



2009 ASSEMBLY BILL 481

October 6, 2009 – Introduced by Representatives PARISI, PASCH, ROYS, BLACK, BERCEAU, TURNER, SHILLING, DEXTER, GRIGSBY, SMITH and VRUWINK, cosponsored by Senators TAYLOR and VINEHOUT. Referred to Committee on Criminal Justice.

- 1 **AN ACT to amend** 939.645 (1) (b) and 939.645 (4) of the statutes; **relating to:**
2 making crimes based on gender of victim subject to a penalty enhancer and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides an enhanced penalty for certain crimes if the person committing the crime intentionally selects the victim based on his or her belief or perception of the victim's race, religion, color, disability, sexual orientation, national origin, or ancestry. This bill provides an enhanced penalty for certain crimes if the person committing the crime intentionally selects the victim based on his or her belief or perception of the victim's gender. The penalty enhancer revises the maximum fine and the maximum term of imprisonment for the crime, and the revision is based on the classification of the underlying crime. If the underlying crime is a Class B or Class C misdemeanor, the revised maximum fine is \$10,000 and the revised maximum term of imprisonment is one year in the county jail. If the underlying crime is a Class A misdemeanor, the penalty enhancer changes the status of the crime to a felony and the revised maximum fine is \$10,000 and the revised maximum term of imprisonment is two years. If the underlying crime is a felony, the maximum fine may be increased by not more than \$5,000 and the maximum term of imprisonment may be increased by not more than five years.

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 report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

