

State of Misconsin 2011 - 2012 LEGISLATURE



2011 SENATE BILL 127

AN ACT <i>to create</i> 948.015 (9), 972.15 (2g) and 973.017 (6m) of the statutes;
relating to: aggravating factors for a court to consider when sentencing
persons.
Analysis by the Legislative Reference Bureau
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
SECTION 1. 948.015 (9) of the statutes is created to read:
948.015 (9) A crime that involves an act of domestic abuse, as defined in s.
968.075 (1) (a), if the court includes in its reasoning under s. 973.017 (10m) for its
sentencing decision the aggravating factor under s. 973.017 (6m).
SECTION 2. 972.15 (2g) of the statutes is created to read:
972.15 (2g) If the defendant is subject to being sentenced under s. 973.01 and
a factor under s. 973.017 is pertinent to the offense, the person preparing the
presentence investigation report shall include in the report any such factor.

SENATE BILL 127

15

1	Section 3. 973.017 (6m) of the statutes is created to read:
2	973.017 (6m) Aggravating factors; domestic abuse in presence of a child. (a)
3	In this subsection:
4	1. "Child" means an individual who has not attained the age of 18 years.
5	2. "Domestic abuse" has the meaning given in s. 968.075 (1) (a).
6	(b) When making a sentencing decision concerning a person convicted of a
7	crime that involves an act of domestic abuse, the court shall consider as an
8	aggravating factor the fact that the act was committed in a place or a manner in
9	which the act was observable by or audible to a child or was in the presence of a child
10	and the actor knew or had reason to know that the act was observable by or audible
11	to a child or was in the presence of a child.
12	Section 4. Initial applicability.
13	(1) This act first applies to acts committed on the effective date of this
14	subsection.

(END)