

2003 Assembly Bill 206

Date of enactment: **April 7, 2004**
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2003 WISCONSIN ACT 190

AN ACT *to amend* 941.20 (1) (c); and *to create* 941.20 (1m) and 941.375 of the statutes; **relating to:** pointing a firearm at certain persons and throwing or expelling bodily substances and providing penalties.

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

SECTION 1. 941.20 (1) (c) of the statutes is amended to read:

941.20 (1) (c) ~~Intentionally~~ Except as provided in sub. (1m), intentionally points a firearm at or toward another.

SECTION 2. 941.20 (1m) of the statutes is created to read:

941.20 (1m) (a) In this subsection:

1. "Ambulance" has the meaning given in s. 146.50 (1) (am).
2. "Emergency medical technician" has the meaning given in s. 146.50 (1) (e).
3. "First responder" has the meaning given in s. 146.53 (1) (d).

(b) Whoever intentionally points a firearm at or towards a law enforcement officer, a fire fighter, an emergency medical technician, a first responder, or an ambulance driver who is acting in an official capacity and who the person knows or has reason to know is a law enforcement officer, a fire fighter, an emergency medical technician, a first responder, or an ambulance driver, is guilty of a Class H felony.

SECTION 2m. 941.375 of the statutes is created to read:

941.375 Throwing or discharging bodily fluids at public safety workers. (1) In this section:

(a) "Ambulance" has the meaning specified in s. 146.50 (1) (am).

(b) "Public safety worker" means an emergency medical technician licensed under s. 146.50, a first responder certified under s. 146.50 (8), a peace officer, a fire fighter, or a person operating or staffing an ambulance.

(2) Any person who throws or expels blood, semen, vomit, saliva, urine, feces, or other bodily substance at or toward a public safety worker under all of the following circumstances is guilty of a Class I felony:

(a) The person throws or expels the blood, semen, vomit, saliva, urine, feces, or other bodily substance with the intent that it come into contact with the public safety worker.

(b) The person throws or expels the blood, semen, vomit, saliva, urine, feces, or other bodily substance with the intent to cause bodily harm to the public safety worker.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(c) The public safety worker does not consent to the blood, semen, vomit, saliva, urine, feces, or other bodily substance being thrown or expelled at or toward him or her.
