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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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**2015 Wisconsin Act 340**  
[2015 Assembly Bill 357]

**Throwing or Expelling Bodily  
Substances at a Prosecutor**

State law provides that it is a Class I felony<sup>1</sup> to throw or expel a bodily substance (blood, semen, vomit, saliva, urine, feces, or other bodily substance) at a public safety worker<sup>2</sup> under all of the following circumstances:

- The person throws or expels the bodily substance with the intent that it come into contact with the public safety worker.
- The public safety worker does not consent to the bodily substance being thrown or expelled at or toward him or her.

**2015 Wisconsin Act 340** expands this prohibition to also prohibit a person from throwing or expelling a bodily substance at a prosecutor under the same circumstances listed above. Under **the Act**, a “prosecutor” means any of the following persons:

- A district attorney, a deputy district attorney, an assistant district attorney, or a special prosecutor who is appointed as authorized under current law.
- The attorney general, a deputy attorney general, or an assistant attorney general.

*Effective date:* This Act took effect on April 1, 2016.

*Prepared by:* Melissa Schmidt, Senior Staff Attorney

April 14, 2016

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<sup>1</sup> The penalty for a “Class I felony” is a fine not to exceed \$10,000, imprisonment not to exceed three years and six months, or both. [s. 939.50 (3) (i), Stats.]

<sup>2</sup> A “public safety worker” is an emergency medical technician licensed under state law, a first responder certified under state law, a peace officer, a fire fighter, or a person operating or staffing an ambulance.

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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.wisconsin.gov>.