

State of Wisconsin



2011 Assembly Bill 269

Date of enactment: April 9, 2012
Date of publication*: April 23, 2012

2011 WISCONSIN ACT 267

AN ACT to renumber and amend 941.39; to amend 968.075 (5) (a) 2. and 973.049 (2) and (3); and to create 941.39 (1) of the statutes; relating to: prohibitions against contacting certain persons and providing penalties.

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

SECTION 1. 941.39 of the statutes is renumbered 941.39 (intro.) and amended to read:

941.39 Victim, witness, or co-actor contact. (intro.) Whoever intentionally violates a court order issued under s. 973.049 (2) is guilty of one of the following:

(2) If the court order results from a conviction for a misdemeanor, a Class A misdemeanor.

SECTION 2. 941.39 (1) of the statutes is created to read:

941.39 (1) If the court order results from a conviction for a felony, a Class H felony.

SECTION 3. 968.075 (5) (a) 2. of the statutes is amended to read:

968.075 (5) (a) 2. An arrested person who intentionally violates this paragraph ~~shall be required to forfeit~~ may be fined not more than \$1,000 ~~\$10,000 or imprisoned for not more than 9 months or both.~~

SECTION 4. 973.049 (2) and (3) of the statutes are amended to read:

973.049 (2) When a court imposes a sentence on an individual or places an individual on probation for the conviction of a crime, the court may prohibit the individual from contacting victims of, witnesses to, or co-actors in, a crime considered at sentencing during any part of the individual's sentence or period of probation if the court determines that the prohibition would be in the interest of public protection. For purposes of the prohibition, the court may determine who are the victims of or witnesses to any crime considered at sentencing.

(3) If a court issues an order under sub. (2), the court shall inform the individual of the prohibition and ~~of the penalty under s. 941.39~~ include the prohibition in the judgment of conviction for the crime.

SECTION 5. Initial applicability.

(1) The treatment of section 973.049 (2) and (3) of the statutes first applies to sentences imposed or placements made on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2009-10: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].