

2009 DRAFTING REQUEST

Bill

Received: 11/24/2009

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Anthony Staskunas (608) 266-0620**

By/Representing: **Eric**

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

Drafter: **chanaman**

May Contact:

Adl. Drafters:

Subject: **Criminal Law - crimes agnst kids**
Criminal Law - miscellaneous

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Violent behavior on school grounds by nonstudents

Instructions:

See attached--2007 AB-366

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>
/?	chanaman 11/24/2009	bkraft 12/07/2009		_____			S&L Crime
/1	chanaman 12/16/2009	bkraft 12/16/2009	jfrantze 12/07/2009	_____	sbasford 12/07/2009		S&L Crime
/2			jfrantze 12/16/2009	_____	cduerst 12/16/2009	cduerst 01/08/2010	

FE Sent For: "12" @ intro. 1/22/10

<END>

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/2 bjk 12/16

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12/16

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/?	chanaman	1 bjk 12/7	<i>[Signature]</i> 12/7	<i>[Signature]</i> 12/7			

FE Sent For:

<END>

2007 - 2008 LEGISLATURE

FROM
2007
2177/1

LRB 2177/1
CMH:ld:rs

-3909/1
bjk

2007 ASSEMBLY BILL 366

SA
x-ref
Please
PWF

May 29, 2007 - Introduced by Representatives STASKUNAS, MUSSER, SHERIDAN, GUNDERSON, JESKEWITZ, TOWNSEND, HIXSON, A. OTT and SMITH, cosponsored by Senators CARPENTER, ROESSLER, SCHULTZ, DARLING, HANSEN, PLALE, LEIBHAM and SULLIVAN. Referred to Committee on Education.

1 AN ACT *to amend* 939.632 (title), 939.632 (2) (intro.) and 939.632 (4); and *to*
2 *create* 939.632 (1) (dm) and 939.632 (3m) of the statutes; **relating to:**
3 sentencing for crimes on school premises and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, if a person commits a violent crime, as defined in current law, on or within 1,000 feet of school premises, on a school bus, or at a school bus stop, the maximum term of imprisonment for that crime increases either by five years, if the violent crime is a felony, or by three months, if the violent crime is a misdemeanor. Under this bill, if a person commits battery, mayhem, sexual assault, sexual assault of a child, or reckless injury on school premises, the maximum term of imprisonment is increased by six years for the first offense, ten years for the second offense, and 15 years for the third or subsequent offense if the person is not a student at the school and if the crime is committed during school hours or within one hour of school starting or ending.

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.

FE
S/C

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

ASSEMBLY BILL 366

1 SECTION 1. 939.632 (title) of the statutes is amended to read:

2 939.632 (title) Penalties; violent crime in a ~~crimes near a school zone.~~

3 SECTION 2. 939.632 (1) (dm) of the statutes is created to read:

4 939.632 (1) (dm) "Serious crime" means any crime under s. 940.19, 940.21,
5 940.225, 940.23, 948.02, or 948.025.

6 SECTION 3. 939.632 (2) (intro.) of the statutes is amended to read:

7 939.632 (2) (intro.) If Unless sub. (3m) applies, if a person commits a violent
8 crime in a school zone, the maximum term of imprisonment is increased as follows:

9 SECTION 4. 939.632 (3m) of the statutes is created to read:

10 939.632 (3m) (a) If a person commits a serious crime under all of the following
11 circumstances, the maximum term of imprisonment is increased as in par. (b):

- 12 1. The serious crime occurred on school premises.
- 13 2. The serious crime occurred within one hour before, during, or within one
14 hour after a scheduled school day.

15

3. ^{The serious crime occurred on the premises of a school at which}
~~He or she is not a student at the school or whose school premises the serious~~
^{the person who committed the serious crime is not enrolled}
~~crime occurred.~~

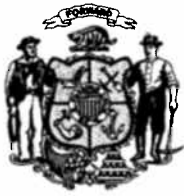
16

17 (b) 1. For a first offense, the maximum term of imprisonment is increased by
18 6 years.

19 2. For a 2nd offense, the maximum term of imprisonment is increased by 10
20 years.

21 3. For a 3rd or subsequent offense, the maximum term of imprisonment is
22 increased by 15 years.

23 SECTION 5. 939.632 (4) of the statutes is amended to read:



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3904/pe
CMH:bjk:jf
L stays

D-NOTE

2009 BILL

SA

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BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill. ⑥

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- 14 hour after a scheduled school day.
- 15 3. The serious crime occurred on the school premises of a school at which the
- 16 person who committed the serious crime is not enrolled.

17 (b) 1. For a first offense, the maximum term of imprisonment is increased by
18 6 years.

19 2. For a 2nd offense, the maximum term of imprisonment is increased by 10
20 years.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3904/2dn
CMH:bjk:jf

December 16, 2009

Eric:

This redraft deletes a stray "6" which appeared in the analysis by accident. It makes no other change except that technical change.

Cathlene Hanaman
Legislative Attorney
Phone: (608) 267-9810
E-mail: cathlene.hanaman@legis.wisconsin.gov

Duerst, Christina

From: Hanson, Eric
Sent: Friday, January 08, 2010 9:31 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-3904/2 Topic: Violent behavior on school grounds by nonstudents

Please Jacket LRB 09-3904/2 for the ASSEMBLY.

Thanks,

Eric Hanson
Office of Rep. Staskunas
6-0620