



2007 ASSEMBLY BILL 566

November 6, 2007 – Introduced by Representatives SUDER, BOYLE, JESKEWITZ, BIES, GUNDERSON, GRONEMUS, HRAYCHUCK, HUBLER, KLEEFISCH, LEMAHIEU, MUSSER, A. OTT, OWENS, PETROWSKI, TAUCHEN, TOWNSEND and TURNER, cosponsored by Senators HANSEN, DARLING, A. LASEE, OLSEN, ROESSLER and SCHULTZ. Referred to Committee on Criminal Justice.

1 **AN ACT** *to renumber* 452.24 (1); *to renumber and amend* 452.24 (2), 704.50
2 (1), (2) and (3) and 706.20 (1), (2) and (3); *to amend* 51.30 (3) (a), 71.78 (5),
3 301.03 (14), 452.23 (2) (d), 452.24 (title), 704.50 (title), 706.20 (title), 938.185 (1)
4 (intro.) and 950.04 (1v) (v); and *to create* 20.410 (1) (gk), 51.20 (13) (cu), 51.30
5 (3) (e), 51.30 (4) (b) 24m., 71.78 (4) (qc), 165.8285 (1m), 301.55, 452.23 (2) (e),
6 452.24 (2m), 704.50 (2m), 706.20 (2m), 938.185 (3m), 938.34 (15r), 938.345
7 (3m), 938.396 (2g) (er), 971.17 (1r), 971.19 (9m), 973.017 (3) (bg) and 973.0485
8 of the statutes; **relating to:** creating a registry for violent offenders, requiring
9 the exercise of rule-making authority, and providing penalties.

Analysis by the Legislative Reference Bureau

Under current law, persons who have committed certain felony sex offenses are required to register as sex offenders with the Department of Corrections (DOC). In addition, a court may order a person who commits certain other felonies or misdemeanors to register as a sex offender if the person's conduct was sexually motivated and it is in the interest of public protection to have him or her register.

This bill creates a violent offender registry. Under the bill, persons are required to register with DOC if they have committed certain violent felonies, including

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certain types of homicide, certain types of batteries, mayhem, taking hostages, kidnapping, arson, and carjacking with a dangerous weapon (violent offense). In addition, a court may order a person who commits another felony or misdemeanor to register as a violent offender if the court determines that the person's actions demonstrate a pattern of violent activity and that it is in the interest of public protection to have him or her register (court-imposed registration requirement).

Under this bill, DOC maintains the violent offender registry. The registry must contain specific information about persons required to register, such as information concerning the person's offense, the person's address, and the person's place of employment. A person registered as a violent offender must also update the information if the information provided to the registry changes.

A person generally must continue to register as a violent offender for 15 years after the date on which he or she is discharged from his or her sentence, commitment, or other type of supervision. However, a person must register for life if one of the following applies: 1) he or she has been, on two or more occasions, convicted, or found not guilty by reason of mental disease or defect, of a violent offense, including if the first conviction or finding occurs before the effective date of this bill; 2) he or she has been convicted, or found not guilty by reason of mental disease or defect, of a violent offense, including a conviction or finding that occurs before the effective date of this bill, and is subsequently subject to a court-imposed registration requirement; 3) he or she is subject to a court-imposed registration requirement for a second time; or 4) he or she is subject to a court-imposed registration requirement and then is subsequently convicted, or found not guilty by reason of mental disease or defect, of a violent offense. In addition, a person who has a lifetime requirement to register as a violent offender in another jurisdiction must register for life in this state.

A person who intentionally fails to comply with the violent offender registration requirement may, for the first offense, be fined not more than \$10,000, imprisoned for not more than nine months, or both. For a second or subsequent offense, the person may be fined not more than \$10,000, imprisoned for not more than five years, or both.

This bill requires DOC to establish an Internet site containing information from the violent offender registry. The Internet site must be organized in a manner that allows a person to get the information that DOC is currently authorized or required to provide to the person. In addition, the site may provide access to any other information that DOC determines is necessary to release for protection of the public. DOC is required to keep the site secure against unauthorized alteration. This bill also requires DOC to use a direct electronic data transfer system to make information about the registrants available to law enforcement agencies and requires DOC, if requested, to notify victims or their families about registration and registration updates.

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.

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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.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

3		2006-07	2007-08
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4 **20.410 Corrections, department of**

5 (1) ADULT CORRECTIONAL SERVICES

6 (gk) Violent offender management	PR	A	-0-	-0-
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7 **SECTION 2.** 20.410 (1) (gk) of the statutes is created to read:

8 20.410 (1) (gk) *Violent offender management*. The amounts in the schedule for
9 the supervision of persons on probation, parole, or extended supervision. All moneys
10 received from violent offenders under s. 301.55 (14) shall be credited to this
11 appropriation account.

12 **SECTION 3.** 51.20 (13) (cu) of the statutes is created to read:

13 51.20 (13) (cu) 1. In this paragraph, "pattern of violent activity" means the
14 commission of, attempt to commit, or solicitation to commit 2 or more of the following
15 acts if the last of those acts occurred within 5 years after a prior act:

- 16 a. Any violation of ch. 940, 941, or 948.
- 17 b. A violation of s. 947.013.
- 18 c. A domestic abuse offense, as defined in s. 940.32 (1) (ap).
- 19 d. A violation of any temporary restraining order or injunction issued under ch.
- 20 813.

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1 e. A crime under federal law or the law of another state that is comparable to
2 a crime described in this subdivision.

3 2. Except as provided in subd. 3., if the subject individual is before the court
4 on a petition filed under a court order under s. 938.30 (5) (c) 1. or 971.14 (6) (b) and
5 is found to have committed a violation, or to have solicited, conspired, or attempted
6 to commit a violation, of any misdemeanor or felony, the court may require the
7 subject individual to comply with the reporting requirements under s. 301.55 if the
8 court determines that the subject individual's actions demonstrate a pattern of
9 violent activity and that it would be in the interest of public protection to have the
10 subject individual report under s. 301.55.

11 3. If the subject individual is before the court on a petition filed under a court
12 order under s. 938.30 (5) (c) 1. or 971.14 (6) (b) for the commission of, or for the
13 solicitation, conspiracy, or attempt to commit, a violent offense, as defined in s.
14 301.55 (1) (d), the court shall require the individual to comply with the reporting
15 requirements under s. 301.55.

