



2007 SENATE BILL 260

1 **AN ACT** *to amend* 939.22 (10), 939.22 (38), 939.632 (1) (e) 1. and 973.055 (1) (a)
2 1.; and *to create* 939.22 (23) and 940.235 of the statutes; **relating to:**
3 strangulation and suffocation, and providing a penalty.

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 939.22 (10) of the statutes is amended to read:
5 939.22 **(10)** “Dangerous weapon” means any firearm, whether loaded or
6 unloaded; any device designed as a weapon and capable of producing death or great
7 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
8 mouth of another person to impede, partially or completely, breathing or circulation
9 of blood; any electric weapon, as defined in s. 941.295 (4); or any other device or
10 instrumentality which, in the manner it is used or intended to be used, is calculated
11 or likely to produce death or great bodily harm.

SENATE BILL 260**SECTION 2**

1 **SECTION 2.** 939.22 (23) of the statutes is created to read:

2 939.22 **(23)** “Petechia” means a minute colored spot that appears on the skin,
3 eye, eyelid, or mucous membrane of a person as a result of localized hemorrhage or
4 rupture to a blood vessel or capillary.

5 **SECTION 3.** 939.22 (38) of the statutes is amended to read:

6 939.22 **(38)** “Substantial bodily harm” means bodily injury that causes a
7 laceration that requires stitches, staples, or a tissue adhesive; any fracture of a bone;
8 a broken nose; a burn; a petechia; a temporary loss of consciousness, sight or hearing;
9 a concussion; or a loss or fracture of a tooth.

10 **SECTION 4.** 939.632 (1) (e) 1. of the statutes is amended to read:

11 939.632 **(1)** (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
12 (1c), 940.19 (2), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.235, 940.305, 940.31,
13 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1) or (2),
14 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, 948.085, or 948.30 (2).

15 **SECTION 5.** 940.235 of the statutes is created to read:

16 **940.235 Strangulation and suffocation. (1)** Whoever intentionally
17 impedes the normal breathing or circulation of blood by applying pressure on the
18 throat or neck or by blocking the nose or mouth of another person is guilty of a Class
19 H felony.

20 **(2)** Whoever violates sub. (1) is guilty of a Class G felony if the actor has a
21 previous conviction under this section or a previous conviction for a violent crime, as
22 defined in s. 939.632 (1) (e) 1.

23 **SECTION 6.** 973.055 (1) (a) 1. of the statutes is amended to read:

24 973.055 **(1)** (a) 1. The court convicts the person of a violation of a crime specified
25 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,

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1 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
2 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01,
3 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
4 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or 947.0125; and

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(END)