

No. 19, S.]

[Published August 31, 1957.

CHAPTER 648

AN ACT to create 947.08 of the statutes, relating to crime comics and providing a penalty.

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

947.08 of the statutes is created to read:

947.08 CRIME COMICS. (1) LEGISLATIVE FINDING AND DECLARATION. It is declared as a legislative finding of fact that exercise of this state's police power to minimize all incentives to crime, particularly in the field of sanguinary or salacious publications with their stimulation of juvenile delinquency is important; and that the publication, sale and distribution to minors or possession by minors of books, magazines, or other printed matter consisting of narrative material in pictorial form, commonly known as comic books and which depict, in substantial part, acts of indecency, horror, terror, physical torture or brutality, have the effect of inciting, encouraging, or advocating the commission of crime, and are a source of crime, particularly among minors, and a contributing factor in impairing the moral and ethical development of our youth and a danger to the health, safety, morals and well-being of the people of the state. Therefore, the provisions hereinafter prescribed are enacted and their necessity in the public interest is hereby declared as a matter of legislative determination.

(2) Whoever does any of the following may be fined not more than \$2,000 or imprisoned not more than 2 years, or both:

(a) Sells or distributes commercially a crime comic to a minor; or
(b) Has a crime comic in his possession with intent to sell or distribute it commercially to a minor; or

(c) Distributes a crime comic commercially to a retailer with knowledge that such retailer intends to distribute it to a minor.

(3) In this section "crime comic" means any book, magazine or other printed matter consisting of narrative material in pictorial form, commonly known as a comic book and which depicts, in substantial part, acts of indecency, horror, terror, physical torture or brutality.

(4) This section does not apply to the portrayal of historical or current events or of literary works of recognized merit unless acts are so depicted as to demonstrate a purpose to incite, advocate or encourage the commission of crime or to exploit minors' interest in the commission of acts of indecency, horror, terror, physical torture or brutality.

Approved August 15, 1957.