16 4. In making its determination under subd. 2., the court may consider any of
17 the following:

18 a. The ages, at the time of the violation, of the subject individual and the victim
19 of the violation.

20 b. The injury the victim suffered.

21 c. The probability that the subject individual will commit other violations in the
22 future.

23 d. Any temporary restraining order or injunction issued under ch. 813.

24 e. Any other factor that the court determines may be relevant to the particular
25 case.

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1 5. If the court orders the subject individual to comply with the reporting
2 requirements under s. 301.55, the clerk of the court in which the order is entered
3 shall promptly forward a copy of the order to the department of corrections. If the
4 finding under s. 938.30 (5) (c) (intro.) or 971.14 on which the order is based is
5 reversed, set aside, or vacated, the clerk of the court shall promptly forward to the
6 department of corrections a certificate stating that the finding has been reversed, set
7 aside, or vacated.

8 **SECTION 4.** 51.30 (3) (a) of the statutes is amended to read:

9 51.30 (3) (a) Except as provided in pars. (b), (bm), (c), ~~and (d)~~, and (e), the files
10 and records of the court proceedings under this chapter shall be closed but shall be
11 accessible to any individual who is the subject of a petition filed under this chapter.

12 **SECTION 5.** 51.30 (3) (e) of the statutes is created to read:

13 51.30 (3) (e) The department of corrections shall have access to the files and
14 records of court proceedings under this chapter concerning an individual required to
15 register under s. 301.55. The department of corrections may disclose information
16 that it obtains under this paragraph as provided under s. 301.55 (11).

17 **SECTION 6.** 51.30 (4) (b) 24m. of the statutes is created to read:

18 51.30 (4) (b) 24m. To the department of corrections for the purpose of obtaining
19 information concerning a person required to register under s. 301.55. The
20 department of corrections may disclose information that it receives under this
21 subdivision as provided under s. 301.55 (11).

22 **SECTION 7.** 71.78 (4) (qc) of the statutes is created to read:

23 71.78 (4) (qc) Employees of the department of corrections involved in the
24 administration of the violent offender registry under s. 301.55, for the purpose of
25 verifying information provided by a person required to register as a violent offender.

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1 **SECTION 8.** 71.78 (5) of the statutes is amended to read:

2 71.78 **(5)** AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified
3 in sub. (1) and related schedules, exhibits, writings or audit reports shall not be
4 furnished to the persons listed under sub. (4), except persons under sub. (4) (e), (k),
5 (n), (o) ~~and, (q), and (qc)~~ or under an agreement between the department of revenue
6 and another agency of government.

7 **SECTION 9.** 165.8285 (1m) of the statutes is created to read:

8 165.8285 **(1m)** The department of justice shall, through the transaction
9 information for management of enforcement system, provide local law enforcement
10 agencies with access to the registry of violent offenders maintained by the
11 department of corrections under s. 301.55.

12 **SECTION 10.** 301.03 (14) of the statutes is amended to read:

13 301.03 **(14)** Upon request of the department of revenue, disclose information
14 to the department of revenue concerning a prisoner, probationer, or parolee or a
15 person registered under s. 301.45 or 301.55 for the purposes of locating persons, or
16 the assets of persons, who have failed to file tax returns, who have underreported
17 their taxable income, or who are delinquent taxpayers, identifying fraudulent tax
18 returns or providing information for tax-related prosecutions.

19 **SECTION 11.** 301.55 of the statutes is created to read:

20 **301.55 Violent offender registration. (1) DEFINITIONS.** In this section:

21 (a) “Employed or carrying on a vocation” has the meaning given in s. 301.45 (1d)

22 (a).

23 (b) “Found to have committed a violent offense by another jurisdiction” means
24 any of the following:

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1 1. Convicted or found not guilty, or not responsible, by reason of mental disease
2 or defect for a violation of a law of another state that is comparable to a violent
3 offense.

4 2. Convicted or found not guilty by reason of mental disease or defect for a
5 violation of a federal law that is comparable to a violent offense.

6 3. Convicted or found not guilty, or not responsible, by reason of mental disease
7 or defect in the tribal court of a federally recognized American Indian tribe or band
8 for a violation that is comparable to a violent offense.

9 4. Sentenced or found not guilty by reason of mental disease or defect by a court
10 martial for a violation that is comparable to a violent offense.

11 (c) "Student" has the meaning given in s. 301.45 (1d) (c).

12 (d) "Violent offense" means a violation, or the solicitation, conspiracy, or
13 attempt to commit a violation, of s. 940.01, 940.02, 940.05, 940.19 (4), (5), or (6),
14 940.21, 940.305, 940.31, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), or 948.03
15 (2) (a) or (c).

16 **(2) WHO MUST REGISTER.** A person shall comply with reporting requirements of
17 this section for the period of time under sub. (7m), if he or she meets any of the
18 following criteria:

19 (a) He or she has been convicted or adjudicated delinquent of a violent offense.

20 (b) He or she is in prison, a juvenile correctional facility, or a secured residential
21 care center for children and youth or is on probation, extended supervision, parole,
22 supervision, or aftercare supervision for a violent offense.

23 (c) He or she has been found not guilty, or not responsible, by reason of mental
24 disease or defect and committed under s. 51.20 or 971.17 for a violent offense.

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1 (d) He or she is in institutional care or on conditional transfer under s. 51.35
2 (1) or on conditional release under s. 971.17 for a violent offense.

3 (e) He or she is registered as a violent offender in another jurisdiction and is
4 a resident of this state, a student in this state, or employed or carrying on a vocation
5 in this state.

6 (f) He or she has been found to have committed a violent offense by another
7 jurisdiction and is a resident of this state, a student in this state, or employed or
8 carrying on a vocation in this state.

9 (g) The court has ordered under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345
10 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) that the person comply with the reporting
11 requirements under this section.

12 **(3) WHAT INFORMATION MUST BE PROVIDED, BY WHOM AND WHEN.** (a) The
13 department shall maintain a registry of all persons subject to sub. (2). The registry
14 shall contain all of the following with respect to each person:

15 1. The person's name, including any aliases used by the person.

