



2023 BILL

1 **AN ACT to amend** 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c) and 346.17 (3) (d)
2 of the statutes; **relating to:** fleeing an officer and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill increases the penalties for fleeing an officer.

Under current law, no operator of a vehicle, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, may knowingly flee so as to endanger other vehicles or pedestrians. Under the bill:

1. The penalty for fleeing an officer is increased from a Class I felony to a Class H felony.

2. The penalty for fleeing an officer and causing bodily harm to another or damage to the property of another is increased from a Class H felony to a Class G felony.

3. The penalty for fleeing an officer and causing great bodily harm to another is increased from a Class F felony to a Class E felony, with a mandatory minimum of 1.5 years imprisonment.

4. The penalty for fleeing an officer and causing death to another is increased from a Class E felony to a Class D felony, with a mandatory minimum of 2.5 years imprisonment.

BILL

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.** 346.17 (3) (a) of the statutes is amended to read:

2 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
3 346.04 (3) is guilty of a Class ~~I~~ H felony.

4 **SECTION 2.** 346.17 (3) (b) of the statutes is amended to read:

5 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
6 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
7 the person is guilty of a Class ~~H~~ G felony.

8 **SECTION 3.** 346.17 (3) (c) of the statutes is amended to read:

9 346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22
10 (14), to another, the person is guilty of a Class ~~F~~ E felony. The court shall impose
11 a bifurcated sentence under s. 973.01, and the confinement portion of the bifurcated
12 sentence imposed on the person shall be not less than one year and 6 months.

13 **SECTION 4.** 346.17 (3) (d) of the statutes is amended to read:

14 346.17 (3) (d) If the violation results in the death of another, the person is guilty
15 of a Class ~~E~~ D felony. The court shall impose a bifurcated sentence under s. 973.01,
16 and the confinement portion of the bifurcated sentence imposed on the person shall
17 be not less than 2 years and 6 months.

18 **SECTION 5. Initial applicability.**

