State of Misconsin 2015 - 2016 LEGISLATURE

LRB-2731/1 PJH:klm&ild

2015 SENATE BILL 256

September 11, 2015 – Introduced by Senators Marklein and Nass, cosponsored by Representatives E. Brooks, A. Ott, Murtha, Gannon, Novak, Tranel, Horlacher, Petryk, Spiros, Murphy and Kleefisch. Referred to Committee on Judiciary and Public Safety.

- 1 AN ACT to create 947.019 of the statutes; relating to: making a terrorist threat
- 2 and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

This bill makes it a crime to make a terrorist threat.

Under current law, no person may intentionally convey false information threatening to destroy property by means of an explosive or threatening to release a chemical, biological, or radioactive substance. A person who does either of these is guilty of a Class I felony.

Under this bill, no person may threaten to cause the death of or bodily injury to any person or threaten to damage any person's property by any means under any of the following circumstances: 1) the actor intends to prevent the occupation of or cause the evacuation of a building, dwelling, school premises, vehicle, facility of public transportation, or place of public assembly or any room within a building, dwelling, or school premises; 2) the actor intends to cause serious public inconvenience; 3) the actor intends to cause serious public panic or fear; 4) the actor intends to cause an interruption or impairment of governmental operations or public communication, of transportation, or of a supply of water, gas, or other public service; or 5) the actor creates an unreasonable and substantial risk of causing one of these occurrences and is aware of that risk.

Under the bill, a person who violates this prohibition is guilty of a Class I felony, unless the person thereby contributes to the death of any person. In that case, the person is guilty of a Class G felony.

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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:

Section 1. 947.019 of the statutes is created to read:

947.019 Terrorist threats. (1) Whoever, under any of the following circumstances, threatens to cause the death of or bodily harm to any person or to damage any person's property is guilty of a Class I felony:

- (a) The actor intends to prevent the occupation of or cause the evacuation of a building, dwelling, school premises, vehicle, facility of public transportation, or place of public assembly or any room within a building, dwelling, or school premises.
 - (b) The actor intends to cause serious public inconvenience.
 - (c) The actor intends to cause serious public panic or fear.
- (d) The actor intends to cause an interruption or impairment of governmental operations, public communication, transportation, or a supply of water, gas, or other public service.
- (e) The actor creates an unreasonable and substantial risk of causing a result described in par. (a), (b), (c), or (d) and is aware of that risk.
- (2) Any person who violates sub. (1) and thereby contributes to any individual's death is guilty of a Class G felony.

17 (END)