



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 488

Senate Amendment 1

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2015 SENATE BILL 488

Senate Bill 488 creates an address confidentiality program, which is administered by the Department of Justice (DOJ), for victims of child abuse, domestic abuse, sexual abuse, stalking, and human trafficking.

Under the bill, a person is eligible to participate in the program if he or she is a Wisconsin resident and either: (1) is a victim of abuse,¹ a parent or guardian of a person who is a victim of abuse, or a resident of a household in which a victim of abuse also resides; or (2) fears for his or her physical safety or for the physical safety of his or her child or ward.²

The bill requires DOJ to provide an assigned address to each program participant and forward all mail it receives at the assigned address to the participant's actual address. DOJ may not disclose a participant's actual address to any person, except: (1) pursuant to a court order; or (2) to a law enforcement officer with the permission of the participant or if the participant is suspected of criminal activity. In addition, if a participant submits a written request to a local clerk that he or she keep the participant's actual address private, the clerk may not disclose any record in his or her possession that would reveal the participant's actual address, except pursuant to a court order.

¹ The bill defines "abuse" as an act or threat of child abuse, domestic abuse, sexual abuse, stalking, or human trafficking.

² The bill provides that a person is eligible regardless of whether any criminal charges have been brought relating to any act or threat against the person, whether the person has sought any restraining order or injunction relating to any act or threat against the person, or whether the person has reported any act or threat against him or her to a law enforcement officer or agency.

The bill allows a program participant to use the assigned address provided to him or her for all purposes. No state or local agency or unit of government may refuse to use a participant's assigned address for any official business, unless a specific statutory duty requires the agency or unit of government to use the participant's actual address. Further, no person who has received a notification form from a participant may refuse to use the assigned address for the participant, may require a participant to disclose his or her actual address, or may intentionally disclose to another person the actual address of a participant.

Lastly, the bill allows a program participant to also participate in the confidential voter program under current law, in which a voter's name and address are not disclosed.

SENATE AMENDMENT 1

Senate Amendment 1 allows a municipal clerk to require a program participant to provide his or her actual address for voter registration and voter verification purposes. A clerk must also require a participant to disclose his or her actual address to enroll a participant in the confidential voter program. If a voter is enrolled in the confidential voter program, the clerk must keep the program participant's actual address confidential as provided under the confidential voter program.

In addition, the amendment modifies the provision in the bill relating to disclosure of a program participant's actual address to a law enforcement officer. The amendment provides that DOJ may disclose the actual address to a law enforcement officer **for official purposes**.

BILL HISTORY

Senators Fitzgerald and Shilling offered Senate Amendment 1 on January 21, 2016. On January 27, 2016, the Senate Committee on Judiciary and Public Safety voted to recommend adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

MQ:jal