

2013 DRAFTING REQUEST

Bill

Received: 3/12/2013 Received By: phurley
Wanted: As time permits Same as LRB:
For: Luther Olsen (608) 266-0751 By/Representing: Dee
May Contact: Drafter: phurley
Subject: Criminal Law - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Olsen@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Aiding or abetting a criminal

Instructions:

11-0415 as amended by 11a1524

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>
/?	phurley 3/12/2013	scalvin 3/26/2013	rschluet 3/26/2013	_____			
/1				_____	sbasford 3/26/2013	rose 3/27/2013	State S&L Crime

FE Sent For:

↳ At Intro.

<END>

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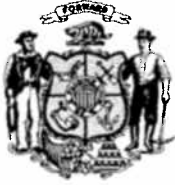
Drafting History:

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/?	phurley	11 sac 03/26/2013		_____	_____		

FE Sent For:

32613

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0416/A
PJH&CMH:jld:md
PJH: sac:

2011 ASSEMBLY BILL 118

3-12-13

1586/1
1MR

May 5, 2011 - Introduced by Representatives KRUSICK, BIES, BALLWEG, BROOKS, JACQUE, KNUDSON, A. OTT, J. OTT, SPANBAUER, STRACHOTA, VAN ROY, ZEPNICK and STEINEKE, cosponsored by Senators OLSEN, KEDZIE and LASSA. Referred to Committee on Criminal Justice and Corrections.

- 1 **AN ACT to renumber and amend 946.47 (3); to amend 946.47 (1) (intro.); and**
- 2 **to create 946.47 (2m) and 946.47 (3) (a) of the statutes; relating to: aiding a**
- 3 **felon and providing penalties.**

Analysis by the Legislative Reference Bureau

Current law prohibits a person from harboring or aiding a felon with intent to prevent the felon's apprehension. Current law also prohibits a person from destroying, altering, hiding, or disguising physical evidence or placing false evidence with intent to prevent the apprehension, prosecution, or conviction of a felon. These two prohibitions, however, do not apply to the felon or to his or her spouse, parents, grandparents, children, grandchildren, brothers, or sisters. A person who violates one of these prohibitions may be fined up to \$10,000 or sentenced to a term of imprisonment of up to three and one-half years, or both.

This bill eliminates the exception to the second prohibition for the felon and the felon's spouse, parents, grandparents, children, grandchildren, brothers, and sisters. The bill creates an exception to both prohibitions for a person if the felon has been charged with an act of domestic abuse against the person and the person may be called to testify against the felon.

The bill also increases the violation for violating these prohibitions if the felon being aided committed: 1) a Class A, B, C, or D felony; 2) an unclassified felony that is punishable by a sentence of life imprisonment; or 3) an offense in another state that is punishable by imprisonment there for one year or more and that would, if committed in Wisconsin, be a Class A, B, C, or D felony or be punishable by a sentence

no new #

ASSEMBLY BILL 118

of life imprisonment. A person who aids the felon who commits these offenses is guilty of a Class G felony and may be fined up to \$25,000 or imprisoned for up to ten years, or both.

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.

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

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

1 SECTION 1. 946.47 (1) (intro.) of the statutes is amended to read:

2 946.47 (1) (intro.) Whoever does either of the following is guilty of a Class I
3 felony may be penalized as provided in sub. (2m):

4 SECTION 2. 946.47 (2m) of the statutes is created to read:

5 946.47 (2m) Except as provided in sub. (3) whoever violates sub. (1) is guilty
6 of the following:

7 (a) A Class G felony, if the offense committed by the felon being aided is, or
8 would have been if the offense had been committed in this state, any of the following:

- 9 1. A Class A, B, C, or D felony.
- 10 2. An unclassified felony that is punishable by a sentence of life imprisonment.

11 (b) A Class I felony, if the offense committed by the felon being aided is, or would
12 have been if the offense had been committed in this state, any of the following:

- 13 1. A Class E, F, G, H, or I felony.
- 14 2. An unclassified felony that is not punishable by a sentence of life
15 imprisonment.

16 SECTION 3. 946.47 (3) of the statutes is renumbered 946.47 (3) (b) and amended
17 to read:

(END)

Whoever

repealed.

Parisi, Lori

From: Pettack, Dee
Sent: Wednesday, March 27, 2013 11:42 AM
To: LRB.Legal
Subject: Draft Review: LRB -1886/1 Topic: Aiding or abetting a criminal

Please Jacket LRB -1886/1 for the SENATE.