16 2. Information sufficient to identify the person, including date of birth, sex,
17 race, height, weight, and hair and eye color.

18 3. The statute the person violated that subjects the person to the requirements
19 of this section, the date of conviction, adjudication, or commitment, and the county
20 or, if the state is not this state, the state in which the person was convicted,
21 adjudicated, or committed.

22 4. The address at which the person is or will be residing.

23 5. The name of the agency supervising the person, if applicable, and the office
24 or unit and telephone number of the office or unit that is responsible for the
25 supervision of the person.

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1 6. The name and address of the place at which the person is or will be employed.

2 7. The name and location of any school in which the person is or will be enrolled.

3 8. The most recent date on which the information in the registry was updated.

4 (b) If the department has supervision over a person subject to sub. (2), the
5 department shall enter into the registry under this section the information specified
6 in par. (a) concerning the person.

7 (c) If the department of health and family services has supervision over a
8 person subject to sub. (2), that department, with the assistance of the person, shall
9 provide the information specified in par. (a) to the department of corrections in
10 accordance with the rules under sub. (12).

11 (d) A person subject to sub. (2) who is not under the supervision of the
12 department of corrections or the department of health and family services shall
13 provide the information specified in par. (a) to the department of corrections in
14 accordance with the rules under sub. (12). If the person is unable to provide an item
15 of information specified in par. (a), the department of corrections may request
16 assistance from a circuit court or the department of health and family services in
17 obtaining that item of information. A circuit court or the department of health and
18 family services shall assist the department of corrections when requested to do so
19 under this paragraph.

20 (e) The department of health and family services shall provide the information
21 as required under par. (c) or the person subject to sub. (2) shall provide the
22 information as required under par. (d) in accordance with whichever of the following
23 is applicable:

24 1. Within 10 days after the person is placed on probation, supervision, aftercare
25 supervision, or conditional release.

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1 2. If the person is being released from a prison sentence and placed on parole
2 or extended supervision, before he or she is released.

3 3. If the person is on parole, extended supervision, probation, or other
4 supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988,
5 before the person enters this state.

6 4. If the person is registered as a violent offender in another jurisdiction, within
7 10 days after the person enters this state to take up residence or begin school,
8 employment, or his or her vocation.

9 5. If the person has been found to have committed a violent offense by another
10 jurisdiction and subd. 4. does not apply, within 10 days after the person enters this
11 state to take up residence or begin school, employment, or his or her vocation.

12 6. No later than 10 days before the person is terminated or discharged from a
13 commitment.

14 7. If the person is being released from prison because he or she has reached the
15 expiration date of his or her sentence, no later than 10 days before being released
16 from prison.

17 8. If subd. 1., 2., 3., 4., 5., 6., or 7. does not apply, within 10 days after the person
18 is sentenced or receives a disposition.

19 (f) The department may require a person subject to sub. (2) to provide the
20 department with his or her fingerprints, a recent photograph of the person, and any
21 other information required under par. (a) that the person has not previously
22 provided. The department may require the person to report to a place designated by
23 the department, including an office or station of a law enforcement agency, for the
24 purpose of obtaining the person's fingerprints, the photograph, or other information.

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1 (g) The department may send a person subject to sub. (2) a notice or other
2 communication requesting the person to verify the accuracy of any information
3 contained in the registry. A person subject to sub. (2) who receives a notice or
4 communication sent by the department under this paragraph shall, no later than 10
5 days after receiving the notice or other communication, verify the accuracy of the
6 information to the department in the form and manner specified by the department.

7 **(4) ANNUAL REGISTRATION REQUIREMENTS.** (a) A person subject to sub. (2) is
8 subject to the annual registration requirements under par. (b) as follows:

9 1. If the person has been placed on probation or supervision, he or she is subject
10 to this subsection upon being placed on probation or supervision.

11 2. If the person is on parole, extended supervision, probation, or other
12 supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988, he
13 or she is subject to this subsection upon entering this state.

14 3. If the person is registered as a violent offender in another jurisdiction, he or
15 she is subject to this subsection within 10 days after the person enters this state to
16 take up residence or begin school, employment, or his or her vocation.

17 4. If the person has been found to have committed a violent offense by another
18 jurisdiction and subd. 3. does not apply, he or she is subject to this subsection within
19 10 days after the person enters this state to take up residence or begin school,
20 employment, or his or her vocation.

21 5. If the person has been sentenced to prison or placed in a juvenile correctional
22 facility or a secured residential care center for children and youth, he or she is subject
23 to this subsection upon being released on parole, extended supervision, or aftercare
24 supervision.

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1 6. If the person has been sentenced to prison and is being released from prison
2 because he or she has reached the expiration date of his or her sentence, he or she
3 is subject to this subsection before being released from prison.

4 7. If the person has been committed under s. 51.20 or 971.17, he or she is subject
5 to this subsection upon being placed on conditional release under s. 971.17 or on a
6 conditional transfer under s. 51.35 (1) or, if he or she was not placed on conditional
7 release or on a conditional transfer, before his or her commitment is terminated
8 under s. 971.17 (5) or before he or she is discharged under s. 51.35 (4) or 971.17 (6).

9 8. If subd. 1., 2., 3., 4., 5., 6., or 7. does not apply, the person is subject to this
10 subsection after he or she is sentenced or receives a disposition.

11 (b) 1. A person who is subject to par. (a) shall notify the department once each
12 calendar year, as directed by the department, of his or her current information
13 specified in sub. (3) (a). The department may annually notify registrants of their
14 need to comply with this requirement. If the registrant is a person under the age of
15 18, the department may annually notify the registrant's parent, guardian, or legal
16 custodian of the registrant's need to comply with this requirement.

17 2. The department shall notify a person who is being released from prison in
18 this state because he or she has reached the expiration date of his or her sentence
19 and who is subject to sub. (2) of the need to comply with the requirements of this
20 section. Also, probation, extended supervision, and parole agents, aftercare agents,
21 and agencies providing supervision shall notify any client who is subject to sub. (2)
22 of the need to comply with the requirements of this section at the time that the client
23 is placed on probation, extended supervision, parole, supervision, or aftercare
24 supervision or, if the client is on probation, extended supervision, parole, or other

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1 supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988,
2 when the client enters this state.

