



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0155/1
CMH:skw

2021 SENATE BILL 100

February 11, 2021 - Introduced by Senators JACQUE, BALLWEG and FEYEN, cosponsored by Representatives SCHRAA, BRANDTJEN, EDMING, GUNDRUM, KUGLITSCH, MOSES, MURPHY, MURSAU, RAMTHUN, THIESFELDT, TITTL and WICHGERS. Referred to Committee on Judiciary and Public Safety.

AN ACT *to renumber and amend* 940.20 (2m) (b); *to amend* 940.20 (2m) (a) 1. and 1m. and 940.20 (2m) (a) 2.; and *to create* 940.20 (2m) (a) 1p. of the statutes; **relating to:** battery or threat to a probation, extended supervision, and parole agent; a community supervision agent; or an aftercare agent or a family member of the agent and providing a penalty.

Analysis by the Legislative Reference Bureau

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

SECTION 1. 940.20 (2m) (a) 1. and 1m. of the statutes are amended to read:

940.20 **(2m)** (a) 1. "Aftercare agent" means any person authorized by the department of corrections to exercise control over a juvenile on aftercare or authorized by a federally recognized American Indian tribe or band to exercise control over a juvenile on aftercare or a comparable program that is authorized by the tribe or band.

SENATE BILL 100**SECTION 1**

1m. “Community supervision agent” means any person authorized by the department of corrections to exercise control over a juvenile on community supervision or authorized by a federally recognized American Indian tribe or band to exercise control over a juvenile on community supervision or a comparable program that is authorized by the tribe or band.

[SA1-SB100; 1. Page 2, Line 11 SECTION 1o. 940.20 (2m) (a) 1o. of the statutes is created to read:

940.20 (2m) (a) 1o. “Exercise control” includes exercising control either directly or through a subordinate and includes transporting the individual.]

SECTION 2. 940.20 (2m) (a) 1p. of the statutes is created to read:

940.20 (2m) (a) 1p. “Family member” means a spouse, child, stepchild, foster child, parent, sibling, or grandchild.

SECTION 3. 940.20 (2m) (a) 2. of the statutes is amended to read:

940.20 (2m) (a) 2. “Probation, extended supervision and parole agent” means any person authorized by the department of corrections to exercise control over a probationer, parolee, or person on extended supervision or authorized by a federally recognized American Indian tribe or band to exercise control over a probationer, parolee, or person on extended supervision or a comparable program that is authorized by the tribe or band.

SECTION 4. 940.20 (2m) (b) of the statutes is renumbered 940.20 (2m) (b) (intro.) and amended to read:

940.20 (2m) (b) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of a probation, extended supervision, and parole agent, a community supervision agent, or an aftercare agent, under all of the following circumstances is guilty of a Class H felony:

SENATE BILL 100

2. The act or threat is in response to any action taken by the agent acting in an official capacity and,

1. At the time of the act or threat, the person actor knows or has reason to know that the victim is a probation, extended supervision and parole agent, a community supervision agent, or an aftercare agent, by an or a member of the agent's family.

3. The act or threat is done without the consent of the person so injured, is guilty of a Class H felony harmed or threatened.

(END)



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0155/1
CMH:cdc

2021 SENATE BILL 100

1 **AN ACT** *to renumber and amend* 940.20 (2m) (b); *to amend* 940.20 (2m) (a) 1.
2 and 1m. and 940.20 (2m) (a) 2.; and *to create* 940.20 (2m) (a) 1o. and 940.20
3 (2m) (a) 1p. of the statutes; **relating to:** battery or threat to a probation,
4 extended supervision, and parole agent; a community supervision agent; or an
5 aftercare agent or a family member of the agent and providing a penalty.

Analysis by the Legislative Reference Bureau

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

6 **SECTION 1.** 940.20 (2m) (a) 1. and 1m. of the statutes are amended to read:
7 940.20 **(2m)** (a) 1. “Aftercare agent” means any person authorized by the
8 department of corrections to exercise control over a juvenile on aftercare or
9 authorized by a federally recognized American Indian tribe or band to exercise
10 control over a juvenile on aftercare or a comparable program that is authorized by
11 the tribe or band.

SENATE BILL 100**SECTION 1**

1 1m. “Community supervision agent” means any person authorized by the
2 department of corrections to exercise control over a juvenile on community
3 supervision or authorized by a federally recognized American Indian tribe or band
4 to exercise control over a juvenile on community supervision or a comparable
5 program that is authorized by the tribe or band.

6 **SECTION 1o.** 940.20 (2m) (a) 1o. of the statutes is created to read:

7 940.20 (2m) (a) 1o. “Exercise control” includes exercising control either directly
8 or through a subordinate and includes transporting the individual.

9 **SECTION 2.** 940.20 (2m) (a) 1p. of the statutes is created to read:

10 940.20 (2m) (a) 1p. “Family member” means a spouse, child, stepchild, foster
11 child, parent, sibling, or grandchild.

12 **SECTION 3.** 940.20 (2m) (a) 2. of the statutes is amended to read:

13 940.20 (2m) (a) 2. “Probation, extended supervision and parole agent” means
14 any person authorized by the department of corrections to exercise control over a
15 probationer, parolee, or person on extended supervision or authorized by a federally
16 recognized American Indian tribe or band to exercise control over a probationer,
17 parolee, or person on extended supervision or a comparable program that is
18 authorized by the tribe or band.

19 **SECTION 4.** 940.20 (2m) (b) of the statutes is renumbered 940.20 (2m) (b) (intro.)
20 and amended to read:

21 940.20 (2m) (b) (intro.) Whoever intentionally causes bodily harm or threatens
22 to cause bodily harm to the person or family member of a probation, extended
23 supervision, and parole agent, a community supervision agent, or an aftercare agent,
24 under all of the following circumstances is guilty of a Class H felony:

State of Wisconsin



2021 Senate Bill 100

Date of enactment: **March 17, 2022**

Date of publication*: **March 18, 2022**

2021 WISCONSIN ACT 187

AN ACT *to renumber and amend* 940.20 (2m) (b); *to amend* 940.20 (2m) (a) 1. and 1m. and 940.20 (2m) (a) 2.; and *to create* 940.20 (2m) (a) 1o. and 940.20 (2m) (a) 1p. of the statutes; **relating to:** battery or threat to a probation, extended supervision, and parole agent; a community supervision agent; or an aftercare agent or a family member of the agent and providing a penalty.

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

SECTION 1. 940.20 (2m) (a) 1. and 1m. of the statutes are amended to read:

940.20 (2m) (a) 1. "Aftercare agent" means any person authorized by the department of corrections to exercise control over a juvenile on aftercare or authorized by a federally recognized American Indian tribe or band to exercise control over a juvenile on aftercare or a comparable program that is authorized by the tribe or band.

1m. "Community supervision agent" means any person authorized by the department of corrections to exercise control over a juvenile on community supervision or authorized by a federally recognized American Indian tribe or band to exercise control over a juvenile on community supervision or a comparable program that is authorized by the tribe or band.

SECTION 1o. 940.20 (2m) (a) 1o. of the statutes is created to read:

940.20 (2m) (a) 1o. "Exercise control" includes exercising control either directly or through a subordinate and includes transporting the individual.

SECTION 2. 940.20 (2m) (a) 1p. of the statutes is created to read:

940.20 (2m) (a) 1p. "Family member" means a spouse, child, stepchild, foster child, parent, sibling, or grandchild.

SECTION 3. 940.20 (2m) (a) 2. of the statutes is amended to read:

940.20 (2m) (a) 2. "Probation, extended supervision and parole agent" means any person authorized by the department of corrections to exercise control over a probationer, parolee, or person on extended supervision or authorized by a federally recognized American Indian tribe or band to exercise control over a probationer, parolee, or person on extended supervision or a comparable program that is authorized by the tribe or band.

SECTION 4. 940.20 (2m) (b) of the statutes is renumbered 940.20 (2m) (b) (intro.) and amended to read:

940.20 (2m) (b) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of a probation, extended supervision, and parole agent, a community supervision agent, or an aftercare agent, under all of the following circumstances is guilty of a Class H felony:

2. The act or threat is in response to any action taken by the agent acting in an official capacity and

1. At the time of the act or threat, the person actor knows or has reason to know that the victim is a proba-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

tion, extended supervision and parole agent, a community supervision agent, or an aftercare agent, ~~by an~~ or a member of the agent's family.

3. The act or threat is done without the consent of the person so injured, is guilty of a Class H felony harmed or threatened.
