



2025 ASSEMBLY BILL 89

February 28, 2025 - Introduced by Representatives PENTERMAN, ALLEN, BEHNKE, DONOVAN, FRANKLIN, GOEBEN, GUNDRUM, GUSTAFSON, B. JACOBSON, KNODL, MAXEY, MELOTIK, MURPHY, PIWOWARCZYK, TUSLER, WICHGERS, WITTKE, KRUG, MURSAU and KAUFERT, cosponsored by Senators JACQUE, HUTTON, NASS and TOMCZYK. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to create* 943.20 (5), 943.50 (6), 971.19 (2m) and 971.36 (5) of the
2 statutes; **relating to:** theft crimes and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the penalty for the crime of property theft varies by the value of the property taken. The penalty ranges from a Class A misdemeanor if the value of the property is not more than \$2,500 to a Class F felony if the value of the property exceeds \$100,000. Similarly, the penalty for the crime of retail theft varies by the value of the merchandise or service that is taken. The penalty ranges from a Class A misdemeanor if the value is not more than \$500 to a Class G felony if the value exceeds \$10,000.

This bill specifies that, if, in a six-month period, a defendant commits more than one violation of property theft or more than one violation of retail theft, the value of items taken at each violation may be aggregated and the crimes may be prosecuted as one property theft crime or one retail theft crime. The penalty for the crime would be determined by the aggregated value of the items taken.

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.

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

ASSEMBLY BILL 89**SECTION 1**

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

SECTION 1. 943.20 (5) of the statutes is created to read:

943.20 (5) AGGREGATION OF VALUES. For purposes of charging and penalty determinations under sub. (3) (a) to (cm), the value of property from multiple violations committed by the same person in a 6-month period may be aggregated.

SECTION 2. 943.50 (6) of the statutes is created to read:

943.50 (6) For purposes of charging and penalty determinations under sub. (4) (a) to (c), the value of property from multiple violations committed by the same person in a 6-month period may be aggregated.

SECTION 3. 971.19 (2m) of the statutes is created to read:

971.19 (2m) If 2 or more violations of s. 943.20 or 943.50 are prosecuted as a single crime as provided in s. 971.36 (5), the trial may be in any county in which any of the violations occurred and the prosecutor shall have exclusive jurisdiction over the violations.

SECTION 4. 971.36 (5) of the statutes is created to read:

971.36 (5) In any case involving aggregated acts under s. 943.20 (5) or 943.50 (6), notwithstanding sub. (3), the acts may be prosecuted as a single crime.

(END)