3 4. The department of health and family services shall notify a person who is
4 being placed on conditional release, conditional transfer, or parole, or whose
5 commitment is being terminated or who is being discharged from a commitment,
6 under s. 51.20, 51.35, or 971.17 and who is subject to sub. (2) of the need to comply
7 with the requirements of this section.

8 5. After notifying a person under subd. 3. or 4. of the need to comply with this
9 section, the person who is providing the notification shall require the person who is
10 subject to sub. (2) to read and sign a form stating that he or she has been informed
11 of the requirements of this section.

12 6. It is not a defense to liability under sub. (8) (a) or (b) that the person subject
13 to sub. (2) was not required to read and sign a form under subd. 5., was not provided
14 with a form to read and sign under subd. 5., or failed or refused to read or sign a form
15 under subd. 5. It is not a defense to liability under sub. (8) (a) or (b) that the person
16 subject to sub. (2) did not receive notice under this paragraph from the department
17 of health and family services, the department of corrections, a probation, extended
18 supervision, or parole agent, an aftercare agent, or an agency providing supervision.

19 **(5) UPDATED INFORMATION.** In addition to the requirements under sub. (4), a
20 person who is subject to sub. (2) shall update information under sub. (3) (a) as follows:

21 (a) Except as provided in par. (b), whenever any of the information under sub.
22 (3) (a) changes, the person shall provide the department with the updated
23 information within 10 days after the change occurs.

24 (b) If the person is on parole or extended supervision and the person knows that
25 any of the information under sub. (3) (a) 4. will be changing, the person shall provide

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1 the department with the updated information before the change in his or her address
2 occurs. If the person is on parole or extended supervision and any of the information
3 under sub. (3) (a) 4. changes but the person did not know before the change occurred
4 that his or her address would be changing, the person shall provide the department
5 with the updated information within 24 hours after the change in his or her address
6 occurs.

7 (6) INFORMATION CONCERNING A MOVE TO OR SCHOOLING OR EMPLOYMENT IN
8 ANOTHER STATE. In addition to the requirements under subs. (4) and (5), a person who
9 is subject to sub. (2) and who is changing his or her residence from this state to
10 another state, is becoming a student in another state, or is to be employed or carrying
11 on a vocation in another state shall, no later than 10 days before he or she moves out
12 of this state, begins school, or begins employment or his or her vocation, notify the
13 department that he or she is changing his or her residence from this state, is
14 beginning school in another state, or is beginning employment or the carrying on of
15 a vocation in another state. The person shall also inform the department of the state
16 to which he or she is moving his or her residence, the state in which he or she will
17 be in school, or the state in which he or she will be employed or carrying on a vocation.
18 Upon receiving notification from a person under this subsection, the department
19 shall do all of the following:

20 (a) Inform the person whether the state to which the person is moving, the state
21 in which the person will be in school, or the state in which the person will be employed
22 or carrying on a vocation has violent offender registration requirements to which the
23 person may be subject and, if so, the name of the agency to contact in that state for
24 information concerning those requirements.

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1 (b) Inform any agency responsible for violent offender registration in the state
2 to which the person is moving, in which the person will be in school, or in which the
3 person will be employed or carrying on a vocation that the person is moving to the
4 state, beginning school in the state, or beginning employment or carrying on a
5 vocation in the state, and provide the agency of the other state with all of the
6 information specified in sub. (3) (a).

7 **(7) RESTRICTION ON CERTAIN REGISTRANTS ESTABLISHING OR CHANGING RESIDENCE.**

8 No person subject to sub. (2) who is on parole or extended supervision may establish
9 a residence or change his or her residence unless he or she has complied with all of
10 the applicable requirements of subs. (3) (e), (4) (b), and (5) (b).

11 **(7m) RELEASE FROM REQUIREMENTS FOR PERSONS WHO COMMITTED A VIOLENT**

12 OFFENSE IN THIS STATE. (a) Except as provided in pars. (b) and (c), a person who is
13 subject to sub. (2) no longer must comply with this section when the following
14 applicable criterion is met:

15 1. a. If the person has been placed on probation or supervision for a violent
16 offense, 15 years after discharge from the probation or supervision imposed for the
17 violent offense.

18 b. If the person is on parole, extended supervision, probation, or other
19 supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988, 15
20 years after discharge from that parole, extended supervision, probation, or other
21 supervision or the period of time that the person is in this state, whichever is less.

22 2. If the person has been sentenced to prison for a violent offense or placed in
23 a juvenile correctional facility or a secured residential care center for children and
24 youth for a violent offense, 15 years after discharge from parole, extended
25 supervision, or aftercare supervision for the violent offense.

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1 3. If the person has been sentenced to prison for a violent offense and is being
2 released from prison because he or she has reached the expiration date of the
3 sentence for the violent offense, 15 years after being released from prison.

4 4. If the person has been committed to the department of health and family
5 services under s. 51.20 or 971.17 and is in institutional care or on conditional transfer
6 under s. 51.35 (1) or conditional release under s. 971.17 for a violent offense, 15 years
7 after termination of the commitment for the violent offense under s. 971.17 (5) or
8 discharge from the commitment for the violent offense under s. 51.35 (4) or 971.17
9 (6).

10 5. If the person is registered as a violent offender in another jurisdiction,
11 whichever of the following is less:

12 a. The period of time that the person is a resident of this state, a student in this
13 state, or employed or carrying on a vocation in this state.

14 b. The period of time that the person is registered as a violent offender in
15 another jurisdiction, or 15 years from the date on which the person was released from
16 prison or placed on parole, probation, extended supervision, or other supervision for
17 the violent offense that subjects the person to the requirements of this section,
18 whichever is greater.

19 6. If the person has been found to have committed a violent offense by another
20 jurisdiction and subd. 5. does not apply, whichever of the following is less:

21 a. The period of time that the person is a resident of this state, a student in this
22 state, or employed or carrying on a vocation in this state.

23 b. Fifteen years from the date on which the person was released from prison
24 or placed on parole, probation, extended supervision, or other supervision for the
25 violent offense that subjects the person to the requirements of this section.

