

State of Wisconsin



2017 Senate Bill 253

Date of enactment: **December 8, 2017**

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2017 WISCONSIN ACT 130

AN ACT *to renumber and amend* 115.31 (1) (c); and *to create* 115.31 (1) (c) 1. b., 115.31 (1) (c) 2. and 118.07 (4p) of the statutes; **relating to:** prohibiting aiding and abetting sexual abuse.

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

SECTION 1. 115.31 (1) (c) of the statutes is renumbered 115.31 (1) (c) 1. (intro.) and amended to read:

115.31 (1) (c) 1. (intro.) "Immoral conduct" means conduct or behavior that is contrary to commonly accepted moral or ethical standards and that endangers the health, safety, welfare, or education of any pupil. "Immoral conduct" includes the all of the following:

a. The intentional use of an educational agency's equipment to download, view, solicit, seek, display, or distribute pornographic material.

SECTION 2. 115.31 (1) (c) 1. b. of the statutes is created to read:

115.31 (1) (c) 1. b. Assisting a school employee, contractor, or agent to obtain a new job in a school or with a local educational agency, as defined in [20 USC 7801 \(30\)](#), if the individual knows or has a reasonable suspicion to believe that the school employee, contractor, or agent committed a sex offense, as defined in s. 301.45 (1d) (b), and the victim was a minor or a pupil.

SECTION 3. 115.31 (1) (c) 2. of the statutes is created to read:

115.31 (1) (c) 2. It is not immoral conduct under subd. 1. b. if any of the following apply:

a. The assistance is the transmittal of administrative and personnel files.

b. The information the individual knows or that is the basis of the individual's reasonable suspicion has been properly reported to law enforcement and law enforcement has closed any resulting case or investigation without a conviction.

SECTION 4. 118.07 (4p) of the statutes is created to read:

118.07 (4p) (a) Except as provided in par. (b), no school board, governing body of a private school, or operator of a charter school may assist a school employee, contractor, or agent to obtain a new job in a school or with a local educational agency, as defined in [20 USC 7801 \(30\)](#), if the school board, governing body, or operator knows or has a reasonable suspicion to believe that the school employee, contractor, or agent committed a sex offense, as defined in s. 301.45 (1d) (b), and the victim was a minor or a pupil.

(b) Paragraph (a) does not apply if any of the following apply:

1. The assistance is the transmittal of administrative and personnel files.

2. The information the school board, private school, or charter school knows or that is the basis of the school board, private school, or charter school's reasonable suspicion has been properly reported to law enforcement and

* Section 991.11, WISCONSIN STATUTES: 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."

law enforcement has closed any resulting case or investigation without a conviction.
