



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2717/1  
MLJ:emw

## 2017 ASSEMBLY BILL 406

June 26, 2017 - Introduced by Representatives SARGENT, KOLSTE, BERCEAU, ANDERSON, VRUWINK, C. TAYLOR, CONSIDINE, SPREITZER and FIELDS, cosponsored by Senators CARPENTER, JOHNSON and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1     **AN ACT** *to renumber and amend* 940.225 (3); and *to create* 940.225 (1) (d),  
2           940.225 (2) (k) and 940.225 (3) (c) of the statutes; **relating to:** classification of  
3           sexual assault offenses and providing criminal penalties.

---

***Analysis by the Legislative Reference Bureau***

This bill reclassifies a second, third, or fourth degree sexual assault to one degree higher if the defendant has previously been convicted of first, second, third, or fourth degree sexual assault. Under current law, the penalty for a first degree sexual assault is a Class B felony, the penalty for a second degree sexual assault is a Class C felony, the penalty for a third degree sexual assault is a Class G felony, and the penalty for a fourth degree sexual assault is a Class A misdemeanor.

---

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

4           **SECTION 1.** 940.225 (1) (d) of the statutes is created to read:  
5           940.225 (1) (d) Violates sub. (2) if he or she has previously been convicted of a  
6           violation of this subsection or of sub. (2), (3), or (3m) or an analogous crime in another  
7           jurisdiction.