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1 7. If subd. 1., 2., 3., 4., 5., or 6. does not apply, 15 years after the date of
2 conviction for the violent offense or 15 years after the date of disposition of the violent
3 offense, whichever is later.

4 8. If sub. (2) (g) applies, 15 years from the date on which the person was released
5 from prison or placed on parole, extended supervision, or other supervision for the
6 offense that led to the court ordering under s. 51.20 (13) (cu) 2., 938.34 (15r) (a),
7 938.345 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) that the person comply with the
8 reporting requirements under this section.

9 (b) 1. A person shall continue to comply with the requirements of this section
10 until his or her death if one of the following applies:

11 a. The person has, on 2 or more separate occasions, been convicted or found not
12 guilty, or not responsible, by reason of mental disease or defect for a violent offense.

13 b. A court orders the person under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345
14 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) to comply with the reporting requirements
15 under this section and the person previously has been convicted or found not guilty,
16 or not responsible, by reason of mental disease or defect for a violent offense.

17 c. The person is convicted or found not guilty, or not responsible, by reason of
18 mental disease or defect for a violent offense and a court has previously ordered the
19 person under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345 (3m) (a), 971.17 (1r) (a),
20 or 973.0485 (1) to comply with the reporting requirements under this section.

21 d. A court orders the person under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345
22 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) to comply with the reporting requirements
23 under this section and a court has, on one other separate occasion, ordered the person
24 under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345 (3m) (a), 971.17 (1r) (a), or
25 973.0485 (1) to comply with the reporting requirements under this section.

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1 2. A conviction or finding of not guilty, or not responsible, by reason of mental
2 disease or defect that has been reversed, set aside, or vacated is not a conviction or
3 finding for purposes of determining under this paragraph whether a person has been
4 convicted on 2 or more separate occasions.

5 (c) A person who is on parole, extended supervision, probation, or other
6 supervision from another state under s. 304.13 (1m), 304.135, 304.16, or 938.988 or
7 a person who is a resident of this state, a student in this state, or employed or
8 carrying on a vocation in this state shall continue to comply with the requirements
9 of this section for as long as the person is a resident of this state, a student in this
10 state, or employed or carrying on a vocation in this state if one or more of the following
11 apply:

12 1. The person is registered as a violent offender in another jurisdiction and the
13 person is required to register with that other jurisdiction until his or her death.

14 2. The person has, on 2 or more separate occasions, been convicted or found not
15 guilty, or not responsible, by reason of insanity or mental disease, illness, or defect
16 for a violent offense or for a violation, or the solicitation, conspiracy, or attempt to
17 commit a violation, of a law of any jurisdiction that is comparable to a violent offense.
18 A conviction or finding of not guilty, or not responsible, by reason of insanity, mental
19 disease, illness, or defect that has been reversed, set aside, or vacated is not a
20 conviction or finding for purposes of determining under this subdivision whether a
21 person has been convicted on 2 or more separate occasions.

22 **(8) PENALTY.** (a) Whoever knowingly fails to comply with any requirement to
23 provide information under subs. (3) to (5) is subject to the following penalties:

24 1. Except as provided in subd. 2., the person is guilty of a Class H felony.

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1 2. The person may be fined not more than \$10,000 or imprisoned for not more
2 than 9 months or both if all of the following apply:

3 a. The person was ordered under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345
4 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) to comply with the reporting requirements
5 under this section based on a finding that he or she committed or solicited, conspired,
6 or attempted to commit a misdemeanor.

7 b. The person was not convicted of knowingly failing to comply with any
8 requirement to provide information under subs. (3) to (5) before committing the
9 present violation.

10 (b) Whoever intentionally violates sub. (7) is subject to the following penalties:

11 1. Except as provided in subd. 2., the person is guilty of a Class H felony.

12 2. The person may be fined not more than \$10,000 or imprisoned for not more
13 than 9 months or both if all of the following apply:

14 a. The person was ordered under s. 51.20 (13) (cu) 2., 938.34 (15r) (a), 938.345
15 (3m) (a), 971.17 (1r) (a), or 973.0485 (1) to comply with the reporting requirements
16 under this section based on a finding that he or she committed or solicited, conspired,
17 or attempted to commit a misdemeanor.

18 b. The person was not convicted of another violation of sub. (7) before
19 committing the present violation.

20 (c) Whoever knowingly fails to keep information confidential as required under
21 sub. (10) may be fined not more than \$500 or imprisoned for not more than 30 days
22 or both.

23 (d) Subject to s. 971.19 (9m), a district attorney or, upon the request of a district
24 attorney, the department of justice may prosecute a knowing failure to comply with
25 any requirement to provide information under subs. (3) to (5). If the department of

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1 corrections determines that there is probable cause to believe that a person has
2 knowingly failed to comply with any requirement to provide information under subs.
3 (3) to (5), or has intentionally violated sub. (7), the department shall forward a
4 certified copy of all pertinent departmental information to the applicable district
5 attorney. The department shall certify the copy in accordance with s. 889.08.

6 **(9) NOTICE TO OTHER JURISDICTIONS CONCERNING NONCOMPLIANCE.** If the
7 department has reasonable grounds to believe that a person who is subject to sub.
8 (2) (e) or (f) is residing in this state, is a student in this state, or is employed or
9 carrying on a vocation in this state and that the person is not complying with the
10 requirements of this section, the department shall notify the state agency
11 responsible for the registration of violent offenders in any state in which the person
12 is registered that it believes the person is not complying with the requirements of this
13 section.

14 **(10) INFORMATION MAINTENANCE AND EXPUNGEMENT.** (a) The department shall
15 maintain information provided under sub. (3). The department shall keep the
16 information confidential except as provided in sub. (11) and s. 301.03 (14), except as
17 needed for law enforcement purposes, and except to provide, in response to a request
18 for information under s. 49.22 (2m) made by the department of workforce
19 development or a county child support agency under s. 59.53 (5), the name and
20 address of an individual registered under this section, the name and address of the
21 individual's employer, and financial information related to the individual.

22 (b) The department may not charge a fee for providing information under this
23 subsection.

