



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 43

Senate Amendment 1

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Current law generally provides that a person is guilty of a Class A misdemeanor if the person intentionally points a firearm at or toward another. However, a person is guilty of a Class H felony if the person 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 acting in an official capacity. [See s. 941.20 (1) (c) and (1m), Stats.]

Senate Bill 43 provides that a person will be guilty of a Class H felony if the person intentionally points at or towards a law enforcement officer any object that the law enforcement officer could reasonably believe, given the circumstances, is a firearm if the law enforcement officer is acting in an official capacity and the person knows or has reason to know that the officer is a law enforcement officer. A Class H felony is punishable by a maximum fine of \$10,000, a term of confinement of three years, and a term of extended supervision of three years.

Senate Amendment 1 amends the bill to provide that whoever intentionally points a facsimile firearm under the circumstances described in the bill will be guilty of a Class H felony. The term "facsimile firearm" means any replica, toy, starter pistol, or other object that bears a reasonable resemblance to, or that reasonably can be perceived to be, an actual firearm.

Legislative History

On December 4, 2007, the Senate Committee on Judiciary, Corrections, and Housing introduced and adopted Senate Amendment 1 and recommended Senate Bill 43 for passage, as amended, all on votes of Ayes, 5; Noes, 0.

RS:ksm