

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/23/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**

By/Representing: **Sara Buschman**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Strachota@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalty for failure to stop at the scene of an accident (hit and run)

---

**Instructions:**

See attached

---

**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>
/?	agary 09/23/2009	wjackson 09/24/2009		_____			Crime
/1			rschluet 09/24/2009	_____	cduerst 09/24/2009	sbasford 10/27/2009	

FE Sent For: **NONE**

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/23/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**

By/Representing: **Sara Buschman**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Strachota@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalty for failure to stop at the scene of an accident (hit and run)

---

**Instructions:**

See attached

---

**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>
/?	agary 09/23/2009	wjackson 09/24/2009		_____			Crime
/1			rschluet 09/24/2009	_____	cduerst 09/24/2009		

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/23/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Patricia Strachota (608) 264-8486**

By/Representing: **Sara Buschman**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Strachota@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalty for failure to stop at the scene of an accident (hit and run)

---

**Instructions:**

See attached


---

**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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	agary						
----	-------	--	--	--	--	--	--

1 W/LJ 9/24

  
AGARY

FE Sent For:

<END>

## Gary, Aaron

---

**From:** Buschman, Sara  
**Sent:** Tuesday, September 22, 2009 4:35 PM  
**To:** Emerson, James; Gary, Aaron  
**Subject:** RE: Please allow Rep. Strachota's office access to LRB 3434

Aaron,

Consider this the official request to have an Assembly companion to LRB 3434 drafted. Please let me know if you have any questions.

Thanks!

Sara

Sara Buschman  
Legislative Aide to  
State Representative Pat Strachota  
58th Assembly District

Toll-Free: 1-888-534-0058  
Email: sara.buschman@legis.wi.gov

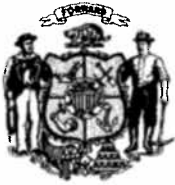
-----Original Message-----

**From:** Emerson, James  
**Sent:** Tuesday, September 22, 2009 4:34 PM  
**To:** Gary, Aaron  
**Cc:** Buschman, Sara  
**Subject:** Please allow Rep. Strachota's office access to LRB 3434

Aaron:

You have drafted LRB 3434, regarding hit and run accidents, for our office. Representative Strachota's office will be drafting the Assembly companion bill. This email is to authorize release of the LRB to them.

Thanks,  
Jim Emerson  
Senator Grothman's Office  
266.7513



State of Wisconsin  
2009 - 2010 LEGISLATURE

500w  
-3513/1  
LRB-~~3831~~  
ARG:wlj:jf  
M  
9/23  
stays  
RMNR

2009 BILL

Companion

Regen

1 AN ACT *to repeal* 346.74 (5) (e); *to amend* 346.74 (5) (b) and 346.74 (5) (c); and  
2 *to create* 346.74 (5) (bm) of the statutes; **relating to:** the penalty for failing to  
3 stop at the scene of a motor vehicle accident and providing a penalty.

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

Under current law, if an operator of a vehicle has an accident resulting in personal injury or vehicle damage, the operator must immediately stop the vehicle at or near the scene of the accident, provide certain information, and render reasonable assistance to any injured person. A person who commits a failure-to-stop violation (hit-and-run): 1) may be fined not more than \$10,000 or imprisoned for not more than nine months or both if the accident involved injury to a person but the person did not suffer great bodily harm; 2) is guilty of a Class E felony if the accident involved injury to a person and the person suffered great bodily harm; and 3) is guilty of a Class D felony if the accident involved death to a person.

This bill creates an additional category of penalty for hit-and-run. A person guilty of hit-and-run is guilty of a Class H felony if the accident involved injury to a person and the person suffered substantial bodily harm. A Class H felony is punishable by a fine not exceeding \$10,000 or imprisonment not exceeding six years or both. "Substantial bodily harm" means bodily injury that causes a laceration that requires stitches, staples, or a tissue adhesive; any fracture of a bone; a broken nose; a burn; a petechia; a temporary loss of consciousness, sight, or hearing; a concussion; or a loss or fracture of a tooth. The bill also defines "great bodily harm," for purposes of the bill, as bodily injury that creates a substantial risk of death, or that causes

**BILL**

serious permanent disfigurement, or that causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

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.

---

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

1           **SECTION 1.** 346.74 (5) (b) of the statutes is amended to read:

2           346.74 (5) (b) May be fined not more than \$10,000 or imprisoned for not more  
3 than 9 months or both if the accident involved injury to a person but the person did  
4 not suffer substantial bodily harm, as defined in s. 939.22 (38), or great bodily harm,  
5 as defined in s. 939.22 (14).

6           **SECTION 2.** 346.74 (5) (bm) of the statutes is created to read:

7           346.74 (5) (bm) Is guilty of a Class H felony if the accident involved injury to  
8 a person and the person suffered substantial bodily harm, as defined in s. 939.22 (38),  
9 but not great bodily harm, as defined in s. 939.22 (14).

10           **SECTION 3.** 346.74 (5) (c) of the statutes is amended to read:

11           346.74 (5) (c) Is guilty of a Class E felony if the accident involved injury to a  
12 person and the person suffered great bodily harm, as defined in s. 939.22 (14).

13           **SECTION 4.** 346.74 (5) (e) of the statutes is repealed.

14           **SECTION 5. Initial applicability.**

15           (1) This act first applies to violations committed on the effective date of this  
16 subsection.

17   **(END)**

**Barman, Mike**

---

**From:** Buschman, Sara

**Sent:** Tuesday, October 27, 2009 1:15 PM

**To:** LRB.Legal

**Subject:** Draft Review: LRB 09-3513/1 Topic: Penalty for failure to stop at the scene of an accident (hit and run)

Please Jacket LRB 09-3513/1 for the ASSEMBLY.