



## 1997 SENATE BILL 80

February 19, 1997 - Introduced by Senators BUETTNER, WEEDEN, ROSENZWEIG, FARROW, A. LASEE, WELCH, DRZEWIECKI and ZIEN, cosponsored by Representatives LADWIG, OTTE, LAZICH, GUNDERSON, HANDRICK, OWENS and GROTHMAN. Referred to Committee on Judiciary, Campaign Finance Reform and Consumer Affairs.

1     **AN ACT** *to amend* 944.21 (2) (c) 2. and 944.21 (2) (d) 2.; and *to create* 944.21 (2)  
2           (em) of the statutes; **relating to:** obscene sexual conduct.

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### *Analysis by the Legislative Reference Bureau*

Under current obscenity law, there are penalties for selling or transferring obscene material or producing or performing in an obscene performance and related offenses. Currently, the determination of whether material or performances are obscene is based on a 3-part test. One of the parts of the test focuses on whether the material or performance shows sexual conduct in a patently offensive way. This bill specifies that the sexual conduct shown in the material or performance may be either actual or simulated sexual conduct.

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

3           **SECTION 1.** 944.21 (2) (c) 2. of the statutes is amended to read:  
4           944.21 (2) (c) 2. Under contemporary community standards, describes or shows  
5     actual or simulated sexual conduct in a patently offensive way; and  
6           **SECTION 2.** 944.21 (2) (d) 2. of the statutes is amended to read:

