
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 90

**Assembly
Amendment 1**

2021 ASSEMBLY BILL 90

Under current law, in general, it is a Class A misdemeanor for a person to intentionally cause bodily harm¹ (battery) to a person. However, it is a Class H felony for a person to commit battery against a probation, extended supervision, parole,² community supervision,³ or aftercare⁴ agent (agent). The penalty for a Class A misdemeanor is a fine of up to \$10,000, imprisonment of up to nine months, or both. The penalty for a Class H felony is a fine of up to \$10,000, imprisonment of up to six years, or both.

Assembly Bill 90 provides that it is a Class H felony to commit, or threaten to commit, battery against an agent or the family member⁵ of an agent. The bill also amends the definitions of “aftercare agent” and “community supervision agent” to include persons authorized by federally recognized American Indian tribes or bands to exercise control over a juvenile on aftercare or a comparable program that is authorized by the tribe or band.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 defines “exercise control” to include exercising control either directly or through a subordinate, and includes transporting the person supervised.

BILL HISTORY

Representative Schraa offered Assembly Amendment 1 on April 6, 2021. On April 7, 2021, the Assembly Committee on Criminal Justice and Public Safety recommended adoption of the amendment, and passage of Assembly Bill 90, as amended, on votes of Ayes, 14; Noes, 0.

TK:ty

¹ Bodily harm means “physical pain or injury, illness, or any impairment of physical condition.” [s. 939.22 (4), Stats.]

² A probation, extended supervision, or parole agent is any person authorized by the Department of Corrections (DOC) to exercise control over a probationer, parolee, or person on extended supervision. [s. 940.20 (2m) (a) 2., Stats.]

³ A community supervision agent is any person authorized by DOC to exercise control over a juvenile on community supervision. [s. 940.20 (2m) (a) 1 m., Stats.]

⁴ An aftercare agent is any person authorized by DOC to exercise control over a juvenile on aftercare. [s. 940.20 (2m) (a) 1., Stats.]

⁵ The bill defines family member to mean a spouse, child, stepchild, foster child, parent, sibling, or grandchild.