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LRB-0918/1 JEO:kmg:hmh

1999 ASSEMBLY BILL 132

February 16, 1999 – Introduced by Representatives F. Lasee, Kelso, Ziegelbauer, Plale, Sykora, Bock, Ryba, Stone, La Fave, Goetsch, Spillner, Skindrud, Musser, Kaufert, Powers, Albers, Hasenohrl, Porter, Vrakas and Olsen, cosponsored by Senators Roessler and Risser. Referred to Committee on Criminal Justice.

- AN ACT to renumber 941.325; to amend 941.325 (title); and to create 939.66
- 2 (8) and 941.325 (2) of the statutes; **relating to:** placing bodily substances in edibles and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from placing objects, drugs or other substances in candy or other liquid or solid edibles with the intent to cause bodily harm to another person. A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than two years or both if the offense occurs before December 31, 1999. If the offense occurs on or after December 31, 1999, the person may be fined not more than \$10,000 or imprisoned for not more than five years or both.

This bill prohibits a person from placing blood, saliva, urine, feces or other bodily substances in candy or other liquid or solid edibles with the intent that the blood, saliva, urine, feces or other bodily substances be consumed by another person without that other person's knowledge. The bill does not require that a person who violates this prohibition have the intent to cause bodily harm to another person. A person who violates the prohibition created in the bill may be fined not more than \$10,000 or imprisoned for not more than nine months or both. The bill also provides

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that a person may be convicted and punished for violating either the prohibition in current law or the prohibition created in the bill, but not both.

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

1	SECTION 1. 939.66 (8) of the statutes is created to read:
2	939.66 (8) The crime specified in s. 941.325 (2) when the crime charged is
3	specified in s. 941.325 (1).
4	Section 2. 941.325 (title) of the statutes is amended to read:
5	941.325 (title) Placing foreign objects or bodily substances in edibles.
6	Section 3. 941.325 of the statutes is renumbered 941.325 (1).
7	Section 4. 941.325 (2) of the statutes is created to read:
8	941.325 (2) Whoever places blood, saliva, urine, feces or other bodily

941.325 (2) Whoever places blood, saliva, urine, feces or other bodily substances in candy or other liquid or solid edibles with the intent that the blood, saliva, urine, feces or other bodily substances be consumed by another person without that other person's knowledge is guilty of a Class A misdemeanor.

SECTION 5. Initial applicability.

(1) This act first applies to offenses occurring on the effective date of this subsection.

15 (END)

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