

1989 Senate Bill 21

Date of enactment: **March 23, 1990**

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1989 WISCONSIN ACT 145

AN ACT to amend 30.80 (2), 48.17 (1) and 48.396 (3); and to create 30.50 (4b) and 30.80 (2g) of the statutes, relating to: increasing the penalties for failure to render aid in a boating accident.

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

SECTION 1. 30.50 (4b) of the statutes is created to read:

30.50 (4b) "Great bodily harm" has the meaning given in s. 939.22 (14).

SECTION 2. 30.80 (2) of the statutes is amended to read:

30.80 (2) Any person violating s. ~~30.67 (1)~~ or 30.68 (2) shall be fined not more than \$200 or imprisoned not more than 6 months or both. Any person violating s. 30.68 shall be required to obtain a certificate of satisfactory completion of a safety course under s. 30.74 (1).

(2r) Any person violating s. 30.67 (2) shall forfeit not more than \$200.

SECTION 3. 30.80 (2g) of the statutes is created to read:

30.80 (2g) Any person violating any provision of s. 30.67 (1):

(a) Shall be fined not less than \$300 nor more than \$1,000 or imprisoned not more than 6 months or both if the accident did not involve death or injury to a person.

(b) Shall be fined not less than \$300 nor more than \$5,000 or imprisoned not more than one year or both if the accident involved injury to a person but the person did not suffer great bodily harm.

(c) Shall be fined not more than \$10,000 or imprisoned not more than 2 years or both if the accident involved injury to a person and the person suffered great bodily harm.

(d) Shall be fined not more than \$10,000 or imprisoned not more than 5 years or both if the accident involved death to a person.

SECTION 4. 48.17 (1) of the statutes is amended to read:

48.17 (1) (title) TRAFFIC AND BOATING VIOLATIONS. Except for ss. 342.06 (2) and 344.48 (1), and ~~s. ss. 30.67 (1) and~~ 346.67 when death or injury occurs, courts of criminal and civil jurisdiction shall have exclusive jurisdiction in proceedings against children 16 or older for violations of ss. 30.50 to 30.80, of chs. 341 to 351, and of traffic regulations as defined in s. 345.20 and nonmoving traffic violations as defined in s. 345.28 (1). A child convicted of a traffic or boating offense in a court of criminal or civil jurisdiction shall be treated as an adult for sentencing purposes except that the court may disregard any minimum period of incarceration specified for the offense.

SECTION 5. 48.396 (3) of the statutes is amended to read:

48.396 (3) This section does not apply to proceedings for violation of chs. 340 to 349 and 351 or any county or municipal ordinance enacted under ch. 349, except that this section does apply to proceedings for violations of ss. 342.06 (2) and 344.48 (1), and ~~s. ss. 30.67 (1) and~~ 346.67 when death or injury occurs.

SECTION 6. Initial applicability. This act first applies to violations of section 30.67 (1) of the statutes occurring on the effective date of this SECTION.