



## 1997 ASSEMBLY BILL 644

December 2, 1997 - Introduced by Representatives NASS, DOBYNS, JESKEWITZ, GARD, MUSSEY, VRAKAS, F. LASEE, ZIEGELBAUER, HOVEN, STASKUNAS, LAZICH, GREEN, SERATTI, LADWIG, PORTER, AINSWORTH, ZUKOWSKI, SKINDRUD, HASENOHRL, BRANDEMUEHL and POWERS, cosponsored by Senators FITZGERALD, GROBSCHMIDT, ZIEN, FARROW, A. LASEE, ROESSLER, HUELSMAN and SCHULTZ. Referred to Committee on Criminal Justice and Corrections.

1     **AN ACT** *to renumber and amend* 943.10 (1) (e); *to amend* 943.10 (1) (a) and  
2           943.10 (2) (intro.); and *to create* 943.10 (1m) of the statutes; **relating to:**  
3           burglary and providing a penalty.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, a person is guilty of burglary if he or she intentionally enters a building, dwelling or certain other places without the consent of the person in lawful possession of the building, dwelling or other place and with intent to steal or commit a felony in the building, dwelling or other place. A person convicted of burglary may be fined not more than \$10,000 or imprisoned for not more than 10 years or both. In addition, under current law a person commits aggravated burglary if he or she commits a burglary while armed, commits a battery during a burglary against a person lawfully inside the building, dwelling or other place, or uses explosives during a burglary to open a depository in the building, dwelling or other place. A person convicted of aggravated burglary may be imprisoned for not more than 40 years.

This bill increases the maximum prison term from 10 years to 20 years for burglary of a dwelling, motor home or trailer home, regardless of whether any person is living in the dwelling, motor home or trailer home at the time of the burglary. The bill does not change the maximum fine of \$10,000 for the offense and does not change

