

SENATE BILL 629 (LRB -2901)

An Act to renumber and amend 948.02 (1) and 948.025 (1) (a); to amend 948.025 (2) (a); and to create 948.02 (1) (a), 948.025 (1) (ag) and 948.025 (2) (am) of the statutes; relating to: sexual assault of a child and providing a penalty. (FE)

2006

03-07.	S.	Introduced by Senators Lazich, Grothman, Kedzie and Roessler ; cosponsored by Representatives Kleefisch, Gundrum, Kaufert, Musser, Gunderson, Jeskewitz, Townsend and LeMahieu .	
02-24.	S.	Read first time and referred to committee on Judiciary, Corrections and Privacy	630
02-27.	S.	Fiscal estimate received.	
02-27.	S.	Fiscal estimate received.	
03-01.	S.	Public hearing held.	
03-06.	S.	Executive action taken.	
03-06.	S.	Report passage recommended by committee on Judiciary, Corrections and Privacy, Ayes 4, Noes 1	690
03-06.	S.	Available for scheduling.	
03-06.	S.	Placed on calendar 3-7-2006 by committee on Senate Organization.	
03-07.	S.	Senator Darling added as a coauthor.	
03-07.	S.	Senator Lassa added as a coauthor.	
03-07.	S.	Read a second time	701
03-07.	S.	Ordered to a third reading	701
03-07.	S.	Rules suspended	701
03-07.	S.	Read a third time and passed	701
03-07.	S.	Ordered immediately messaged	702
03-21.	A.	Received from Senate	984
03-21.	A.	Read first time and referred to committee on Judiciary	987
04-06.	A.	Public hearing held.	
04-20.	A.	Executive action taken.	
04-21.	A.	Report concurrence recommended by committee on Judiciary, Ayes 7, Noes 0	1026
04-21.	A.	Referred to committee on Rules	1026
04-27.	A.	Placed on calendar 5-2-2006 by committee on Rules.	
05-02.	A.	Rules suspended to withdraw from calendar and take up.	
05-02.	A.	Read a second time.	
05-02.	A.	Ordered to a third reading.	
05-02.	A.	Rules suspended.	
05-02.	A.	Read a third time and concurred in .	
05-02.	A.	Ordered immediately messaged.	
05-03.	S.	Received from Assembly concurred in.	

**2005
ENROLLED BILL**

05en S B- 629

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

05 2901/1

Amendments to above (if none, write "NONE"): None

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

Topic Rel

5-3-06

Date

J. R. Miller

Enrolling Drafter

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2005 SENATE BILL 629

February 24, 2006 - Introduced by Senators LAZICH, GROTHMAN, KEDZIE and ROESSLER, cosponsored by Representatives KLEEFISCH, GUNDRUM, KAUFERT, MUSSER, GUNDERSON, JESKEWITZ, TOWNSEND and LEMAHIEU. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT to renumber and amend** 948.02 (1) and 948.025 (1) (a); **to amend**
2 948.025 (2) (a); and **to create** 948.02 (1) (a), 948.025 (1) (ag) and 948.025 (2)
3 (am) of the statutes; **relating to:** sexual assault of a child and providing a
4 penalty.

Analysis by the Legislative Reference Bureau

Under current law a person who is convicted of first degree sexual assault of a child is guilty of a felony and may be sentenced to a term of imprisonment of up to 60 years (which, if the sentence is for more than one year, includes a term of extended supervision). This bill changes the maximum penalty for first degree sexual assault of a child to a term of life imprisonment if the sexual assault results in great bodily harm to the victim.

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.

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:

SENATE BILL 629

1 **SECTION 1.** 948.02 (1) of the statutes is renumbered 948.02 (1) (intro.) and
2 amended to read:

3 **948.02 (1) FIRST DEGREE SEXUAL ASSAULT.** (intro.) Whoever has sexual contact
4 or sexual intercourse with a person who has not attained the age of 13 years is guilty
5 of one of the following:

6 (b) If the sexual contact or sexual intercourse did not result in great bodily harm
7 to the person, a Class B felony.

8 **SECTION 2.** 948.02 (1) (a) of the statutes is created to read:

9 **948.02 (1) (a)** If the sexual contact or sexual intercourse resulted in great bodily
10 harm to the person, a Class A felony.

11 **SECTION 3.** 948.025 (1) (a) of the statutes is renumbered 948.025 (1) (ar) and
12 amended to read:

13 **948.025 (1) (ar)** A Class B felony if fewer than 3 of the violations were violations
14 of s. 948.02 (1) (a) but at least 3 of the violations were violations of s. 948.02 (1) (a)
15 or (b).

16 **SECTION 4.** 948.025 (1) (ag) of the statutes is created to read:

17 **948.025 (1) (ag)** A Class A felony if at least 3 of the violations were violations
18 of s. 948.02 (1) (a).

19 **SECTION 5.** 948.025 (2) (a) of the statutes is amended to read:

20 **948.025 (2) (a)** If an action under sub. (1) (~~a~~) (ag) is tried to a jury, in order to
21 find the defendant guilty the members of the jury must unanimously agree that at
22 least 3 violations of s. 948.02 (1) (a) occurred within the specified period of time but
23 need not agree on which acts constitute the requisite number.

24 **SECTION 6.** 948.025 (2) (am) of the statutes is created to read:

