



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2011 Senate Bill 299**

**Senate Amendment 1**

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2011 Senate Bill 299 makes several changes to current law relating to reporting the death or disappearance of a child and to hiding a corpse.

### **Senate Bill 299**

Senate Bill 299, among other provisions, 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 bill penalizes failure to report a child as missing according to the level of harm the child suffered while he or she was missing. A simple failure to report 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, then a person who fails to report is guilty of a Class F felony. 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.

### **Senate Amendment 1**

Senate Amendment 1 creates a definition of “missing” for purposes of the requirement that a parent, stepparent, guardian, or legal custodian report to that a child is missing. The amendment specifies that “missing” means absent without a reasonable explanation if the absence would raise concern in a reasonable person for the child’s well-being.

**Legislative History**

Senator Lassa offered Senate Amendment 1. On February 28, 2012, the Senate Committee on Judiciary, Utilities, Commerce and Government Operations unanimously recommended adoption of Senate Amendment 1 and passage of the bill, as amended.

AS:ksm