



## 2021 ASSEMBLY BILL 768

December 9, 2021 - Introduced by Representatives HESSELBEIN, MILROY, RIEMER, SINICKI, HEBL, CONLEY, HONG, ANDRACA, ANDERSON, STUBBS, SPREITZER, SUBECK, SHELTON, B. MEYERS, S. RODRIGUEZ and CONSIDINE, cosponsored by Senators JOHNSON, CARPENTER, SMITH, AGARD, LARSON and L. TAYLOR. Referred to Committee on Judiciary.

1     **AN ACT** *to amend* 973.017 (2) (b); and *to create* 973.017 (8m) of the statutes;  
2             **relating to:** considering post-traumatic stress disorder as a mitigating factor  
3             in sentencing certain criminal offenders.

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### *Analysis by the Legislative Reference Bureau*

Under current law, when a court makes a sentencing decision concerning a person convicted of a criminal offense, the court must consider the protection of the public, the gravity of the offense, the rehabilitative needs of the defendant, and any applicable mitigating factors or aggravating factors to the crime. This bill creates a new mitigating factor. Under this bill, when a court makes a sentencing decision concerning a person who is a military veteran and has been diagnosed as suffering from post-traumatic stress disorder resulting from the person's military service, the court may consider that diagnosis as a mitigating factor.

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

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

4             **SECTION 1.** 973.017 (2) (b) of the statutes is amended to read:

