

2007 DRAFTING REQUEST

Bill

Received: **11/10/2006**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Joel Kleefisch (608) 266-8551**

By/Representing: **Jonna**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters: **agary**

Subject: **Criminal Law - crimes agnst kids
Criminal Law - sex offenses**

Extra Copies: **ARG, BAB**

Submit via email: **YES**

Requester's email: **Rep.Kleefisch@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Special license plates for child sex offenders

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 11/16/2006	lkunkel 12/18/2006		_____			State Crime
/P1			jfrantze 12/19/2006	_____			State Crime
/P2	chanaman 12/21/2006	lkunkel 01/02/2007		_____			State Crime
/P3	chanaman	lkunkel	rschluet	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/08/2007	03/09/2007	01/04/2007 _____		01/04/2007		Crime
/1			rschluet _____ 03/09/2007 _____		cduerst 03/09/2007	mbarman 03/28/2007	

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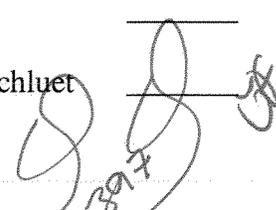
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1/mk 3/8

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			01/04/2007 _____		01/04/2007		

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/?	chanaman	/p1/mk 1/18	Jo	Jo			
FE Sent For:		/p2/mk 1/2	12/19 nwn 1/3	nwn/jf 1/4 <END>			

Handwritten signature and date 1/17

Gonna - Kleppsch's office

GPS tracked / reg. sex off ^{for} child offense / + SVP

special plates -- bright green

only car they may drive

10 yr max imprisonment

0702/PI

LRB-3515/2

PJH&MGD:kjf/wlj/lmk:pg

draft

cmh & AV2G:lmk

2005 BILL

gen cat

Reconciling 2005 Wisconsin Acts 430, 431, and 437

1 AN ACT *to amend* 341.16 (1) (a) and 341.16 (4); and *to create* 301.48, 341.14 (6y),
2 341.16 (1) (c), 948.02 (6) and 948.025 (4) of the statutes; **relating to:** vehicle
3 registration plates for certain sex offenders and providing penalties.

Analysis by the Legislative Reference Bureau

This bill requires certain sex offenders to replace the license plates on all vehicles that they own with special chartreuse-colored license plates. A person who intentionally violates this requirement is guilty of a Class ~~H~~ felony and may be fined up to \$10,000 ~~or~~ sentenced to a term of imprisonment of up to six years (which, as with other felonies, includes a term of confinement and a term of extended supervision if the sentence is for more than one year) ~~or both~~. The bill also prohibits those persons from operating any motor vehicle unless it bears chartreuse-colored license plates. A person who intentionally violates this prohibition is guilty of a Class ~~H~~ felony and may be fined up to \$10,000 ~~or~~ sentenced to a term of imprisonment of up to ~~three and a half~~ years or both. ~~six~~

In general, four groups of sex offenders are covered by the special license plate provisions of the bill: 1) persons who engaged in sexual contact or sexual intercourse with a child who is less than 13 years old; 2) persons who engaged in sexual contact or sexual intercourse with a child who is less than 16 years old in a case involving the use or a threat of force or violence; 3) persons who are committed as sexually violent persons; and 4) persons who committed any other type of sex offense that triggers the sex offender registration requirements in current law, but only if the Department of Corrections (DOC) requires them to obtain chartreuse-colored

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license plates as a condition of probation, extended supervision, or parole. The special license plate provisions, however, do not apply to a person in the first or second group if: 1) the serious child sex offense was prosecuted under Wisconsin law; 2) the offense did not involve sexual intercourse by the use or threat of force or violence and did not involve sexual intercourse with a victim under 12 years of age; 3) at the time of the offense, the person was less than 19 years old, no more than four years older than the child, and no more than four years younger than the child; and 4) a court determines that it is not necessary, in the interest of public protection, to subject the person to the special license plate provisions.

If a person is subject to the special license plate provisions established in the bill, the provisions apply for the rest of the person's life unless a court grants a petition to terminate them. The court may grant a petition filed by a person in the first or second of the groups described above if: 1) the person has not been convicted of a crime that was committed while the person was subject to the special license plate provisions; 2) the person has been subject to the special license plate provisions for at least 20 years; and 3) the court determines that applying the special license plate provisions to the person is no longer necessary to protect the public. If a person's petition is denied, he or she may not file a subsequent petition for five years. (A person who was committed as a sexually violent person may not file this type of petition.) In addition, the court may grant a petition filed by DOC with respect to a person in the first, second, or third group if: 1) the petition alleges that the person is permanently physically incapacitated; 2) it includes affidavits from two physicians that explain the nature of the person's permanent physical incapacitation; and 3) the court determines that the person is permanently physically incapacitated so that he or she is not a danger to the public.

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* 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:

- 1 SECTION 1. 301.48 of the statutes is created to read:
- 2 **301.48 Vehicle registration plates for certain sex offenders. (1)**
- 3 DEFINITIONS. In this section:

INS
A

INS A
INS B

INS
2-1

49

49 ← (B)

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has the meaning given in s. 301.48 (1)(e)

1 (a) "Serious child sex offense" means a violation of any of the following statutes
2 and includes the solicitation, conspiracy, or attempt to engage in conduct in violation
3 of any of the following statutes:

- 4 1. Section 948.02 (1) or 948.025 (1) (a).
- 5 2. Section 948.02 (2) or 948.025 (1) (b), if the court makes a finding under s.
- 6 948.02 (6) or 948.025 (4) (b).

7 (b) "Sex offense" means any of the following offenses, other than one that is a
8 serious child sex offense:

- 9 1. A sex offense, as defined in s. 301.45 (1d) (b).
- 10 2. A crime under federal law or the law of any state that is comparable to a crime
- 11 described in subd. 1.

*INS
3-12*

12 ~~(2) WHO IS COVERED. (a) Unless a court exempts the person under sub. (5), if
13 any of the following occurs with respect to a person on or after the effective date of
14 this paragraph [revisor inserts date], the person is subject to the vehicle
15 registration plate requirement and prohibition under sub. (3) until his or her death
16 or until otherwise terminated under sub. (6) or (7):~~

- 17 ~~1. A court places the person on probation for committing a serious child sex~~
- 18 ~~offense.~~
- 19 ~~2. The department releases the person to extended supervision or parole while~~
- 20 ~~the person is serving a sentence for committing a serious child sex offense.~~
- 21 ~~3. The department releases the person from prison upon the completion of a~~
- 22 ~~sentence imposed for a serious child sex offense.~~
- 23 ~~4. A court that found the person not guilty of a serious child sex offense by~~
- 24 ~~reason of mental disease or mental defect places the person on conditional release.~~

BILL**SECTION 1**

1 5. A court that found the person not guilty of a serious child sex offense by
2 reason of mental disease or mental defect discharges the person under s. 971.17 (6).
3 This subdivision does not apply if the person was on conditional release immediately
4 before being discharged.

5 (b) If any of the following occurs with respect to a person on or after the effective
6 date of this paragraph [revisor inserts date], the person is subject to the vehicle
7 registration plate requirement and prohibition under sub. (3) until his or her death
8 or until otherwise terminated under sub. (7):

9 1. A court places the person on supervised release under s. 980.08 (6m).

10 2. A court discharges the person under s. 980.09 or 980.10. This subdivision
11 does not apply if the person was on supervised release immediately before being
12 discharged.

13 3. The department of health and family services places the person on parole or
14 discharges the person under ch. 975. This subdivision does not apply unless the
15 person's commitment was based on his or her commission of a serious child sex
16 offense.

17 (e) If a person has been convicted under federal law or the law of any other state
18 of a crime that is comparable to a serious child sex offense or found not guilty of or
19 not responsible for such a crime by reason of mental disease or mental defect, the
20 person is subject to the vehicle registration plate requirement and prohibition under
21 sub. (3) for as long as he or she resides in this state, is employed or carrying on a
22 vocation, as defined in s. 301.45 (1d) (a), in this state, or is a student, as defined in
23 s. 301.45 (1d) (c), in this state or until that requirement and that prohibition are
24 otherwise terminated under sub. (6) or (7).

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(a), or (e) does

1 (d) If a person has committed a sex offense and pars. (a), (b), and (c) do not apply,
2 the department may require the person to comply with sub. (3) as a condition of the
3 person's probation, extended supervision, or parole. ✓

4 (3) VEHICLE REGISTRATION PLATE REQUIREMENTS. (a) A person covered under sub.
5 (2) shall apply, for each vehicle registered in his or her name, to the department of
6 transportation for special plates issued under s. 341.14 (6y). ✓

7 (b) A person covered under sub. (2) may not operate a motor vehicle unless it
8 bears registration plates issued under s. 341.14 (6y). ✓

9 (4) PENALTIES. (a) Whoever intentionally violates sub. (3) (a) is guilty of a Class
10 ~~4~~ felony. ✓

11 (b) Whoever intentionally violates sub. (3) (b) is guilty of a Class ~~1~~ felony. ✓

12 (5) EXCEPTION TO SPECIAL VEHICLE PLATE REQUIREMENT; UNDERAGE SEXUAL
13 ACTIVITY. (a) A person to whom sub. (2) (a) would otherwise apply is not subject to
14 sub. (3) if all of the following apply: *300.48 (1)(g)*

15 1. The serious child sex offense described in sub. (2) (a) 1., 2., 3., 4., or 5. did not
16 involve sexual intercourse, as defined in s. ~~948.01(6)~~, by the use or threat of force or
17 violence and did not involve sexual intercourse with a victim under the age of 12
18 years.

19 2. At the time of the serious child sex offense, the person had not attained the
20 age of 19 years, was not more than 4 years older than the child, and was not more
21 than 4 years younger than the child.

22 3. It is not necessary, in the interest of public protection, to subject the person
23 to sub. (3).

24 (b) If a person believes that he or she is not subject to sub. (3), the person may
25 move a court to make a determination of whether the person satisfies those criteria.

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1 A motion made under this paragraph shall be filed with the circuit court for the
2 county in which the person was convicted or found not guilty or not responsible by
3 reason of mental disease or defect.

4 (c) A person who files a motion under par. (b) shall send a copy of the motion
5 to the district attorney for the county in which the motion is filed. The district
6 attorney shall make a reasonable attempt to contact the victim of the crime that is
7 the subject of the person's motion to inform the victim of his or her right to make or
8 provide a statement under par. (e).

9 (d) A court shall hold a hearing on a motion made by a person under par. (b).
10 The district attorney who receives a copy of a motion under par. (c) may appear at
11 the hearing.

12 (e) Before deciding a motion filed under par. (b), the court shall allow the victim
13 of the serious child sex offense described in sub. (2) (a) 1., 2., 3., 4., or 5. to make a
14 statement in court at the hearing under par. (d) or to submit a written statement to
15 the court. A statement under this paragraph must be relevant to whether the person
16 satisfies the criteria specified in par. (a).

17 (f) 1. Before deciding a motion filed by a person under par. (b), a court may
18 request the person to be examined by a physician or a psychologist licensed under
19 ch. 445 and who is approved by the court. If the person refuses to undergo an
20 examination requested by the court under this subdivision, the court shall deny the
21 person's motion without prejudice.

22 2. If a person is examined by a physician or a psychologist under subd. 1., the
23 physician or psychologist shall file a report of his or her examination with the court,
24 and the court shall provide copies of the report to the person and, if he or she requests
25 a copy, to the district attorney. The contents of the report shall be confidential until

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1 the physician or psychologist has testified at the hearing held under par. (d). The
2 report shall contain an opinion regarding whether it would be in the interest of public
3 protection to have the person subject to sub. (3) and the basis for that opinion.

4 3. A person who is examined by a physician or psychologist under subd. 1. is
5 responsible for paying the cost of the services provided by the physician or
6 psychologist, except that if the person is indigent the cost of the services provided by
7 the physician or psychologist shall be paid by the county. If the person claims or
8 appears to be indigent, the court shall refer the person to the authority for indigency
9 determinations under s. 977.07 (1), except that the person shall be considered
10 indigent without another determination under s. 977.07 (1) if the person is
11 represented by the state public defender or by a private attorney appointed under
12 s. 977.08.

13 (g) At the hearing held under par. (d), the person who filed the motion under
14 par. (b) has the burden of proving by clear and convincing evidence that he or she
15 satisfies the criteria specified in par. (a). In deciding whether the person has satisfied
16 the criterion specified in par. (a) 3., the court may consider any of the following:

17 1. The ages, at the time of the violation, of the person and of the child with whom
18 the person had sexual contact or sexual intercourse.

