

BILL HISTORY FOR ASSEMBLY BILL 144 (LRB -0788)

An Act to create 48.981 (1) (b) and 48.981 (7) (a) 8m. of the statutes; relating to: disclosure of child abuse and neglect reports for the purpose of investigating an alleged violation of a correctional community placement.

1999

02-25. A. Introduced by Representatives Huber, Ladwig, Ziegelbauer, Walker, Goetsch, Staskunas, Musser, Turner, Spillner, Kelso, La Fave, Albers, Plouff, M. Lehman, Sykora, Lassa, Hasenohrl, Seratti, Bock, J. Lehman, F. Lasee, Boyle, Travis and Riley ; cosponsored by Senators Robson, Huelsman, Plache, Roessler, Breske, Darling, Decker, Schultz and Erpenbach.	
02-25. A. Read first time and referred to committee on Children and Families	84
03-24. A. Public hearing held.	
04-09. A. Assembly amendment 1 offered by Representative Huber (LRB a0255)	143
04-22. A. Assembly amendment 2 offered by Representative Huber (LRB a0270)	149
04-29. A. Executive action taken.	
05-06. A. Report Assembly amendment 2 adoption recommended by committee on Children and Families, Ayes 9, Noes 0	164
05-06. A. Report passage as amended recommended by committee on Children and Families, Ayes 9, Noes 0	164
05-06. A. Referred to committee on Rules	164
05-26. A. Placed on calendar 6-1-1999 by committee on Rules.	
06-01. A. Read a second time	214
06-01. A. Assembly amendment 2 adopted	214
06-01. A. Ordered to a third reading	214
06-01. A. Rules suspended	214
06-01. A. Read a third time and passed , Ayes 99, Noes 0	214
06-01. A. Ordered immediately messaged	214
06-03. S. Received from Assembly	165
06-03. S. Read first time and referred to committee on Insurance, Tourism, Transportation and Corrections	166
07-21. S. Public hearing held.	
07-21. S. Executive action taken.	
07-22. S. Report concurrence recommended by committee on Insurance, Tourism, Transportation and Corrections, Ayes 7, Noes 0	218
07-22. S. Available for scheduling.	
11-02. S. Read a second time	317
11-02. S. Senate amendment 1 offered by Senators Huelsman and Robson (LRB a0873)	317

11-02. S. Senate amendment 1 adopted	317
11-02. S. Ordered to a third reading	317
11-02. S. Rules suspended	317
11-02. S. Read a third time and concurred in as amended	317
11-02. S. Ordered immediately messaged	317
11-04. A. Received from Senate amended and concurred in as amended (Senate amendment 1 adopted)	514
11-04. A. Referred to committee on Rules	514
11-04. A. Placed on calendar 11-10-1999 by committee on Rules.	
11-10. A. Senate amendment 1 concurred in	551

**1999
ENROLLED BILL**

99en A B-144

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

99 - 078811

Amendments to above (if none, write "NONE"): AA 2, SA1

Corrections - show date (if none, write "NONE"): none

Topic Disclosure of child abuse and neglect reports

11/12/99 [Signature]
Date Enrolling Drafter

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1999 ASSEMBLY BILL 144

February 25, 1999 – Introduced by Representatives HUBER, LADWIG, ZIEGELBAUER, WALKER, GOETSCH, STASKUNAS, MUSSER, TURNER, SPILLNER, KELSO, LA FAVE, ALBERS, PLOUFF, M. LEHMAN, SYKORA, LASSA, HASENOHRL, SERATTI, BOCK, J. LEHMAN, F. LASEE, BOYLE, TRAVIS and RILEY, cosponsored by Senators ROBSON, HUELSMAN, PLACHE, ROESSLER, BRESKE, DARLING, DECKER, SCHULTZ and ERPENBACH. Referred to Committee on Children and Families.

- 1-3
AAJ
- 1 **AN ACT to create** 48.981 (1) (b) and 48.981 (7) (a) 8m. of the statutes, **relating**
 2 **to:** disclosure of child abuse and neglect reports for the purpose of investigating
 3 an alleged violation of a correctional community placement.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, reports and records of suspected or threatened child abuse or neglect are confidential. Current law, however, permits those reports and records to be disclosed to a law enforcement officer or agency or a district attorney for purposes of investigation or prosecution.

