



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 277
[2011 Senate Bill 350]

Domestic Abuse Penalty Enhancer

2011 Wisconsin Act 277 creates an additional circumstance under which a penalty enhancer may be imposed for a domestic abuse crime.

Under *current law*, if a person commits a domestic abuse crime, the maximum term of imprisonment for the offense may be increased by not more than two years if the crime is committed during the 72 hours immediately following an arrest for a domestic abuse incident. The victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrest. The penalty increase changes the status of a misdemeanor to a felony.

Act 277 additionally applies the two-year penalty enhancer if a person was convicted, on two separate occasions, of a felony or a misdemeanor domestic abuse crime during the 10-year period immediately prior to the commission of the crime for which the person is being sentenced. In computing the preceding 10-year period, time that the person spent in actual confinement serving a criminal sentence is excluded.

Effective date: Act 277 takes effect on April 24, 2012, and first applies to offenses that are committed on the effective date.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.