



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Senate Bill 260**

**Senate Amendment 1**

*Memo published:* December 6, 2007

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*Senate Bill 260* provides that whoever intentionally impedes the normal breathing or circulation of blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person is guilty of a Class H felony. The maximum penalty for this crime is a fine of \$10,000, a term of confinement of three years, and a term of extended supervision of three years. Further, the person will be guilty of a Class G felony if the defendant has a previous conviction for strangulation and suffocation or a previous conviction for the commission of a violent crime. The maximum penalty for a Class G felony is a \$25,000 fine, a term of confinement of five years, and a term of extended supervision of five years. Finally, the bill amends the definition of the statutory term “substantial bodily harm” to include a bruise, contusion, or petechia caused by strangulation or suffocation. A petechia is a small spot on a body surface caused by a minute hemorrhage. [For examples of the use of the term “substantial bodily harm” see ss. 940.19 and 940.195, Stats.; a person will be guilty of a Class I felony if the person causes substantial bodily harm to another or to an unborn child.]

*Senate Amendment 1* amends the bill by providing that term “substantial bodily harm” includes a petechia and deletes from the definition a bruise, contusion, or petechia caused by strangulation as suffocation.

### **Legislative History**

On December 4, 2007, the Senate Committee on Judiciary, Corrections, and Housing introduced and adopted Senate Amendment 1 and recommended Senate Bill 260 for passage, as amended, all on votes of Ayes, 5; Noes, 0.

RS:ksm