
Wisconsin Legislative Council

ACT MEMO



Prepared by: David Moore, Principal Attorney

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2023 Wisconsin Act 226 [2023 Senate Bill 514]

Penalties for Fleeing an Officer

State law prohibits the operator of a vehicle, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, from knowingly fleeing or attempting to elude any officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, the traffic officer, the law enforcement officer, other vehicles, or pedestrians. The operator of a vehicle receiving such a signal may also not increase the speed of the operator's vehicle or extinguish the lights of the vehicle in an attempt to elude or flee. The penalty for violating this offense varies depending on the type of harm that resulted from the violation.

2023 Wisconsin Act 226 raises each of the applicable penalties for violations of this offense to the next felony level as follows:

- For violations that do not result in bodily harm, great bodily harm, or death, from a Class I felony to a Class H felony.
- For violations that result in bodily harm, from a Class H felony to a Class G felony.
- For violations that result in great bodily harm, from a Class F felony to a Class E felony.
- For violations that result in death, from a Class E felony to a Class D felony.

The act also imposes a mandatory minimum term of confinement for violations that result in great bodily harm or death. With respect to violations that result in great bodily harm, the act requires the court to impose a bifurcated sentence that includes a term of confinement that is not less than one year and six months. With respect to violations that result in death, the act requires the court to impose a bifurcated sentence that includes a term of confinement that is not less than two years and six months.

The act initially applies to violations committed on March 29, 2024.

Effective date: March 29, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

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