

2009 DRAFTING REQUEST

Bill

Received: 02/20/2009

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Robin Vos (608) 266-9171

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Vos@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Battery to road worker

Instructions:

redraft - see email 2-19-09

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>
/?	phurley 02/23/2009	kfollett 02/28/2009					S&L
/1			rschluet 03/02/2009		sbasford 03/02/2009	lparisi 03/10/2009	

FE Sent For:

*at intro  
4/2/09*

<END>

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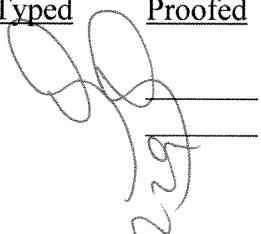
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/?	phurley	1/ky 2/28					

FE Sent For:

<END>

2202/1  
MR

2009 BILL

2-23-09

Regen

1 AN ACT to create 940.20 (6m) of the statutes; relating to: battery to a highway  
2 construction or maintenance worker and providing a penalty.

***Analysis by the Legislative Reference Bureau***

Under current law, a person who intentionally causes bodily harm to another without the other person's consent commits the crime of ordinary battery. A person convicted of ordinary battery is guilty of a Class A misdemeanor and may be fined not more than \$10,000, imprisoned for not more than nine months, or both.

Current law provides more severe penalties for battery committed against certain public agents, emergency care providers, and government officials and employees, including a person operating or driving a public transit vehicle. A person who causes bodily harm to the operator or driver on a public transit vehicle is guilty of a Class I felony and may be fined not more than \$10,000, imprisoned for not more than three years and six months, or both.

Under this bill, a person who causes bodily harm to a person who is working to construct, repair, or maintain a highway is guilty of a Class I felony and may be fined not more than \$10,000, imprisoned for not more than three years and six months, or both.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

**BILL**



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**SECTION 1.** 940.20 (6m) of the statutes is created to read:

**940.20 (6m)** BATTERY TO HIGHWAY CONSTRUCTION OR MAINTENANCE WORKER.

(a) In this subsection:

1. "Highway" has the meaning given in 340.01 (22).

2. "Highway construction or maintenance worker" means a person who is employed by or working pursuant to a contract with the state or with a local unit of government to construct, repair, or maintain a highway.

(b) Whoever intentionally causes bodily harm to a highway construction or maintenance worker when the highway construction or maintenance worker is acting in an official capacity is guilty of a Class I felony.

(END)

**Parisi, Lori**

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**From:** Rep.Vos

**Sent:** Tuesday, March 10, 2009 1:57 PM

**To:** LRB.Legal

**Subject:** Draft Review: LRB 09-2202/1 Topic: Battery to road worker

Please Jacket LRB 09-2202/1 for the ASSEMBLY.

03/10/2009