



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4652/1
MLJ:ahe

2019 SENATE BILL 827

February 20, 2020 - Introduced by Senators JOHNSON, L. TAYLOR and LARSON, cosponsored by Representatives CROWLEY, SORTWELL, BOWEN, ANDERSON, SINICKI, ZAMARRIPA and VINING. Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

1 **AN ACT to repeal** 946.49 (1) (a) and (b); **to renumber and amend** 946.49 (1)
2 (intro.); **to amend** 946.49 (2); and **to create** 946.49 (3) of the statutes; **relating**
3 **to:** bail jumping and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, bail jumping means failure to comply with the terms of a bond after being released from custody in a pending criminal matter. Bail jumping for a defendant who has been released on bond after being charged with a crime is a Class A misdemeanor if the offense with which the defendant is charged is a misdemeanor and a Class H felony if the offense with which the defendant is charged is a felony, and bail jumping for a witness for whom bail has been required is a Class I felony. Under this bill, bail jumping means failure to appear as required or failure to comply with a term of a bond that prohibits contact with another individual or prohibits his or her presence in a specified location. Under the bill, any form of bail jumping is a Class B misdemeanor, regardless of the underlying offense or whether the person for whom bail is required is a defendant or a witness. In addition, under this bill, a person may only be charged with bail jumping once per underlying charge for which he or she has been released on bail.

SENATE BILL 827

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:

1 **SECTION 1.** 946.49 (1) (intro.) of the statutes is renumbered 946.49 (1) and
2 amended to read:

3 946.49 (1) Whoever, having been released from custody under ch. 969,
4 intentionally fails to appear as required or to comply with the terms a term of his or
5 her bond that prohibits contact with another individual or prohibits his or her
6 presence in a specified location is: guilty of a Class B misdemeanor.

7 **SECTION 2.** 946.49 (1) (a) and (b) of the statutes are repealed.

8 **SECTION 3.** 946.49 (2) of the statutes is amended to read:

9 946.49 (2) A witness for whom bail has been required under s. 969.01 (3) is
10 guilty of a Class I ~~felony~~ B misdemeanor for failure to appear as provided.

11 **SECTION 4.** 946.49 (3) of the statutes is created to read:

12 946.49 (3) A prosecutor may only charge a person for a violation under sub. (1)
13 once per underlying criminal charge for which he or she has been released on bond.

14 (END)