

2001 ASSEMBLY BILL 442

June 12, 2001 – Introduced by Representatives LA FAVE, KRAWCZYK, MUSSER, NASS, STONE, SYKORA, GROTHMAN, RYBA, TURNER, WASSERMAN, BOYLE and PLALE, cosponsored by Senators BURKE, HUELSMAN, DARLING and ROESSLER. Referred to Committee on Criminal Justice.

1 **AN ACT** *to amend* 939.22 (38) of the statutes; **relating to:** battery and providing
2 a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who causes bodily harm to another person without that person's consent by an act done with the intent to harm that person or a third person is guilty of battery. The penalty imposed for battery depends on the extent of the bodily harm suffered by the victim and the extent of the bodily harm that the defendant intended to inflict. If, for example, the defendant caused substantial bodily harm to the victim and intended to cause substantial bodily harm, he or she may be fined up to \$10,000 or imprisoned for up to ten years or both. But if the defendant caused great bodily harm while intending to cause substantial or great bodily harm, the maximum term of imprisonment is 15 years.

Current law defines the terms "bodily harm," "substantial bodily harm," and "great bodily harm." Under current law, "substantial bodily harm" means bodily injury that causes a laceration that requires stitches; any fracture of a bone; a burn; a temporary loss of consciousness, sight, or hearing; a concussion; or a loss or fracture of a tooth. This bill revises the definition of "substantial bodily harm" so that it includes a broken nose.

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

