

2001 ASSEMBLY BILL 355

April 25, 2001 - Introduced by Representatives LADWIG, FRISKE, STARZYK, KRAWCZYK, LOEFFELHOLZ, BERCEAU, GUNDERSON, HUEBSCH, JESKEWITZ, LASSA, MUSSER, OWENS, TURNER and ZIEGELBAUER, cosponsored by Senators S. FITZGERALD, ROESSLER and DARLING. Referred to Committee on Criminal Justice.

1 **AN ACT** *to create* 939.626 of the statutes; **relating to:** burglary and providing
2 a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person is guilty of burglary if he or she intentionally enters a building, dwelling, or certain other places without the consent of the person in lawful possession of the building, dwelling, or other place and with intent to steal or commit a felony in the building, dwelling, or other place. A person convicted of a burglary may be fined not more than \$10,000 or imprisoned for not more than 15 years or both, except that the person may be imprisoned for not more than 60 years if he or she commits the burglary while armed, commits a battery during the burglary on a person lawfully inside the building, dwelling, or other place, or uses explosives to open a depository in the building, dwelling, or other place.

This bill provides that the maximum prison term for burglary may be increased by not more than five years if: 1) the place that is burglarized was a dwelling, a non-commercial boat with sleeping quarters, or a motor home; and 2) if another person was lawfully present in the dwelling, boat, or motor home at the time of the burglary.

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

3 **SECTION 1.** 939.626 of the statutes is created to read:

