health and family services, a county department of human services, a county
7	department of social services, a county department of community programs or a
8	county department of developmental disabilities services.
9	(2) Whoever intentionally threatens to cause bodily harm to the person or
10	family member of a social service worker under all of the following circumstances is
11	guilty of a Class A misdemeaner:
12	(a) At the time of the threat, the actor knows or should have known that the
13	victim is a social service worker or a member of the social service worker's family.
14	(b) The social service worker is acting in an official capacity at the time of the
15	threat or the threat is in response to any action taken in an official capacity.
16	(c) There is no consent by the person threatened.
17	(END)

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# SUBMITTAL FORM

# LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 12/20/1999

To: Representative Ziegelbauer

#### Relating to LRB drafting number: LRB-4 102

#### <u>Topic</u>

Threat to state and county social service employes or their family members

### Subject(s)

Criminal Law - miscellaneous

1. JACKET the draft for introduction in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please

allow. one day for the preparation of the required copies.

2. REDRAFT. See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain FISCAL ESTIMATE NOW, prior to introduction

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

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Michael Dsida, Legislative Attorney Telephone: (608) 266-9867