24 (c) A person about whom information is maintained in the registry under sub.
25 (3) may request expungement of all pertinent information in the registry if the

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1 person's conviction, delinquency adjudication, finding of need of protection or
2 services, or commitment has been reversed, set aside, or vacated.

3 (d) The department shall purge all of the information maintained in the
4 registry under sub. (3) concerning a person to whom par. (c) applies if the department
5 receives all of the following:

6 1. The person's written request for expungement.

7 2. A certified copy of the court order reversing, setting aside, or vacating the
8 conviction, delinquency adjudication, finding of need of protection or services, or
9 commitment.

10 **(11) ACCESS TO INFORMATION.** (a) *Access for law enforcement agencies.* 1. When
11 a person registers with the department under sub. (2), the department shall
12 immediately make the information specified in sub. (3) (a) available to the police
13 chief of any community and the sheriff of any county in which the person is residing,
14 is employed, or is attending school. The department shall make information
15 available under this subdivision through a direct electronic data transfer system.

16 2. When a person who is registered under sub. (2) updates information under
17 sub. (5), the department shall immediately make the updated information available
18 to the police chief of any community and the sheriff of any county in which the person
19 is residing, is employed, or is attending school. The department shall make the
20 updated information available under this subdivision through a direct electronic
21 data transfer system.

22 3. In addition to having access to information under subs. 1. and 2., a police
23 chief or sheriff may request that the department provide the police chief or sheriff
24 with information concerning any person registered under sub. (2).

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1 4. A police chief or sheriff may provide any of the information to which he or
2 she has access under this subsection to members of the general public if, in the
3 opinion of the police chief or sheriff, providing that information is necessary to
4 protect the public.

5 (b) *Public Internet access to information.* The department shall provide access
6 to information concerning persons registered under this section by creating and
7 maintaining an Internet site and by any other means that the department
8 determines is appropriate. The information provided through the Internet site shall
9 be organized in a manner that allows a person using the Internet site to obtain the
10 information in sub. (3) (a) and information that the department determines is
11 necessary to protect the public. The department shall keep the information provided
12 on the Internet site and in other means used to allow access to the information secure
13 against unauthorized alteration. The department shall update the information as
14 soon as practically feasible after the department learns of a change in any of the
15 information provided under sub. (3) (a). The department shall provide the means to
16 identify easily changes that have occurred in the residence, employment, or place of
17 school attendance of a person registered under this section.

18 (c) *Victim notification.* 1. In this paragraph:

19 a. "Member of the family" means spouse, child, parent, sibling, or legal
20 guardian.

21 b. "Victim" means a person against whom a crime has been committed.

22 2. When a person subject to sub. (2) registers under this section or when the
23 person informs the department of a change in information under sub. (3) (a), the
24 department shall make a reasonable attempt to notify the victim or a member of the
25 victim's family who has, according to the records of the department or the

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1 information provided under subd. 4., requested to be notified about a person required
2 to register under this section.

3 3. The notice under subd. 2. shall be a written notice to the victim or member
4 of the victim's family that the person required to register under sub. (2) and specified
5 in the information provided under subd. 4. has been registered or, if applicable, has
6 provided the department with updated information under sub. (5). The notice shall
7 contain the information specified in sub. (3) (a) or, if applicable, the updated
8 information.

9 4. The department of health and family services shall provide the department
10 with access to the names of victims or the family members of victims who have
11 completed cards requesting notification under s. 971.17 (6m).

12 **(12) RULES.** The department shall promulgate rules necessary to carry out its
13 duties under this section.

14 **(13) COOPERATION.** The department of health and family services, the
15 department of workforce development, the department of transportation, and all
16 circuit courts shall cooperate with the department of corrections in obtaining
17 information under this section.

18 **(14) FEE.** The department may require a person who must register as a violent
19 offender and who is in its custody or on probation, parole, or extended supervision
20 to pay an annual fee to partially offset its costs in monitoring persons on probation,
21 parole, or extended supervision. The department shall establish any such fee by rule,
22 but the fee may not exceed \$50.

23 **SECTION 12.** 452.23 (2) (d) of the statutes is amended to read:

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1 452.23 (2) (d) Except as provided in s. 452.24 (1m), any information related to
2 the fact that a particular person is required to register as a sex offender under s.
3 301.45 or any information about the sex offender registry under s. 301.45.

4 **SECTION 13.** 452.23 (2) (e) of the statutes is created to read:

5 452.23 (2) (e) Except as provided in s. 452.24 (2m), any information related to
6 the fact that a particular person is required to register as a violent offender under
7 s. 301.55 or any information about the violent offender registry under s. 301.55.

8 **SECTION 14.** 452.24 (title) of the statutes is amended to read:

9 **452.24 (title) Disclosure duty; immunity for providing notice about the**
10 **sex offender registry or the violent offender registry.**

11 **SECTION 15.** 452.24 (1) of the statutes is renumbered 452.24 (1m) (a).

12 **SECTION 16.** 452.24 (2) of the statutes is renumbered 452.24 (1m) (b) and
13 amended to read:

14 452.24 (1m) (b) Notwithstanding ~~sub. (1) par. (a)~~, the broker or salesperson is
15 immune from liability for any act or omission related to the disclosure of information
16 under ~~sub. (1) par. (a)~~ if the broker or salesperson in a timely manner provides to the
17 person requesting the information written notice that the person may obtain
18 information about the sex offender registry and persons registered with the registry
19 by contacting the department of corrections. The notice shall include the appropriate
20 telephone number and Internet site of the department of corrections.

21 **SECTION 17.** 452.24 (2m) of the statutes is created to read:

22 452.24 (2m) (a) If, in connection with the sale, exchange, purchase, or rental
23 of real property, a licensee receives a request from a person to whom the licensee is
24 providing brokerage services in connection with the sale, exchange, purchase, or
25 rental for information related to whether a particular person is required to register

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1 as a violent offender under s. 301.55 or any other information about the violent
2 offender registry under s. 301.55, the licensee has a duty to disclose such
3 information, if the licensee has actual knowledge of the information.

