



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0725/1

CMH:cdc

2025 ASSEMBLY BILL 53

February 24, 2025 - Introduced by Representatives GOEBEN, ARMSTRONG, MURPHY, DITTRICH, NEDWESKI, B. JACOBSON, CALLAHAN, BRILL, ALLEN, SUBECK, WICHGERS, MURSAU and BEHNKE, cosponsored by Senators JAMES and TOMCZYK. Referred to Committee on Criminal Justice and Public Safety.

AN ACT to amend 940.203 (2) (intro.), (a) and (b) of the statutes; **relating to:**

special circumstances battery to a community service officer and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who intentionally causes bodily harm to another person commits the crime of simple battery and is guilty of a Class A misdemeanor. Current law provides greater penalties for special circumstances battery, which is defined as intentionally causing or threatening to cause bodily harm to certain persons. For example, under current law, a person who intentionally causes or threatens to cause bodily harm to a law enforcement officer in response to an action that officer took in an official capacity is guilty of a Class H felony. The bill adds a community service officer so to make it a Class H felony to cause or threaten to cause bodily harm to a community service officer in response to an action the CSO took in an official capacity.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

ASSEMBLY BILL 53**SECTION 1**

SECTION 1. 940.203 (2) (intro.), (a) and (b) of the statutes are amended to read:

940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any judge, prosecutor, ~~or~~ law enforcement officer, or community service officer under all of the following circumstances is guilty of a Class H felony:

(a) At the time of the act or threat, the actor knows or should have known that the victim is a judge, prosecutor, ~~or~~ law enforcement officer, or community service officer or a member of the judge's, prosecutor's, ~~or~~ law enforcement officer's, or community service officer's family.

(b) The act or threat is in response to any action taken by a judge, prosecutor, ~~or~~ law enforcement officer, or community service officer in an official capacity.

(END)