
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: David Moore, Senior Staff Attorney

2021 Senate Bill 100

**Senate
Amendment 1**

2021 SENATE BILL 100

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.

Senate Bill 100 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.

SENATE AMENDMENT 1

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

BILL HISTORY

Senator Jacque offered Senate Amendment 1 on April 7, 2021. On May 6, 2021, the Senate Committee on Judiciary and Public Safety voted to recommend adoption of Senate Amendment 1 and passage of Senate Bill 100, as amended, both on votes of Ayes, 5; Noes, 2.

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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.