



## 2009 SENATE BILL 666

April 5, 2010 - Introduced by Senators DARLING and LAZICH, cosponsored by Representatives STONE and SUDER. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1     **AN ACT to create** 938.34 (15m) (cm) and 938.345 (3) (bm) of the statutes; **relating**  
2           **to:** requiring an assessment of a juvenile sex offender for the probability of  
3           reoffending and consideration of the results of the assessment in determining  
4           the services to be provided for the juvenile.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) must order a juvenile who has been adjudicated delinquent for committing certain sex offenses to register with the Department of Corrections (DOC) as a sex offender, if the victim was a minor and the juvenile was not the victim's parent, unless the juvenile court determines that the juvenile is not required to register under the exception in the sex offender registration law for certain underage sexual activity. Current law also permits the juvenile court to order a juvenile who has been adjudicated delinquent or found to be in need of protection or services on the basis of a crime against life or bodily security, a crime against sexual morality, a crime against children, certain crimes against property, or invasion of privacy to register with DOC as a sex offender if the juvenile court determines that the underlying conduct was sexually motivated and that it would be in the interest of public protection to have the juvenile register as a sex offender.

This bill requires the juvenile court to order DOC, a county department of human services or social services, or other agency primarily responsible for providing services under a juvenile court order requiring a juvenile to register as a

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sex offender to assess or provide for an assessment of the probability that the juvenile will commit other violations triggering the sex offender registration requirement and to consider the results of the assessment in determining the services to be provided under the juvenile court order.

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

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

1           **SECTION 1.** 938.34 (15m) (cm) of the statutes is created to read:

2           938.34 (**15m**) (cm) If the court orders a juvenile to comply with the reporting  
3 requirements under s. 301.45, the court shall order the department, county  
4 department, or other agency primarily responsible for providing services under the  
5 order to assess or provide for an assessment of the probability that the juvenile will  
6 commit other violations specified in par. (am) or (bm) and to consider the results of  
7 the assessment in determining the services to be provided under the order.

8           **SECTION 2.** 938.345 (3) (bm) of the statutes is created to read:

9           938.345 (**3**) (bm) If the court orders a juvenile to comply with the reporting  
10 requirements under s. 301.45, the court shall order the department, county  
11 department, or other agency primarily responsible for providing services under the  
12 order to assess or provide for an assessment of the probability that the juvenile will  
13 commit other violations specified in par. (a) (intro.) and to consider the results of the  
14 assessment in determining the services to be provided under the order.

15           **SECTION 3. Initial applicability.**

16           (1) ASSESSMENT OF JUVENILE SEX OFFENDERS. This act first applies to a violation  
17 specified in section 938.34 (15m) (am) or (bm) or 938.345 (3) (a) (intro.) of the statutes  
18 committed on the effective date of this subsection.

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(END)