

State of Wisconsin



1997 Assembly Bill 278

Date of enactment: **June 10, 1998**
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1997 WISCONSIN ACT 266

AN ACT to create 939.647 of the statutes; relating to: committing certain violent crimes against an elder person and providing a penalty.

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

SECTION 1. 939.647 of the statutes is created to read:
939.647 Increased penalty; violent felony committed against elder person. (1) In this section:

(a) "Elder person" means any individual who is 62 years of age or older.

(b) "Violent felony" means any felony under s. 940.19 (2), (3), (4), (5) or (6), 940.225 (1), (2) or (3), 940.23 or 943.32.

(2) If a person commits a violent felony and the vic-

tim of the violent felony is an elder person, the maximum period of imprisonment is increased by 5 years.

(3) Subsection (2) applies even if the person mistakenly believed that the victim had not attained the age of 62 years.

(4) This section provides for the enhancement of the penalties applicable for the underlying crime. The court shall direct that the trier of fact find a special verdict as to all of the issues specified in sub. (2).

SECTION 2. Initial applicability.

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

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].