19 2. The relationship between the person and the child with whom the person had
20 sexual contact or sexual intercourse.

21 3. Whether the violation resulted in bodily harm, as defined in s. 939.22 (4), to
22 the child with whom the person had sexual contact or sexual intercourse.

23 4. Whether the child with whom the person had sexual contact or sexual
24 intercourse suffered from a mental illness or mental deficiency that rendered the

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SECTION 1

1 child temporarily or permanently incapable of understanding or evaluating the
2 consequences of his or her actions.

3 5. The probability that the person will commit other violations in the future.

4 6. The report of the examination conducted under par. (f).

5 7. Any other factor that the court determines may be relevant to the particular
6 case.

7 **(6) OFFENDER'S PETITION TO TERMINATE SPECIAL VEHICLE PLATE REQUIREMENT.** (a)

8 Subject to par. (b), a person who is subject to sub. (3) may file a petition requesting
9 that the requirement and the prohibition in sub. (3) be terminated for him or her.

10 A person shall file a petition requesting termination of the requirement and the
11 prohibition in sub. (3) with the circuit court for the county in which the person was
12 convicted or found not guilty or not responsible by reason of mental disease or defect.

13 (b) 1. A person may not file a petition requesting termination of the
14 requirement and the prohibition in sub. (3) if he or she has been convicted of a crime
15 that was committed while he or she was subject to sub. (3).

16 2. A person may not file a petition requesting termination of the requirement
17 and the prohibition in sub. (3) earlier than 20 years after the date on which the person
18 first became subject to sub. (3). If a person files a petition requesting termination
19 of the requirement and the prohibition in sub. (3) at any time earlier than 20 years
20 after the date on which the person first became subject to sub. (3), the court shall
21 deny the petition without a hearing.

22 3. This subsection does not apply to a person described in sub. (2) (b).

23 (c) Upon receiving a petition requesting termination of the requirement and the
24 prohibition in sub. (3), the court shall send a copy of the petition to the district
25 attorney responsible for prosecuting the ~~serious sex~~ offense that was the basis for

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C or m s.
301.48 (2)(b)

~~serious sex~~
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1 sub. (3) applying to the petitioner. Upon receiving the copy of the petition, the district
2 attorney shall conduct a criminal history record search to determine whether the
3 petitioner has been convicted of a criminal offense that was committed while he or
4 she was subject to sub. (3). No later than 30 days after the date on which he or she
5 receives the copy of the petition, the district attorney shall report the results of the
6 criminal history record search to the court and may provide a written response to the
7 petition.

8 (d) After reviewing a report submitted under par. (c) concerning the results of
9 a criminal history record search, the court shall do whichever of the following is
10 applicable:

11 1. If the report indicates that the petitioner has been convicted of a criminal
12 offense that was committed while he or she was subject to sub. (3), the court shall
13 deny the petition without a hearing.

14 2. If the report indicates that the petitioner has not been convicted of a criminal
15 offense that was committed while he or she was subject to sub. (3), the court shall
16 order the petitioner to be examined under par. (e), shall notify the department that
17 it may submit a report under par. (f) and shall schedule a hearing on the petition to
18 be conducted as provided under par. (g).

19 (e) A petitioner who is entitled to a hearing under par. (d) 2. shall be examined
20 by a person who is either a physician or a psychologist licensed under ch. 455 and who
21 is approved by the court. The physician or psychologist who conducts an examination
22 under this paragraph shall prepare a report of his or her examination that includes
23 his or her opinion of whether the petitioner is a danger to the public. The physician
24 or psychologist shall file the report of his or her examination with the court within
25 60 days after completing the examination, and the court shall provide copies of the

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1 report to the petitioner and the district attorney. The contents of the report shall be
2 confidential until the physician or psychologist testifies at a hearing under par. (g).

