2005 ASSEMBLY BILL 364

April 22, 2005 – Introduced by Representatives Lehman, Berceau, Davis, Hines, Kerkman, Nass, Pope-Roberts, Sheridan, Turner, Vos and Zepnick, cosponsored by Senators Stepp, A. Lasee and Roessler. Referred to Committee on Criminal Justice and Homeland Security.

- 1 AN ACT to create 343.44 (2) (e) and 343.44 (2) (f) of the statutes; relating to:
 2 causing injury or death while operating a vehicle after suspension or revocation
- causing injury or death while operating a vehicle after suspension or revocation
 of an operating privilege and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no one may operate a motor vehicle while his or her operating privilege is suspended or revoked. A person who operates a vehicle while his or her operating privilege is suspended may be required to forfeit not less than \$50 nor more than \$200. A person who operates a vehicle while his or her operating privilege is revoked may be fined not more than \$2,500 or imprisoned for not more than one year, or both.

Under this bill, a person who operates a motor vehicle while his or her operating privilege is suspended or revoked and who causes injury to another person is guilty of a Class I felony and subject to a fine of not more than \$10,000, imprisonment not to exceed three years and six months, or both. A person who causes the death of another person while operating a motor vehicle while his or her operating privilege is suspended or revoked is guilty of a Class G felony, and is subject to a fine of not more than \$25,000, imprisonment not to exceed ten years, or both.

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 concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **Section 1.** 343.44 (2) (e) of the statutes is created to read: $\mathbf{2}$ 343.44 (2) (e) Any person who, in the course of a violation of sub. (1) or a local 3 ordinance in conformity therewith, causes injury to another person is guilty of a Class I felony. 4 5 **Section 2.** 343.44 (2) (f) of the statutes is created to read: 6 343.44 (2) (f) Any person who, in the course of a violation of sub. (1) or a local 7 ordinance in conformity therewith, causes the death of another person is guilty of a 8 Class G felony.

(END)