This bill permits reports and records of suspected or threatened child abuse or neglect to be disclosed to the department of corrections (DOC); the department of health and family services (DHFS); a county department of human services, social services, community programs or developmental disabilities services (county department); or any other agency under contract with DOC, DHFS or a county department to exercise custody or supervision over a person who has committed, or who is alleged to have committed, a violation of his or her community placement, as defined in the bill. The disclosure may be made for purposes of investigating, taking an action or making a decision relating to or reviewing an action taken or a decision made relating to a violation or an alleged violation of a condition of that community placement.

Under the bill, "community placement" means probation; parole; aftercare; conditional transfer into the community of a patient or resident who is under a mental commitment; conditional transfer, discharge or release of person who is

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under a criminal commitment; supervised release of a sexually violent person; participation in the community residential confinement program, the intensive sanctions program, the corrective sanctions program, the intensive supervision program or the serious juvenile offender program; placement in a Type 2 child caring institution or a Type 2 secured correctional facility; or any other placement of an adult or juvenile offender in the community under the custody or supervision of DOC, DHFS, a county department or any other agency under contract with DOC, DHFS or a county department to exercise custody or supervision over the offender.

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

SA1

extended supervision;

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SECTION 1. 48.981 (1) (b) of the statutes is created to read:

48.981 (1) (b) "Community placement" means probation; parole; aftercare; conditional transfer into the community under s. 51.35 (1); conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 child caring institution or a Type 2 secured correctional facility authorized under s. 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06 or 980.08; participation in the community residential confinement program under s. 301.046, the intensive sanctions program under s. 301.048, the corrective sanctions program under s. 938.533, the intensive supervision program under s. 938.534 or the serious juvenile offender program under s. 938.538; or any other placement of an adult or juvenile offender in the community under the custody or supervision of the department of corrections, the department of health and family services, a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or any other agency under contract with the department of corrections, the department of health and family services or a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over the offender.

person AA2

SECTION 2. 48.981 (7) (a) 8m. of the statutes is created to read:

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1 48.981 (7) (a) 8m. The department of corrections, the department of health and
 2 family services, a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437
 3 or any other agency ^{PERSON} under contract ^{AA2} with the department of corrections, the
 4 department of health and family services or a county department under s. 46.215,
 5 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over a person who has ^{AA2}

6 ~~committed, or who is alleged to have committed, a violation of his or her community
 7 placement for purposes of investigating, taking an action or making a decision
 8 relating to or reviewing an action taken or a decision made relating to a violation or
 9 an alleged violation of a condition of that community placement. In making its~~

10 investigation, the department of corrections, department of health and family
 11 services, county department or other agency shall cooperate with the agency making
 12 the investigation under sub. (3) (c) or (d). ^{PERSON AA2}

SECTION 3. Initial applicability.

14 (1) This act first applies to child abuse and neglect reports and records, as
 15 defined in section 48.981 (1) (f) of the statutes, that are disclosed on the effective date
 16 of this subsection.

(END)

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 AA27

**ASSEMBLY AMENDMENT 2,
TO 1999 ASSEMBLY BILL 144**

April 22, 1999 - Offered by Representative HUBER.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: delete "an alleged violation of a correctional community
3 placement" and substitute "for providing services to a person who is subject to a
4 correctional community placement and who is the subject of such a report".

5 **2.** Page 2, line 13: delete "agency" and substitute "person".

6 **3.** Page 3, line 3: delete "agency" and substitute "person".

7 **4.** Page 3, line 5: delete "has".

8 **5.** Page 3, line 6: delete lines 6 to 9 and substitute "is subject to community
9 placement for purposes of investigating or providing services to a person who is
10 subject to community placement and who is the subject of a report. In making its".

11 **6.** Page 3, line 11: delete "other agency" and substitute "other person".

12

(END)

**SENATE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 144**

November 2, 1999 – Offered by Senators HUELSMAN and ROBSON.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 2: after “probation;” insert “extended supervision;”.

3 (END)