

**2021 Senate Bill 100 (LRB -0155)**

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.

**2021**

02-11.	S.	Introduced by Senators <b>Jacque, Ballweg and Feyen</b> ; cosponsored by Representatives <b>Schraa, Brandtjen, Edming, Gundrum, Kuglitsch, Moses, Murphy, Mursau, Ramthun, Thiesfeldt, Tittl and Wichgers</b> .	105
02-11.	S.	Read first time and referred to Committee on Judiciary and Public Safety	105
03-05.	S.	Representative Skowronski added as a cosponsor	165
03-10.	S.	Representatives Stubbs and Bowen added as cosponsors	176
03-11.	S.	Representative Steffen added as a cosponsor	178
04-07.	S.	Senate Amendment 1 offered by Senator Jacque <b>(LRB a0397)</b>	241
04-29.	S.	Public hearing held	
05-06.	S.	Executive action taken	
05-07.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Judiciary and Public Safety, Ayes 5, Noes 2	293
05-07.	S.	Report passage as amended recommended by Committee on Judiciary and Public Safety, Ayes 5, Noes 2	293
05-07.	S.	Available for scheduling	
05-07.	S.	Placed on calendar 5-11-2021 pursuant to Senate Rule 18(1)	294
05-11.	S.	Read a second time	304
05-11.	S.	<b>Senate Amendment 1 adopted</b>	304
05-11.	S.	Ordered to a third reading	304
05-11.	S.	Rules suspended	305
05-11.	S.	Read a third time and <b>passed</b>	305
05-11.	S.	Senator Carpenter added as a coauthor	302
05-11.	S.	Ordered immediately messaged	305
05-11.	A.	Received from Senate	280
12-07.	A.	Read first time and referred to committee on Rules	606
<b>2022</b>			
01-20.	A.	Placed on calendar 1-25-2022 by Committee on Rules	
01-24.	A.	Representative Cabrera added as a coauthor	
01-25.	A.	Rules suspended to withdraw from calendar and take up	
01-25.	A.	Read a second time	
01-25.	A.	Ordered to a third reading	
01-25.	A.	Rules suspended	
01-25.	A.	Read a third time and <b>concurred in</b>	
01-25.	A.	Representative Subeck added as a cosponsor	
01-25.	A.	Ordered immediately messaged	
01-26.	S.	Received from Assembly concurred in	

DW



21en S B-100

ENROLLED BILL

Adopted Documents

Original       Engrossed       Substitute Amdt      21 0155, 1

Amendments:  None or  Listed below.

SA1 2190397/1

Corrections:  None or  Listed by date below.

Topic:  Same as relating clause or  Indicated below.

1-26-22

WLJ

Date

Enrolling Drafter



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 WICHERS. Referred to Committee on Judiciary and Public Safety.

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) 1p. of the statutes;  
3             **relating to:** battery or threat to a probation, extended supervision, and parole  
4             agent; a community supervision agent; or an aftercare agent or a family  
5             member of the agent and providing a penalty.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, a person who intentionally causes bodily harm to another person commits the crime of simple battery and is guilty of a Class A misdemeanor. Current law provides greater penalties for persons who intentionally cause bodily harm to certain persons, which is special circumstances battery. For example, under current law, a person who intentionally causes bodily harm to a probation, extended supervision, and parole agent; a community supervision agent; or an aftercare agent is guilty of a Class H felony. This bill expands this special circumstances battery crime so that intentionally harming a family member of the agent, or threatening to harm the agent or a family member of the agent, is also a Class H felony. In addition, the bill expands the definition of agent to include an agent in a comparable program authorized by a federally recognized American Indian tribe or band.

**SENATE BILL 100**

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.

---

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

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

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

7           1m. "Community supervision agent" means any person authorized by the  
8 department of corrections to exercise control over a juvenile on community  
9 supervision or authorized by a federally recognized American Indian tribe or band  
10 to exercise control over a juvenile on community supervision or a comparable  
11 program that is authorized by the tribe or band.

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

13           940.20 (2m) (a) 1p. "Family member" means a spouse, child, stepchild, foster  
14 child, parent, sibling, or grandchild.

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

16           940.20 (2m) (a) 2. "Probation, extended supervision and parole agent" means  
17 any person authorized by the department of corrections to exercise control over a  
18 probationer, parolee, or person on extended supervision or authorized by a federally  
19 recognized American Indian tribe or band to exercise control over a probationer,

**SENATE BILL 100**

1 parolee, or person on extended supervision or a comparable program that is  
2 authorized by the tribe or band.

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

5 940.20 (2m) (b) (intro.) Whoever intentionally causes bodily harm or threatens  
6 to cause bodily harm to the person or family member of a probation, extended  
7 supervision, and parole agent, a community supervision agent, or an aftercare agent,  
8 under all of the following circumstances is guilty of a Class H felony:

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

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

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

16 (END)



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBa0397/1  
CMH:amn

SENATE AMENDMENT 1,  
TO SENATE BILL 100

April 7, 2021 - Offered by Senator JACQUE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 11: after that line insert:

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

4 940.20 (2m) (a) 1o. "Exercise control" includes exercising control either directly  
5 or through a subordinate and includes transporting the individual."

6 (END)