

**2017 Senate Bill 58 (LRB -1552)**

An Act to renumber and amend 943.23 (2) and 943.23 (3); and to create 943.23 (1r), 943.23 (2) (b) and 943.23 (3) (b) of the statutes; relating to: carjacking offenses and providing criminal penalties.

**2017**

02-21.	S.	Introduced by Senators <b>Vukmir, Wanggaard, Darling, Craig, Feyen, Kapenga, Nass and Stroebel;</b> cosponsored by Representatives <b>Sanfelippo, Kleefisch, Jagler, Murphy, Duchow, Gannon, Knodl,</b> <b>Ott, Kremer, Spiros, Skowronski, Tittl and E. Brooks.</b> .....	98
02-21.	S.	Read first time and referred to Committee on Judiciary and Public Safety .....	98
03-29.	S.	Public hearing held	
05-09.	S.	Executive action taken	
05-10.	S.	Report passage recommended by Committee on Judiciary and Public Safety, Ayes 3, Noes 2 .....	253
05-10.	S.	Available for scheduling	
06-09.	S.	Placed on calendar 6-14-2017 pursuant to Senate Rule 18(1) .....	306
06-14.	S.	Read a second time .....	314
06-14.	S.	Ordered to a third reading .....	314
06-14.	S.	Rules suspended .....	314
06-14.	S.	Read a third time and <b>passed</b> , Ayes 26, Noes 7 .....	314
06-14.	S.	Ordered immediately messaged .....	316
06-14.	A.	Received from Senate .....	283
08-29.	A.	Read first time and referred to committee on Rules .....	381
<b>2018</b>			
02-15.	A.	Placed on calendar 2-20-2018 by Committee on Rules	
02-15.	A.	Made a special order of business at 2:22 PM on 2-20-2018 pursuant to Assembly Resolution 26 .....	768
02-21.	A.	Read a second time	
02-21.	A.	Ordered to a third reading	
02-21.	A.	Rules suspended	
02-21.	A.	Read a third time and <b>concurred in</b>	
02-21.	A.	Ordered immediately messaged	
02-22.	S.	Received from Assembly concurred in	

*MB*



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2017 ENROLLED BILL

**Adopted Documents**

Original

Engrossed

Substitute Amdt

17-1552, 1

Amendments:  None or  Listed below.

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Corrections:  None or  Listed by date below.

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Topic:  Same as relating clause or  other, indicated below.

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2/23/18

Date

Enrolling Drafter



## 2017 SENATE BILL 58

February 21, 2017 - Introduced by Senators VUKMIR, WANGGAARD, DARLING, CRAIG, FEYEN, KAPENGA, NASS and STROEBEL, cosponsored by Representatives SANFELIPPO, KLEEFISCH, JAGLER, MURPHY, DUCHOW, GANNON, KNODL, OTT, KREMER, SPIROS, SKOWRONSKI, TITTL and E. BROOKS. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to renumber and amend** 943.23 (2) and 943.23 (3); and **to create** 943.23  
2 (1r), 943.23 (2) (b) and 943.23 (3) (b) of the statutes; **relating to:** carjacking  
3 offenses and providing criminal penalties.

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### *Analysis by the Legislative Reference Bureau*

This bill creates the crime of intentionally taking by the use of force, or by the threat of the use of force, a vehicle without the consent of the owner. The penalty classification for this crime is a Class E felony.

This bill also increases to a Class F felony the penalty classification for a repeat offense of taking and driving a vehicle without the consent of the owner. Under current law, a repeat offense has the same penalty classification as the first offense, a Class H felony. The bill also increases to a Class G felony the penalty classification for a repeat offense of driving or operating a vehicle without the consent of the owner. Under current law a repeat offense has the same penalty classification as a first offense, a Class I felony.

This table lists the penalty classifications for the felonies:

Class E felony	fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both
Class F felony	fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both
Class G felony	fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.

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Class H felony	fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both
Class I felony	fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both

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

1           **SECTION 1.** 943.23 (1r) of the statutes is created to read:

2           943.23 (1r) Whoever, by the use of force against another or by the threat of the  
3 use of force against another, intentionally takes any vehicle without the consent of  
4 the owner is guilty of a Class E felony.

5           **SECTION 2.** 943.23 (2) of the statutes is renumbered 943.23 (2) (intro.) and  
6 amended to read:

7           943.23 (2) (intro.) Except as provided in sub. (3m), whoever intentionally takes  
8 and drives any vehicle without the consent of the owner is guilty of ~~a~~ the following:

9           (a) Except as provided in par. (b), a Class H felony.

10          **SECTION 3.** 943.23 (2) (b) of the statutes is created to read:

11          943.23 (2) (b) For a 2nd or subsequent offense, a Class F felony.

12          **SECTION 4.** 943.23 (3) of the statutes is renumbered 943.23 (3) (intro.) and  
13 amended to read:

14          943.23 (3) (intro.) Except as provided in sub. (3m), whoever intentionally drives  
15 or operates any vehicle without the consent of the owner is guilty of ~~a~~ the following:

16          (a) Except as provided in par. (b), a Class I felony.

17          **SECTION 5.** 943.23 (3) (b) of the statutes is created to read:

18          943.23 (3) (b) For a 2nd or subsequent offense, a Class G felony.

19          **SECTION 6. Initial applicability.**