4 (b) Notwithstanding par. (a), the broker or salesperson is immune from liability
5 for any act or omission related to the disclosure of information under par. (a) if the
6 broker or salesperson in a timely manner provides to the person requesting the
7 information written notice that the person may obtain information about the violent
8 offender registry and persons registered with the registry by contacting the
9 department of corrections. The notice shall include the appropriate telephone
10 number and Internet site of the department of corrections.

11 **SECTION 18.** 704.50 (title) of the statutes is amended to read:

12 **704.50 (title) Disclosure duty; immunity for providing notice about the**
13 **sex offender registry or the violent offender registry.**

14 **SECTION 19.** 704.50 (1), (2) and (3) of the statutes are renumbered 704.50 (1m)
15 (a), (b) and (c), and 704.50 (1m) (a) and (c), as renumbered, are amended to read:

16 704.50 **(1m)** (a) Except as provided in ~~sub. (2) par. (b)~~, a landlord or his or her
17 agent has no duty to disclose to any person in connection with the rental of real
18 property any information related to the fact that a particular person is required to
19 register as a sex offender under s. 301.45 or any information about the sex offender
20 registry under s. 301.45.

21 (c) Notwithstanding ~~sub. (2) par. (b)~~, the landlord or agent is immune from
22 liability for any act or omission related to the disclosure of information under ~~sub.~~
23 ~~(2) par. (b)~~ if the landlord or agent in a timely manner provides to the person
24 requesting the information written notice that the person may obtain information
25 about the sex offender registry and persons registered with the registry by contacting

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1 the department of corrections. The notice shall include the appropriate telephone
2 number and Internet site of the department of corrections.

3 **SECTION 20.** 704.50 (2m) of the statutes is created to read:

4 704.50 **(2m)** (a) Except as provided in par. (b), a landlord or his or her agent has
5 no duty to disclose to any person in connection with the rental of real property any
6 information related to the fact that a particular person is required to register as a
7 violent offender under s. 301.55 or any information about the violent offender
8 registry under s. 301.55.

9 (b) If, in connection with the rental of real property, a person requests of a
10 landlord or his or her agent information related to whether a particular person is
11 required to register as a violent offender under s. 301.55 or any other information
12 about the violent offender registry under s. 301.55, the landlord or agent has a duty
13 to disclose such information, if the landlord or agent has actual knowledge of the
14 information.

15 (c) Notwithstanding par. (b), the landlord or agent is immune from liability for
16 any act or omission related to the disclosure of information under par. (b) if the
17 landlord or agent in a timely manner provides to the person requesting the
18 information written notice that the person may obtain information about the violent
19 offender registry and persons registered with the registry by contacting the
20 department of corrections. The notice shall include the appropriate telephone
21 number and Internet site of the department of corrections.

22 **SECTION 21.** 706.20 (title) of the statutes is amended to read:

23 **706.20 (title) Disclosure duty; immunity for providing notice about the**
24 **sex offender registry or the violent offender registry.**

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1 **SECTION 22.** 706.20 (1), (2) and (3) of the statutes are renumbered 706.20 (1m)

2 (a), (b) and (c), and 706.20 (1m) (a) and (c), as renumbered, are amended to read:

3 706.20 **(1m)** (a) Except as provided in ~~sub. (2) par. (b)~~, an owner of an interest
4 in real property has no duty to disclose to any person in connection with the sale,
5 exchange, purchase, or rental of the real property any information related to the fact
6 that a particular person is required to register as a sex offender under s. 301.45 or
7 any information about the sex offender registry under s. 301.45.

8 (c) Notwithstanding ~~sub. (2) par. (b)~~, the owner is immune from liability for any
9 act or omission related to the disclosure of information under ~~sub. (2) par. (b)~~ if the
10 owner in a timely manner provides to the person requesting the information written
11 notice that the person may obtain information about the sex offender registry and
12 persons registered with the registry by contacting the department of corrections.
13 The notice shall include the appropriate telephone number and Internet site of the
14 department of corrections.

15 **SECTION 23.** 706.20 (2m) of the statutes is created to read:

16 706.20 **(2m)** (a) Except as provided in par. (b), an owner of an interest in real
17 property has no duty to disclose to any person in connection with the sale, exchange,
18 purchase, or rental of the real property any information related to the fact that a
19 particular person is required to register as a violent offender under s. 301.55 or any
20 information about the violent offender registry under s. 301.55.

21 (b) If, in connection with the sale, exchange, purchase, or rental of real property,
22 a person requests of an owner of an interest in the real property information related
23 to whether a particular person is required to register as a violent offender under s.
24 301.55 or any other information about the violent offender registry under s. 301.55,

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1 the owner has a duty to disclose such information, if the owner has actual knowledge
2 of the information.

3 (c) Notwithstanding par. (b), the owner is immune from liability for any act or
4 omission related to the disclosure of information under par. (b) if the owner in a
5 timely manner provides to the person requesting the information written notice that
6 the person may obtain information about the violent offender registry and persons
7 registered with the registry by contacting the department of corrections. The notice
8 shall include the appropriate telephone number and Internet site of the department
9 of corrections.

10 **SECTION 24.** 938.185 (1) (intro.) of the statutes is amended to read:

11 938.185 (1) PROCEEDINGS GENERALLY. (intro.) Subject to subs. (3), (3m), and (4),
12 venue for any proceeding under ss. 938.12, 938.125, 938.13, 938.135, and 938.18 may
13 be in any of the following:

14 **SECTION 25.** 938.185 (3m) of the statutes is created to read:

15 938.185 (3m) VIOLENT OFFENDER REGISTRY VIOLATIONS. Venue for a proceeding
16 under s. 938.12 or 938.13 (12) based on an alleged violation of s. 301.55 (8) (a) or (b)
17 may be in the juvenile's county of residence at the time that the petition is filed. If
18 the juvenile does not have a county of residence in this state at the time that the
19 petition is filed, or if the juvenile's county of residence is unknown at the time that
20 the petition is filed, venue for the proceeding may be in any of the following counties:

21 (a) Any county in which the juvenile has resided while subject to s. 301.55.

22 (b) The county in which the juvenile was adjudicated delinquent or found not
23 responsible by reason of mental disease or defect for the violent offense that requires
24 the juvenile to register under s. 301.55.

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1 (c) If the juvenile is required to register only under s. 301.55 (2) (e) or (f), any
2 county in which the juvenile has been a student in this state or has been employed
3 or carrying on a vocation in this state.

