LRB-4603/1 JEO: skg:lpa

1995 SENATE BILL 404

November 7, 1995 – Introduced by Senators Huelsman, Petak, Fitzgerald, Rosenzweig, Darling and Panzer, cosponsored by Representatives Otte, Ainsworth, Walker, Kelso, Ward, Olsen, Coleman, Wirch, Ladwig, Robson and Klusman. Referred to Committee on Judiciary.

- 1 AN ACT to amend 940.09 (1) (intro.) of the statutes; relating to: homicide by
- 2 intoxicated use of a vehicle and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person is guilty of homicide by the intoxicated use of a vehicle if he or she causes the death of another by doing any of the following: a) operating or handling a vehicle while under the influence of an intoxicant; b) operating or handling a vehicle while having a prohibited blood alcohol concentration (0.1 if the person has one or fewer prior alcohol-related offenses, or 0.08 if the person has 2 or more prior alcohol-related offenses); or c) operating a commercial motor vehicle while having a blood alcohol concentration of 0.04 or more but less than 0.1. Currently, a person who is guilty of homicide by the intoxicated use of a vehicle may be fined not more than \$10,000 or imprisoned for not more than 10 years or both. This bill changes the penalties for intoxicated use of a vehicle by increasing the maximum imprisonment from 10 years to 40 years and eliminating the fine.

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

- **Section 1.** 940.09 (1) (intro.) of the statutes is amended to read:
- 4 940.09 (1) (intro.) Any person who does any of the following is guilty of a Class
- $5 \quad C \underline{B} \text{ felony:}$

6 (END)