

**1999 DRAFTING REQUEST**

**Bill**

Received: **01/20/99**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Gary Drzewiecki (608) 266-5670**

By/Representing: **Louie**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies:

**Topic:**

Disarming a police officer

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	olsenje 01/20/99	jgeller 01/21/99		_____			
/1			hhagen 01/21/99	_____	lrb_docadmin 01/21/99	lrb_docadmin 01/21/99	

FE Sent For:

*Not Needed*

<END>

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1?	olsenje	1/21 jlg	1/21	1/21			

FE Sent For:

<END>

1893

Pzewicki. by Louie

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AB 856

D-Note

Stays

1898/1

1999 BILL

Regen

1 AN ACT to amend 941.21 of the statutes; relating to: disarming a police officer  
2 and providing a penalty.

*Analysis by the Legislative Reference Bureau*

Current law prohibits a person from intentionally disarming a peace officer who is acting in his or her official capacity. Disarming a peace officer involves taking a dangerous weapon or a device such as a tear gas or pepper spray canister from the officer without his or her consent. A person who is convicted of disarming a peace officer may be fined not more than \$10,000 or imprisoned for not more than two years or both, if the offense occurs before December 31, 1999. If the offense occurs on or after December 31, 1999, a person who is convicted of disarming a peace officer may be fined not more than \$10,000 or imprisoned for not more than five years or both.

This bill increases the maximum term of imprisonment for disarming a peace officer to 10 years for offenses that occur before December 31, 1999, and to 15 years for offenses that occur on or after December 31, 1999. The bill does not change the maximum fine.

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

3 SECTION 1. 941.21 of the statutes is amended to read:

4 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace  
5 officer who is acting in his or her official capacity by taking a dangerous weapon or

**BILL**

1 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer  
2 without his or her consent is guilty of a Class F C felony. This section applies to any  
3 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)  
4 (a) that the officer is carrying or that is in an area within the officer's immediate  
5 presence.

6 **SECTION 2. Initial applicability.**

7 (1) This act first applies to offenses committed on the effective date of this  
8 subsection.

9 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0913/1dn

JEO:jlg:ijs

stafs

~~November 20, 1998~~ new  
date

1878/1dn

This is a redraft of 1997 Assembly Bill 856.

Jefren E. Olsen  
Legislative Attorney  
266-8906

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1898/1dn  
JEO;jlg:hmh

Thursday, January 21, 1999

This is a redraft of 1997 Assembly Bill 856.

Jefren E. Olsen  
Legislative Attorney  
266-8906



**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:** 1/21/99

**To:** Senator Drzewiecki

**Relating to LRB drafting number:** LRB-1898

**Topic**

Disarming a police officer

**Subject(s)**

Criminal Law - miscellaneous

1. **JACKET** the draft for introduction

*Mary F. Drzewiecki*

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.

Jefren E. Olsen, Legislative Attorney  
Telephone: (608) 266-8906