

2003 DRAFTING REQUEST

Bill

Received: 01/24/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Anne

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

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>Jacketed</u>	<u>Required</u>
/?	mdsida 02/07/2003	wjackson 02/07/2003		_____			
/1			chaskett 02/07/2003	_____	amentkow 02/07/2003		
/2	mdsida	wjackson	jfrantze	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/05/2003	03/05/2003	03/05/2003	_____	03/05/2003	03/07/2003	
				_____		sbasford	
				_____		03/07/2003	

FE Sent For:

*None
Needed*

<END>

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	03/05/2003	03/05/2003	03/05/2003	_____	03/05/2003		

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/?	mdsida 02/07/2003	wjackson 02/07/2003		_____			
/1		12 wlj 3/4	chaskett 02/07/2003	_____	amentkow 02/07/2003		
			<i>6/3/3</i>	<i>Self</i>			
				<i>3/5</i>			

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/?	mdsida	1 WLj 2/7	1 cph 2/7	CPH/jt <u>4/7</u>			

FE Sent For:

<END>

Barman, Mike

From: Emerson, Anne
Sent: Friday, January 24, 2003 3:06 PM
To: LRB.Legal
Subject: Additional Proposals

MGD
~

Representative Suder would like to have the following proposals drafted.

New draft- Place School Administrators under the QEO

Redraft 2001 AB 272 - badgercare relating to farm depreciation

Redraft 2001 AB 442 & AB 796 (battery & broken nose) into one proposal.

If you have any questions, please do not hesitate to contact me.

Thank you!
Anne Emerson

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

A person convicted of battery

REGEN

1 AN ACT to amend 939.22 (38) of the statutes; relating to: causing substantial
2 bodily harm to another person and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law defines the terms "bodily harm," "substantial bodily harm," and "great bodily harm." Those definitions are relevant to: 1) the rights of a parent in juvenile court if the parent has been convicted of an offense resulting in his or her child suffering bodily harm; and 2) the crimes of battery and battery to an unborn child. ~~To illustrate, 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 and may be fined up to \$10,000, imprisoned for up to nine months, or both. The maximum penalties for battery, however, increase with 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 the maximum term of imprisonment increases to three and one-half years.~~

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:

Insert from - 0146/2
and 2)

Substantial or great

With regard to battery

Person may be sentenced to a

is guilty of that offense if he or she

confined in the county jail

of up to

(Consisting of a term of confinement followed by a term of extended supervision)

1)

1 SECTION 1. 939.22 (38) of the statutes is amended to read:

2 939.22 (38) "Substantial bodily harm" means bodily injury that causes a
3 laceration that requires stitches; any fracture of a bone; a broken nose; a burn; a
4 temporary loss of consciousness, sight or hearing; a concussion; or a loss or fracture
5 of a tooth.

6 (END)

or a tissue adhesive in lieu of stitches

2003 BILL

- 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 bodily harm, on or after February 1, 2003, he or she may be fined up to \$10,000 or imprisoned for up to 3.5 years or both. But if the defendant caused great bodily harm while intending to cause great bodily harm, the maximum fine is \$50,000 and 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 laceration that requires the application of Dermabond or any other tissue adhesive in lieu of stitches.

W.G.F.

Insert



2003 BILL

REGEN

- 1 AN ACT to amend 939.22 (38) of the statutes; relating to: causing substantial
 2 bodily harm to another person and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law defines the terms "bodily harm," "substantial bodily harm," and "great bodily harm." Those definitions are relevant to: 1) the rights of a parent in juvenile court if the parent has been convicted of an offense resulting in his or her child suffering substantial or great bodily harm; and 2) the crimes of battery and battery to an unborn child. With regard to battery, a person is guilty of that offense if he or she 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. A person convicted of battery may be fined up to \$10,000, confined in the county jail for up to nine months, or both. The maximum penalties for battery, however, increase with 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, the person may be sentenced to a term of imprisonment (consisting of a term of confinement followed by a term of extended supervision) of up to three and a half years.

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: 1) a broken

broadens

Emery, Lynn

From: Emerson, Anne
Sent: Friday, March 07, 2003 8:48 AM
To: LRB.Legal
Subject: Draft review: LRB 03-1790/2 Topic: Substantial battery

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

Draft review: LRB 03-1790/2 Topic: Substantial battery