3 The petitioner shall pay the cost of an examination required under this paragraph.

4 (f) After it receives notification from the court under par. (d) 2., the department
5 may prepare and submit to the court a report concerning the petitioner. If the
6 department prepares and submits a report under this paragraph, the report shall
7 include information concerning the petitioner's conduct while subject to sub. (3) and
8 an opinion as to whether subjecting the petitioner to sub. (3) is still necessary to
9 protect the public. When a report prepared under this paragraph has been received
10 by the court, the court shall, before the hearing under par. (g), disclose the contents
11 of the report to the attorney for the petitioner and to the district attorney. When the
12 petitioner is not represented by an attorney, the contents shall be disclosed to the
13 petitioner.

14 (g) A hearing on a petition requesting termination of the requirement and the
15 prohibition in sub. (3) may not be conducted until the petitioner has been examined
16 and a report of the examination has been filed as provided under par. (e). At the
17 hearing, the court shall take evidence it considers relevant to determining whether
18 sub. (3) should continue to apply because the petitioner is a danger to the public. The
19 petitioner and the district attorney may offer evidence relevant to the issue of the
20 petitioner's dangerousness and the continued need for sub. (3) to apply.

21 (h) The court may grant a petition requesting termination of the requirement
22 and the prohibition in sub. (3) if it determines after a hearing under par. (g) that
23 subjecting the petitioner is no longer necessary to protect the public.

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1 ✓ (i) If a petition filed under this subsection is denied after a hearing under par.
2 (g), the person may not file a subsequent petition under this subsection until at least
3 5 years have elapsed since the most recent petition was denied. ✓

4 (7) DEPARTMENT'S PETITION TO TERMINATE SPECIAL VEHICLE PLATE REQUIREMENT. (a)
5 The department may file a petition requesting that the requirement and the
6 prohibition in sub. (3) be terminated with respect to a person if the person is
7 permanently physically incapacitated. ✓ The petition shall include affidavits from 2
8 physicians that explain the nature of the person's permanent physical
9 incapacitation. ✓

10 (b) 1. The department shall file a petition under par. (a) with the circuit court
11 for the county in which the person was convicted or found not guilty or not
12 responsible by reason of mental disease or defect or, in the case of a person described
13 in sub. (2) (b), ^{C or s. 301.48 (2)(b)} the circuit court for the county in which the person was found to be a
14 sexually violent person. ✓

15 2. The department shall send a copy of a petition filed under subd. 1. to the
16 district attorney responsible for prosecuting the ~~serious sex~~ offense that was the
17 basis for sub. (3) applying to the person or, in the case of a person described in sub.
18 (2) (b), ^{C or s. 301.48 (2)(b)} the agency that filed the petition under s. 980.02. ✓

19 (c) Upon its own motion or upon the motion of the party to whom the petition
20 was sent under par. (b) 2., the court may order that the person to whom the petition
21 relates be examined by a physician who is approved by the court. The physician who
22 conducts an examination under this paragraph shall prepare a report of his or her
23 examination that includes his or her opinion of whether the person is permanently
24 physically incapacitated. The physician shall file the report of his or her examination
25 with the court within 60 days after completing the examination, and the court shall

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1 provide copies of the report to the department and the party to whom the petition was
2 sent under par. (b) 2. The contents of the report shall be confidential until the
3 physician testifies at a hearing under par. (d). The department shall pay the cost of
4 an examination required under this paragraph.

5 (d) The court shall conduct a hearing on a petition filed under par. (b) 1., but
6 if the court has ordered a physical examination under par. (c), the hearing may not
7 occur until after the examination is complete and a report of the examination has
8 been filed as provided under par. (c). At the hearing, the court shall take evidence
9 it considers relevant to determining whether the person to whom the petition relates
10 is permanently physically incapacitated so that he or she is not a danger to the
11 public. The department and the party to whom the petition was sent under par. (b)
12 2. may offer relevant evidence regarding that issue.

13 (e) The court may grant a petition filed under par. (b) 1. if it determines after
14 a hearing under par. (d) that the person to whom the petition relates is permanently
15 physically incapacitated so that he or she is not a danger to the public.

16 **SECTION 2.** 341.14 (6y) of the statutes is created to read:

17 341.14 (6y) Upon application by a person who is ^{covered} ~~required~~ under s. 301.48 (2)
18 to obtain a special registration plate that identifies the person as a sex offender. The
19 special plate shall be chartreuse.

