



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 537

**Senate
Amendments 1 and 2**

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Current law provides that if a court finds a sexually violent person to be appropriate for supervised release, the Department of Health and Family Services (DHFS) must make its best effort to arrange for placement of the person in a residential facility or dwelling that is in the person's county of residence.

Senate Bill 537 provides that if a sexually violent person is placed on supervised release in his or her county of residence and the county of residence is a county that contains a first-class city, DHFS must arrange for placement of the person in a dwelling that is in the person's city, village, or town of residence.

Senate Amendment 1 provides that if a court approves and if local governmental units consent, any local governmental unit may exchange with another local governmental unit one person on supervised release for one other person on supervised release for any of the following reasons:

1. To avoid placing a sexually violent person near a victim of that person's sexually violent offense.
2. To accommodate a placement with a spouse, parent, or adult sibling of the sexually violent person.

For purposes of this provision, the term "local governmental unit" means a city, village, or town.

Senate Amendment 2 authorizes DHFS to arrange for placement of a sexually violent person outside the person's city, village, or town of residence if DHFS approves placement of the person with the person's spouse, parent, or adult sibling.

Legislative History

On February 23, 2006, the Senate adopted Senate Amendments 1 and 2 and passed Senate Bill 537 on voice votes.

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