

2001 DRAFTING REQUEST**Bill**Received: **11/29/2001**Received By: **rryan**Wanted: **As time permits**

Identical to LRB:

For: **Neal Kedzie (608) 266-9650**By/Representing: **Dan Johnson**This file may be shown to any legislator: **NO**Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - homicide**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Kedzie@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Statute of limitations for second-degree intentional and second-degree reckless homicide

Instructions:

Eliminate statute of limitaitons on prosecuting second-degree intentional and second-degree reckless homicide

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>
/1	rryan 12/07/2001	jdyer 12/10/2001	pgreensl 12/10/2001	_____	lrb_docadmin 12/10/2001	lrb_docadminS&L 12/13/2001	

FE Sent For:

L At Intro.

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12/1	rryan	1/12/01 jld	12/10 pg	12/10 setb			

FE Scnt For:

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-43352

RLR:.....

By 12/12 at 5:00 PM

Jld
RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1 AN ACT ...; relating to: time limits for the prosecution of ^{Gen} ~~second~~^{2nd}-degree intentional homicide and ~~second~~^{2nd}-degree reckless homicide.

2

Analysis by the Legislative Reference Bureau

Current law imposes time limits for commencing the prosecution of most crimes. The state must initiate prosecution within the time limit or is barred from prosecuting the offense. A prosecution is commenced when a court issues a summons or a warrant for arrest, when a grand jury issues an indictment, or when the state files an information alleging that a person committed a specific crime. Generally, the state must commence prosecution of a felony (a crime punishable by incarceration in prison) within six years of the commission of the crime, and must commence prosecution of a misdemeanor (a crime other than a felony) within three years of the commission of the crime. However, there are exceptions to these time limits for prosecution of certain offenses. There is no time limit for the prosecution of first-degree intentional homicide, first-degree reckless homicide, or felony murder, and there are longer time limits for the prosecution of certain sexual assaults and certain thefts.

A person commits first-degree intentional homicide if, with intent to kill another human being or an unborn child, the person causes the death of another human being or an unborn child. A person commits first-degree reckless homicide if the person recklessly causes the death of another human being or an unborn child under circumstances that show utter disregard for human life or for the life of an unborn child. Felony murder is the killing of another human being while committing or attempting to commit first- or second-degree sexual assault, robbery, or certain arson or burglary offenses.

degree

Emery, Lynn

From: Johnson, Dan (Legislature)
Sent: Thursday, December 13, 2001 1:38 PM
To: LRB.Legal
Subject: Draft review: LRB-4335/1 Topic: Statute of limitations for second-degree intentional and second-degree reckless homicide

It has been requested by <Johnson, Dan (Legislature)> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4335/1 Topic: Statute of limitations for second-degree intentional and second-degree reckless homicide