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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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<b>2009 Wisconsin Act 251</b> [2009 Assembly Bill 269]	<b>Obstructing or Resisting an Officer and Causing Substantial Bodily Harm</b>
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Under *current law*, a person is guilty of a Class A misdemeanor if the person knowingly resists or obstructs an officer while the officer is acting in an official capacity and with lawful authority. The penalty for a Class A misdemeanor is a fine not to exceed \$10,000 or imprisonment not to exceed nine months, or both.

**2009 Wisconsin Act 251** makes it a Class H felony if a person knowingly resists or obstructs an officer while the officer is acting in an official capacity and with lawful authority *and causes substantial bodily harm to the officer*. Substantial bodily harm is defined to mean “bodily injury that causes a laceration that requires stitches, staples, or a tissue adhesive; a fracture of a bone; a broken nose; a burn; a petechia; a temporary loss of consciousness, sight, or hearing; a concussion; or a loss or fracture of a tooth. The penalty for a Class H felony is a fine not to exceed \$10,000 or imprisonment not to exceed six years, or both.

**Effective date:** 2009 Wisconsin Act 251 took effect on May 22, 2010.

**Prepared by:** Melissa Schmidt, Staff Attorney

May 24, 2010

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.