



2009 ASSEMBLY BILL 129

March 9, 2009 – Introduced by Representatives GUNDRUM, MONTGOMERY, NYGREN, ZIEGELBAUER, NASS, TOWNSEND, KERKMAN, BERCEAU, GUNDERSON, BALLWEG, KLEEFISCH, LEMAHIEU, SPANBAUER, BIES, LOTHIAN, PETROWSKI, VOS, MURTHA, BROOKS and MURSAU, cosponsored by Senator LAZICH. Referred to Committee on Judiciary and Ethics.

1 **AN ACT** *to create* 940.201 (3) of the statutes; **relating to:** battery or threat to
2 witnesses and providing penalties.

Analysis by the Legislative Reference Bureau

Under current law, a person is guilty of a Class H felony if he or she intentionally causes or threatens to cause bodily harm to an individual he or she knows, or should know, is a witness by reason of the individual having attended or testified as a witness. Under this bill, a person who is charged with a felony is guilty of a Class D felony if he or she intentionally causes bodily harm to an individual who he or she knows, or should know, may testify at a proceeding for the felony with which he or she is charged. A person is guilty of a Class E felony if the person is charged with a felony and threatens to cause bodily harm to an individual who he or she knows, or should know, may testify at a proceeding for the felony with which he or she is charged or if the person is charged with a misdemeanor and intentionally causes bodily harm to an individual who he or she knows, or should know, may testify at a proceeding for the misdemeanor with which he or she is charged. A person who is charged with a misdemeanor is guilty of a Class F felony if he or she threatens to cause bodily harm to an individual who he or she knows, or should know, may testify at a proceeding for the misdemeanor with which he or she is charged.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

