

State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1835/1 MGD:cmh:cph

## **2003 ASSEMBLY BILL 482**

August 26, 2003 – Introduced by Representatives YOUNG and HAHN. Referred to Committee on Criminal Justice.

1 AN ACT to renumber 944.30 and 944.31; and to create 944.30 (2m) and 944.31

2 (2) of the statutes; **relating to:** prostitution and patronizing a prostitute and

3 providing penalties.

## Analysis by the Legislative Reference Bureau

Current law prohibits prostitution. Current law also prohibits a person from entering or remaining in a place of prostitution with the intent to patronize a prostitute. A person who violates either of these prohibitions is guilty of a misdemeanor and may be fined not more than \$10,000, sentenced to the county jail for up to nine months, or both.

Under this bill, if a person violates either of these prohibitions after having been convicted under that prohibition twice within the preceding five years, he or she is guilty of a felony and may fined not more than \$10,000, sentenced to a term of imprisonment (consisting of a term of confinement in state prison followed by a term of extended supervision) of up to three and a half years, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

## **ASSEMBLY BILL 482**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1	SECTION 1. 944.30 of the statutes is renumbered 944.30 (1m).
2	SECTION 2. 944.30 (2m) of the statutes is created to read:
3	944.30 (2m) Any person who violates sub. (1m) is guilty of a Class E felony if
4	the person has at least 2 prior convictions under this section that were based on
5	conduct occurring within the 5 years immediately preceding the present violation.
6	If a person was convicted of more than one violation of sub. $(1m)$ for acts arising out
7	of the same incident or occurrence, the convictions shall be treated as a single prior
8	conviction under this subsection.
9	<b>SECTION 3.</b> 944.31 of the statutes is renumbered 944.31 $(1)$ .
10	<b>SECTION 4.</b> 944.31 (2) of the statutes is created to read:
11	944.31 (2) Any person who violates sub. (1) is guilty of a Class E felony if the
12	person has at least 2 prior convictions under this section that were based on conduct
13	occurring within the 5 years immediately preceding the present violation.
14	SECTION 5. Initial applicability.
15	(1) This act first applies to offenses committed on the effective date but does
16	not preclude counting other violations as prior convictions for the purpose of
17	determining whether a person is subject to penalties under section 944.30 $(2m)$ or
18	944.31 (2) of the statutes, as created by this act.

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