

2005 DRAFTING REQUEST**Assembly Substitute Amendment (ASA-SB526)**Received: **04/17/2006**Received By: **rryan**Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**By/Representing: **Sara**This file may be shown to any legislator: **NO**Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - sex offenses**

Extra Copies:

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Sexual intercourse with an intoxicated person

Instructions:

Same as s0693/1 (substitute amendment to AB953)

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>
/?	rryan 04/17/2006	wjackson 04/17/2006		_____			
/1			jfrantze 04/18/2006	_____	sbasford 04/18/2006	sbasford 04/18/2006	

FE Sent For:

<END>

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J. Sell
4/17

FE Sent For:

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Wanted Tues

S0699/1
LRBs0693/1
CMH:lmk:pg
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STAYS

RMNR

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 953

April 13, 2006 - Offered by Representative STRACHOTA.

Regen

1 AN ACT *to amend* 940.225 (2) (cm) and 940.225 (5) (ai) of the statutes; relating
2 to: sexual intercourse or sexual contact with a person who is under the
3 influence of alcohol beverages and providing a penalty.

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

4 SECTION 1. 940.225 (2) (cm) of the statutes is amended to read:

5 940.225 (2) (cm) Has sexual contact or sexual intercourse with a person who
6 is under the influence of an intoxicant to a degree which renders that person
7 incapable of appraising the person's conduct, and giving consent if the defendant
8 knows of such condition has actual knowledge that the person is incapable of giving
9 consent and the defendant has the purpose to have sexual contact or sexual
10 intercourse with the person while the person is incapable of giving consent.

11 SECTION 2. 940.225 (5) (ai) of the statutes is amended to read:

1 940.225 (5) (ai) "Intoxicant" means any alcohol beverage, controlled substance,
2 controlled substance analog, or other drug, or any combination of a controlled
3 ~~substance, controlled substance analog or other drug or any combination of an~~
4 ~~alcohol beverage and a controlled substance, controlled substance analog or other~~
5 drug. "Intoxicant" does not include any alcohol beverage thereof.

6 (END)