



2011 SENATE BILL 127

June 10, 2011 - Introduced by Senators HARSDORF, KAPANKE and DARLING, cosponsored by Representatives BERNIER, KAUFERT, A. OTT, E. COGGS, SPANBAUER, KRUG and MURSAU. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT to create** 948.015 (9), 972.15 (2g) and 973.017 (6m) of the statutes;
2 **relating to:** aggravating factors for a court to consider when sentencing
3 persons.

Analysis by the Legislative Reference Bureau

Current law requires courts to consider specific factors when sentencing people convicted of certain crimes. For instance, if a person is convicted of first or second degree sexual assault of a child and the person was the child's parent, guardian, or temporary caregiver or another person legally responsible for the child's welfare, the sentencing court must consider as an aggravating factor that the convicted person was responsible for the welfare of the child. Under this bill, if a person is convicted of a crime involving an act of domestic abuse and the crime was committed in the presence of a child, the sentencing court must consider as an aggravating factor that the convicted person committed the crime in the presence of a child.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 948.015 (9) of the statutes is created to read:

