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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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<b>2011 Wisconsin Act 268</b> [2011 Assembly Bill 397]	<b>Reporting the Death or Disappearance of a Child</b>
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*2011 Wisconsin Act 268* penalizes failure to report the death or disappearance of a child and penalizes the hiding of a corpse to collect public benefits.

**Reporting a Child's Death**

*Act 268* requires a parent, stepparent, guardian, or legal custodian to report the death of a child under certain circumstances. These individuals must report the death of a child that involves unexplained, unusual, or suspicious circumstances, the death of a child that is a homicide or suicide, or the death of a child that results from poisoning or an accident.

Failure to report a child's death immediately after discovering the death, or as soon as practically possible, is a Class I felony. In addition, hiding or burying a child's corpse is a Class F felony.

**Reporting a Child's Disappearance**

*Act 268* requires a parent, stepparent, guardian, or legal custodian to report a child as missing within a specified period of time. If the child is under 13 years of age, the report must be made within 24 hours after the child is discovered to be missing. If the child is between the ages of 13 and 16, the report must be made within 48 hours. Finally, if the child is 16 years of age or older, the report must be made within 72 hours.

The penalties for failure to report a child as missing vary according to the level of harm the child suffered while he or she was missing. Failure to report a child as missing is a Class A misdemeanor. However, if the child suffers bodily harm or substantial bodily harm while missing, a person who fails to report is guilty of a Class H felony. If the child suffers great bodily harm while missing, the person who fails to report is guilty of a Class F felony. Finally, if the child dies as a result of an injury suffered while missing, a person who fails to report is guilty of a Class D felony.

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

**Hiding a Corpse to Collect Public Benefits**

**Act 268** prohibits the hiding or burying of a corpse with the intent to collect public benefits. A person who hides or buries a corpse with intent to collect benefits, such as Medical Assistance or Food Share, is guilty of a Class G felony.

**Effective date:** Act 268 takes effect on April 24, 2012.

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