2015 DRAFTING REQUEST

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Received:

1/7/2016

Received By:

phurley

For:

Stephen Nass (608) 266-2635

Same as LRB:

-2126

May Contact:

By/Representing: Adam

Subject:

Criminal Law - miscellaneous

Drafter:

phurley

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Nass@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Throwing bodily fluids at a prosecutor

Instructions:

Add prosecutors to 941.375

Drafting History:

phurley

Reviewed Proofed Submitted

Jacketed

Required

/1

Vers.

1/7/2016

<u>Drafted</u>

jdyer 1/8/2016

mbarman 1/8/2016

mbarman 1/8/2016

FE Sent For:

<END>



State of Misconsin 2015 - 2016 LEGISLATURE

2015 BILL

LRB-212671 PJH:jld

N313 11

Comp

2015 ASSEMBLY BILL 357

1-8

a criminal penalty.

September 25, 2015 – Introduced by Representatives Novak, Born, Ballweg, E. Brooks, Heaton, Horlacher, Kitchens, Kleefisch, Murphy, Mursau, A. Ott, J. Ott, Rodriguez, Rohrkaste and Spiros, cosponsored by Senators Wanggaard, Nass and Olsen. Referred to Committee on Criminal Justice and Public Safety.



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2

AN ACT to amend 941.375 (2); and to create 941.375 (1) (am) of the statutes;

relating to: throwing or expelling a bodily fluid at a prosecutor and providing

3

Analysis by the Legislative Reference Bureau

Under current law, a person who throws or expels blood, semen, vomit, saliva, urine, feces, or other bodily substance at or toward an emergency medical technician, a first responder, a law enforcement officer, a fire fighter, or a person operating or staffing an ambulance is guilty of a Class I felony.

Under this bill, the same penalty applies to a person who throws or expels blood, semen, vomit, saliva, urine, feces, or other bodily substance at or toward a prosecutor.

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

- 4 Section 1. 941.375 (1) (am) of the statutes is created to read:
- 5 941.375 (1) (am) "Prosecutor" means any of the following:
- 6 1. A district attorney, a deputy district attorney, an assistant district attorney,
- or a special prosecutor appointed under s. 978.045 or 978.05 (8) (b).

ASSEMBLY BILL 357

1	2. The attorney general, a deputy attorney general, or an assistant attorney
, 2	general.
3	Section 2. 941.375 (2) of the statutes is amended to read:
4	941.375 (2) Any person who throws or expels blood, semen, vomit, saliva, urine,
5	feces, or other bodily substance at or toward a public safety worker or a prosecutor
6	under all of the following circumstances is guilty of a Class I felony:
7	(a) The person throws or expels the blood, semen, vomit, saliva, urine, feces,
8	or other bodily substance with the intent that it come into contact with the public
9	safety worker <u>or prosecutor</u> .
10	(c) The public safety worker <u>or prosecutor</u> does not consent to the blood, semen,
11	vomit, saliva, urine, feces, or other bodily substance being thrown or expelled at or
12	toward him or her.
13	(END)

Barman, Mike

From:

Mikalsen, Mike

Sent:

Friday, January 08, 2016 8:26 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -4313/1

Please Jacket LRB -4313/1 for the SENATE.