



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2019 Assembly Bill 34

Assembly Amendment 1

Memo published: April 2, 2019

Contact: Melissa Schmidt, Senior Staff Attorney

2019 ASSEMBLY BILL 34

2019 Assembly Bill 34 creates a criminal surcharge that a court must impose on a person who is convicted of certain crimes related to prostitution if the court also imposes a fine on that person. Specifically, the court must impose a \$5,000 prostitution crime surcharge if the court imposes a **fine** for violating one of the following criminal offenses: (1) patronizing prostitutes; (2) soliciting prostitutes; (3) pandering; or (4) keeping a place of prostitution. One-half of the money collected from this new surcharge must be paid to the Department of Children and Families for the treatment and services of children who are victims of trafficking. The other half of the money collected from this new surcharge must be paid to the Department of Justice for criminal investigative operations and law enforcement relating to Internet crimes against children (ICAC), ICAC prosecutions, and activities of state and local ICAC task forces.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 provides that anytime a court imposes a **sentence** (a fine, term of imprisonment, or both) or **places a person on probation**, for one of the crimes related to prostitution listed above, the court must impose the prostitution crime surcharge. Under the bill, a court is required to impose the prostitution crime surcharge only when it imposes a **fine**.

BILL HISTORY

Assembly Amendment 1 was introduced by Representative Brandtjen on March 22, 2019. On March 28, 2019, the Assembly Committee on Criminal Justice and Public Safety voted to recommend adoption of Assembly Amendment 1, and the bill as amended, by votes of Ayes, 8; Noes, 4.

MS:ksm