

2015 Senate Bill 95 (LRB -1350)

An Act to create 946.78 of the statutes; relating to: falsely claiming military service or honors, and providing a penalty. (FE)

2015

03-27.	S.	Introduced by Senators Roth, Nass, Petrowski, Moulton, Farrow, Gudex, Cowles, Olsen and L. Taylor ; cosponsored by Representatives Steffen, Petryk, Jacque, Brandtjen, Kitchens, Tittl, Knodl, Kulp, Rohrkaste, A. Ott, Spiros, Jagler, E. Brooks, T. Larson, Mursau, Hesselbein, Bernier, Ripp, R. Brooks, Quinn, Murphy, Weatherston, Horlacher, Edming, Allen, Sinicki, Born, Kleefisch, Genrich and Hintz.	162
03-27.	S.	Read first time and referred to Committee on Judiciary and Public Safety	162
03-30.	S.	Fiscal estimate received	
04-03.	S.	Fiscal estimate received	
04-03.	S.	Fiscal estimate received	
04-08.	S.	Fiscal estimate received	
04-23.	S.	Public hearing held	
04-27.	S.	Senate Amendment 1 offered by Senator Roth (LRB a0294)	206
04-28.	S.	Executive session held	
04-28.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Judiciary and Public Safety, Ayes 5, Noes 0	208
04-28.	S.	Report passage as amended recommended by Committee on Judiciary and Public Safety, Ayes 5, Noes 0	208
04-28.	S.	Available for scheduling	
05-04.	S.	Placed on calendar 5-6-2015 pursuant to Senate Rule 18(1)	217
05-06.	S.	Senator Carpenter added as a coauthor	221
05-06.	S.	Senator Bewley added as a coauthor	221
05-06.	S.	Senator Lassa added as a coauthor	221
05-06.	S.	Read a second time	223
05-06.	S.	Senate Amendment 1 adopted	223
05-06.	S.	Ordered to a third reading	223
05-06.	S.	Rules suspended	223
05-06.	S.	Read a third time	223
05-06.	S.	Passed	223
05-06.	S.	Ordered immediately messaged	225
05-06.	A.	Received from Senate	150
05-27.	A.	Read first time and referred to committee on Rules	182
06-03.	A.	Placed on calendar 6-9-2015 by Committee on Rules	
06-09.	A.	Read a second time	
06-09.	A.	Ordered to a third reading	
06-09.	A.	Rules suspended	
06-09.	A.	Read a third time and concurred in	
06-09.	A.	Ordered immediately messaged	
06-10.	S.	Received from Assembly concurred in	

MB

**2015
ENROLLED BILL**

15en S B-95

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

15-1350 / 1

Amendments to above (if none, write "NONE"): SA 1 (a0294/1)

Corrections - show date (if none, write "NONE"): NONE

Topic RELATING CLAUSE

6/11/15
Date


Enrolling Drafter



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1350/1
PJH:kjf:jf

2015 SENATE BILL 95

March 27, 2015 - Introduced by Senators ROTH, NASS, PETROWSKI, MOULTON, FARROW, GUDEX, COWLES, OLSEN and L. TAYLOR, cosponsored by Representatives STEFFEN, PETRYK, JACQUE, BRANDTJEN, KITCHENS, TITTL, KNODL, KULP, ROHRKASTE, A. OTT, SPIROS, JAGLER, E. BROOKS, T. LARSON, MURSAU, HESSELBEIN, BERNIER, RIPP, R. BROOKS, QUINN, MURPHY, WEATHERSTON, HORLACHER, EDMING, ALLEN, SINICKI, BORN, KLEEFISCH, GENRICH and HINTZ. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to create* 946.78 of the statutes; **relating to:** falsely claiming military
2 service or honors, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under this bill, any person who falsely, and with the intent to obtain a tangible financial or other tangible benefit, claims that he or she is serving or has served in the military, or that he or she has received an honor or award related to military service, is guilty of a crime.

Under the bill, a person who makes the false claim is guilty of a class A misdemeanor, unless he or she makes the false claim with the intent to commit or to aid or abet another crime. Under those circumstances, the person is guilty of a class H felony.

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:

3 **SECTION 1.** 946.78 of the statutes is created to read:

SENATE BILL 95

SECTION 1

1 **946.78 False statement regarding military service.** (1) In this section:

2 (a) "Military" means the U.S. armed forces, the state defense force, the national
3 guard of any state, or any other reserve component of the U.S. armed forces.

4 (b) "Tangible benefit" includes financial remuneration, an effect on the outcome
5 of a criminal or civil court proceeding, an effect on an election, and any benefit
6 relating to service in the military that is provided by a federal, state, or local
7 governmental unit or agency.

8 (2) Except as provided in sub. (3), whoever knowingly and with the intent to
9 receive a tangible benefit falsely claims any of the following is guilty of a Class A
10 misdemeanor:

11 (a) That he or she is or was a service member in the military.

12 (b) That he or she has been awarded a Congressional Medal of Honor, a
13 Distinguished Service Cross, a Navy Cross, an Air Force Cross, a Silver Star,
14 Purple Heart, a Combat Infantryman's Badge, a Combat Action Badge, a Combat
15 Medical Badge, a Combat Action Ribbon, a Combat Action Medal, or a Special
16 Operations Identifier or Special Qualification or Skill Identifier, as authorized by
17 Congress or pursuant to federal law for the U.S. armed forces.

a Bronze
Star
= Star)
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SAI
I.

18 (3) Any person violating sub. (2) with the intent to commit or aid or abet the
19 commission of a crime other than a crime under this section is guilty of a Class H
20 felony.

21 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0294/1
PJH:kjf:kf

SENATE AMENDMENT 1,
TO SENATE BILL 95

April 27, 2015 – Offered by Senator ROTH.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 13: after “Star,” insert “a Bronze Star,”.
- 3 (END)