20 **SECTION 3.** 341.16 (1) (a) of the statutes is amended to read:

21 341.16 (1) (a) Whenever a current registration plate is lost or destroyed, or as
22 provided in par. (c), the owner of the vehicle to which the plate was attached shall
23 immediately apply to the department for replacement. Except as provided in par.
24 pars. (b) and (c) and sub. (2m), upon satisfactory proof of the loss or destruction of the

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1 plate and upon payment of a fee of \$2 for each plate, the department shall issue a
2 replacement.

3 **SECTION 4.** 341.16 (1) (c) of the statutes is created to read: 9

4 341.16 (1) (c) A person who is required under s. 301.48 (2) to obtain special
5 registration plates shall immediately apply for the department to issue a
6 registration plate under s. 341.14 (6y). Upon receipt of the application and payment
7 of a fee of \$10, the department may issue a plate under s. 341.14 (6y). Upon receipt
8 of the replacement registration plate, the applicant shall destroy all plates replaced. ✓

9 **SECTION 5.** 341.16 (4) of the statutes is amended to read:

10 341.16 (4) Any person issued replacement plates who fails to destroy the
11 original plates as required by sub. (1) (c), (2), or (3) may be required to forfeit not more
12 than \$200.

13 **SECTION 6.** 948.02 (6) of the statutes is created to read:

14 948.02 (6) FINDING REGARDING FORCE OR VIOLENCE. If a person is convicted or
15 found not guilty by reason of mental disease or defect under sub. (2), the court shall
16 determine, immediately after the trial, based on a preponderance of the evidence
17 presented at trial, and without a jury, if the offense involved the use or a threat of
18 force or violence. If the court makes such a determination, the court shall enter a
19 finding to that effect in the record.

20 **SECTION 7.** 948.025 (4) of the statutes is created to read:

21 948.025 (4) (a) If a person is convicted or found not guilty by reason of mental
22 disease or defect under sub. (1) (b), the court shall determine, immediately after the
23 trial, based on a preponderance of the evidence presented at trial, and without a jury,
24 if any of the following applies:

25 1. The offense involved a violation of s. 948.02 (1).

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This bill requires certain sex offenders to replace the license plates on all vehicles that they own with special chartreuse-colored license plates. A person who intentionally violates this requirement is guilty of a Class G felony and may be fined up to \$25,000 or sentenced to a term of imprisonment of up to ten years (which, as with other felonies, includes a term of confinement and a term of extended supervision if the sentence is for more than one year) or both. The bill also prohibits those persons from operating any motor vehicle unless it bears chartreuse-colored license plates. A person who intentionally violates this prohibition is guilty of a Class H felony and may be fined up to \$10,000 or sentenced to a term of imprisonment of up to six years or both.

In general, the special license plate provisions apply to four groups of sex offenders: 1) sex offenders being tracked, after July 1, 2007, by a global positioning system (GPS) tracking device, which includes persons who engaged in sexual intercourse with a person who was under 12 years old, persons who engaged in sexual intercourse with a person who was under 16 years old by use or threat of force or violence, persons over the age of 18 who engaged in sexual contact with a person who was under 16 years old by use of threat of force or violence, and, at the discretion of the Department of Corrections (DOC), persons on probation, extended supervision, or parole for committing a sex offense as a condition of their release; 2) any registered sex offender if his or her registration requirement is based on a serious child sex offense, as defined in the bill; 3) persons placed on supervised release; and 4) persons who committed any other type of sex offense that triggers the sex offender registration requirements if DOC requires the provisions to apply.

Persons in the first group and second group are subject to the special license plate provisions established in the bill as long as they are subject to the GPS tracking requirement unless a court grants a petition to terminate the requirement for the special license plate provisions. The court may grant a petition if: 1) the person has not been convicted of a crime that was committed while the person was subject to the special license plate provisions; 2) the person has been subject to the special license plate provisions for at least 20 years; and 3) the court determines that applying the special license plate provisions to the person is no longer necessary to protect the public. If a person's petition is denied, he or she may not file a subsequent petition for five years. In addition, the court may grant a petition filed by DOC with respect to a person in the first, second, or third group if: 1) the petition alleges that the person is permanently physically incapacitated; 2) it includes affidavits from two physicians that explain the nature of the person's permanent physical incapacitation; and 3) the court determines that the person is permanently physically incapacitated so that he or she is not a danger to the public.

to register as a sex offender

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