

2003 DRAFTING REQUEST

Bill

Received: **03/19/2003**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Jean**

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: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Threats to cause bodily harm

Instructions:

Redraft 2001 AB 445 (LRB-1769/1)

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>
/?	mdsida 04/01/2003	csicilia 04/02/2003		_____			S&L Crime
/1			jfrantze 04/02/2003	_____	lemery 04/02/2003	lrb_docadmin 04/09/2003	

FE Sent For:

<END>

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/?	mdsida	1 vs 4/2 03	6/2	6 Pg 4/2			

FE Sent For:

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ej's

2001 ASSEMBLY BILL 445

June 14, 2001 - Introduced by Representatives ZIEGELBAUER, BIES, GUNDERSON, KREIBICH, MUSSER, NASS, OTT, PLOUFF, RYBA, STONE, SYKORA, TOWNSEND, URBAN and WASSERMAN, cosponsored by Senators BAUMGART, DARLING, HUELSMAN and ROSENZWEIG. Referred to Committee on Judiciary.

Gen cat
employed by or working under contract with a state or local government agency

1 AN ACT to create 940.208 of the statutes; relating to: threats to state or county
2 social service workers, ~~contracted social service workers~~, juvenile intake
3 workers, or school employees and providing a penalty.

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9

Analysis by the Legislative Reference Bureau

Current law prohibits certain threats to cause bodily harm to the person or family member of a judge, a witness, or an official, employee, or agent of the department of revenue, department of commerce, or department of workforce development. This bill prohibits certain threats to cause bodily harm to the person or family member of a social service worker, juvenile intake worker, school employee, or employee providing social services under a contract with the state or a county. A threat is covered by this prohibition if: 1) the person making the threat knows or should have known that the victim is a social service worker, ~~contracted social service worker~~, juvenile intake worker, or school employee or a member of such worker's or employee's family; 2) at the time of the threat, the victim is acting in his or her official capacity or the threat is made in response to any action taken in an official capacity; and 3) the victim did not consent to the threat. A person who violates this prohibition may be imprisoned for up to nine months or, fined up to \$10,000 or both.

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

, or is a family member of,

ASSEMBLY BILL 445

SECTION 1. 940.208 of the statutes is created to read:

940.208 Threat to ~~state or county~~ social service worker, ~~contracted~~
~~service worker~~, juvenile intake worker, or school employee. (1) In this
section:

(a) "Contracted social service worker" means ^{a person} ~~an official or employee~~ who is
providing social services under a contract ^{person or his or her employer} between the ~~agency~~ and the department
of health and family services, a county department of human services, a county
department of social services, a county department of community programs, or a
county department of developmental disability services.

(b) "Family member" means a parent, spouse, sibling, child, stepchild, foster
child, or treatment foster child.

(c) "Juvenile intake worker" means a person employed to provide services
under s. 48.067 or 938.067.

(d) "School employee" means a person employed by a public school or a charter
school, as defined in s. 115.001 (1).

(e) "Social service worker" means an official or employee of the department of
health and family services, a county department of human services, a county
department of social services, a county department of community programs, or a
county department of developmental disabilities services.

(2) Whoever intentionally threatens to cause bodily harm to the person or
family member of a social service worker, a contracted social service worker, a
juvenile intake worker, or a school employee under all of the following circumstances
is guilty of a Class A misdemeanor:

ASSEMBLY BILL 445

1 (a) At the time of the threat, the actor knows or should have known that the
2 victim is a social service worker, a contracted social service worker, a juvenile intake
3 worker, or a school employee or a member of his or her family.

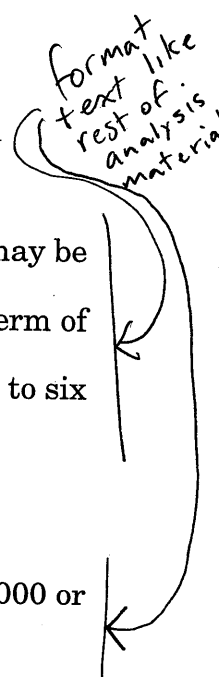
4 (b) The social service worker, the contracted social service worker, the juvenile
5 intake worker, or the school employee is acting in an official capacity at the time of
6 the threat or the threat is in response to any action taken in an official capacity.

7 (c) There is no consent by the person threatened.

8

(END)

*format
text like
rest of
analysis
material*



1 ~~9~~ **analysis INSERT A**

2 A person who violates this prohibition is guilty of a Class H felony and may be
3 fined up to \$10,000 or sentenced to a term of imprisonment (consisting of a term of
4 confinement in state prison followed by a term of extended supervision) of up to six
5 years or both.

6 ~~9~~ **INSERT B**

7 is guilty of a Class A misdemeanor and may be fined not more than \$10,000 or
8 sentenced to the county jail for up to nine months or both.

Mentkowski, Annie

From: Wawrzyn, James
Sent: Tuesday, April 08, 2003 3:55 PM
To: LRB.Legal
Subject: Draft review: LRB 03-2362/1 Topic: Threats to cause bodily harm

It has been requested by <Wawrzyn, James> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-2362/1 Topic: Threats to cause bodily harm