



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2003 Assembly Bill 206**

**Assembly Amendments 1 and 2**

*Memo published: April 25, 2003*

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Under *current law*, whoever intentionally points a firearm at another person is guilty of a Class A misdemeanor.

*Assembly Bill 206* strikes “intentionally” from the current provision prohibiting pointing a firearm at another person.

*Assembly Amendment 1* modifies the bill so that, as under current law, it is a Class A misdemeanor to intentionally point a firearm at another person.

Also under *current law*, any prisoner confined to a state prison or other state, county, or municipal detention facility who throws or expels a bodily substance (e.g., blood or urine) at or toward an officer, employee, or visitor of the prison or facility or another prisoner under all of the following circumstances is guilty of a Class I felony:

1. The prisoner throws or expels the bodily substance with the intent that it come into contact with the other person.
2. The prisoner intends either to cause bodily harm to the person or to abuse, harass, offend, intimidate, or frighten the person.
3. The person does not consent to the bodily substance being thrown or expelled at or toward him or her.

*Assembly Bill 206* modifies this provision so that it is a Class I felony for any person in custody or detainee to throw or expel a bodily substance at or toward a peace officer or an officer, employee, or visitor of the prison or facility or another person in custody or detainee.

*Assembly Amendment 2* provides that it is a Class I felony for any person to throw or expel a bodily substance at or toward a public safety worker. The amendment defines “public safety worker” as an emergency medical technician, a first responder, a peace officer, a fire fighter, or a person operating or staffing an ambulance. Also under the amendment, the act must be done with the intent to cause bodily harm to the public safety worker.

The Assembly Committee on Criminal Justice unanimously recommended adoption of Assembly Amendments 1 and 2 on April 23, 2003. The committee recommended passage of the bill, as amended, on a votes of Ayes, 11; Noes, 1.

AS:ksm