

2001 DRAFTING REQUEST

Bill

Received: 05/07/2001

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: John La Fave (608) 266-0486

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies: rlr

Submit via email: YES

Requester's email: Rep.LaFave@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Substantial battery

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketcd</u>	<u>Required</u>
/?	mdsida 05/07/2001	jdye 05/07/2001					
/1			jfrantze 05/08/2001		lrb_docadmin 05/08/2001	lrb_docadmin 05/09/2001	

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1/?	mdsida	15/7 jld	8/5/8	Self 5/8			

FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU

Legal Section, 5th Floor, 100 N. Hamilton St.
(608) 266-3561

BILL REQUEST FORM

MGD?

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill. Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: <i>5-4-01</i>	Legislator or agency requesting this draft: <i>JOHN LAFAVE</i>
Name/phone number of person submitting request: <i>JUDY KELLY 266-0486</i>	
Persons to contact for questions about this draft (names and phone numbers please): <i>JOHN LAFAVE 266-0486</i>	
Describe the problem, including any helpful examples. How do you want to solve the problem? <i>Expand the definition of substantial bodily harm to include broken noses. Current statutory language defines substantial bodily harm as "any fracture of a bone." This definition does not allow charges for a broken nose since the nose is composed of cartilage.</i>	
<i>Draft can be sent by e-mail</i>	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO
If yes, anyone who asks? YES NO
Any legislator? YES NO ONLY the following persons:

Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?
 YES NO If yes, please sign your name here:



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1107/1

MGD:jld:pg

↑
Stays

3260/1

2001 BILL

Regen

- 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:

Barman, Mike

From: LaFave, John
Sent: Wednesday, May 09, 2001 3:46 PM
To: LRB.Legal
Subject: Draft review: LRB-3260/1 Topic: Substantial battery

It has been requested by <LaFave, John> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-3260/1 Topic: Substantial battery