4 **SECTION 26.** 938.34 (15r) of the statutes is created to read:

5 938.34 (**15r**) VIOLENT OFFENDER REPORTING REQUIREMENTS. (a) Except as
6 provided in par. (b), if the juvenile is adjudicated delinquent on the basis of any
7 misdemeanor or felony violation, or the solicitation, conspiracy, or attempt to commit
8 any misdemeanor or felony violation, the court may require the juvenile to comply
9 with the reporting requirements under s. 301.55 if the court determines that the
10 juvenile's actions demonstrate a pattern of violent activity, as defined in s. 51.20 (13)
11 (cu) 1., and that it would be in the interest of public protection to have the juvenile
12 report under s. 301.55.

13 (b) If the juvenile is adjudicated delinquent for the commission of, or the
14 solicitation, conspiracy, or attempt to commit, a violent offense, as defined in s.
15 301.55 (1) (d), the court shall require the juvenile to comply with the reporting
16 requirements under s. 301.55.

17 (c) In making its determination under par. (a), the court may consider any of
18 the following:

19 1. The ages, at the time of the violation, of the juvenile and the victim of the
20 violation.

21 2. The injury the victim suffered.

22 3. The probability that the juvenile will commit other violations in the future.

23 4. Any temporary restraining order or injunction issued under ch. 813.

24 5. Any other factor that the court determines may be relevant to the particular
25 case.

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1 (d) If the court orders a juvenile to comply with the reporting requirements
2 under s. 301.55, the clerk of the court in which the order is entered shall promptly
3 forward a copy of the order to the department. If the finding of delinquency on which
4 the order is based is reversed, set aside, or vacated, the clerk of the court shall
5 promptly forward to the department a certificate stating that the finding of
6 delinquency has been reversed, set aside, or vacated.

7 **SECTION 27.** 938.345 (3m) of the statutes is created to read:

8 938.345 **(3m)** VIOLENT OFFENDER REGISTRATION. (a) If the court finds that a
9 juvenile is in need of protection or services on the basis of the commission of, or the
10 solicitation, conspiracy, or attempt to commit, a violent offense, as defined in s.
11 301.55 (1) (d), the court may require the individual to comply with the reporting
12 requirements under s. 301.55 if the court determines that the juvenile's actions
13 demonstrate a pattern of violent activity, as defined in s. 51.20 (13) (cu) 1., and that
14 it would be in the interest of public protection to have the juvenile report under s.
15 301.55.

16 (b) In making its determination under par. (a), the court may consider any of
17 the following:

- 18 1. The ages, at the time of the violation, of the juvenile and the victim of the
19 violation.
- 20 2. The injury the victim suffered.
- 21 3. The probability that the juvenile will commit other violations in the future.
- 22 4. Any temporary restraining order or injunction issued under ch. 813.
- 23 5. Any other factor that the court determines may be relevant to the particular
24 case.

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1 (c) If the court orders a juvenile to comply with the reporting requirements
2 under s. 301.55, the clerk of the court in which the order is entered shall promptly
3 forward a copy of the order to the department. If the finding of need of protection or
4 services on which the order is based is reversed, set aside, or vacated, the clerk of the
5 court shall promptly forward to the department a certificate stating that the finding
6 has been reversed, set aside, or vacated.

7 **SECTION 28.** 938.396 (2g) (er) of the statutes is created to read:

8 938.396 (2g) (er) *Violent offender registration.* Upon request of the department
9 to review court records for the purpose of obtaining information concerning a juvenile
10 who is required to register under s. 301.55, the court shall open for inspection by
11 authorized representatives of the department the records of the court relating to any
12 juvenile who has been adjudicated delinquent or found in need of protection or
13 services or not responsible by reason of mental disease or defect for an offense
14 specified in s. 301.55 (1) (b). The department may disclose information that it obtains
15 under this paragraph as provided under s. 301.55 (11).

16 **SECTION 29.** 950.04 (1v) (v) of the statutes is amended to read:

17 950.04 (1v) (v) To have the department of corrections make a reasonable
18 attempt to notify the victim under s. 301.046 (4) regarding community residential
19 confinements, under s. 301.048 (4m) regarding participation in the intensive
20 sanctions program, under s. 301.38 regarding escapes from a Type 1 prison, under
21 s. 301.46 (3) regarding persons registered under s. 301.45, under s. 301.55 (11) (c)
22 regarding persons registered under s. 301.55, under s. 302.105 regarding release
23 upon expiration of certain sentences, under s. 304.063 regarding extended
24 supervision and parole releases, and under s. 938.51 regarding release or escape of
25 a juvenile from correctional custody.

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1 **SECTION 30.** 971.17 (1r) of the statutes is created to read:

2 **971.17 (1r) VIOLENT OFFENDER REGISTRATION.** (a) Except as provided in par. (b),
3 if the defendant under sub. (1) is found not guilty by reason of mental disease or
4 defect for a violation, or for the solicitation, conspiracy, or attempt to commit a
5 violation, of any misdemeanor or felony, the court may require the defendant to
6 comply with the reporting requirements under s. 301.55 if the court determines that
7 the defendant's actions demonstrate a pattern of violent activity, as defined in s.
8 51.20 (13) (cu) 1., and that it would be in the interest of public protection to have the
9 defendant report under s. 301.55.

10 (b) If the defendant under sub. (1) is found not guilty by reason of mental
11 disease or defect for the commission of, or for the solicitation, conspiracy, or attempt
12 to commit, a violent offense, as defined in s. 301.55 (1) (d), the court shall require the
13 defendant to comply with the reporting requirements under s. 301.55.

14 (c) In making its determination under par. (a), the court may consider any of
15 the following:

16 1. The ages, at the time of the violation, of the defendant and the victim of the
17 violation.

18 2. The injury the victim suffered.

19 3. The probability that the defendant will commit other violations in the future.

20 4. Any temporary restraining order or injunction issued under ch. 813.

21 5. Any other factor that the court determines may be relevant to the particular
22 case.

23 (d) If the court orders a defendant to comply with the reporting requirements
24 under s. 301.55, the clerk of the court in which the order is entered shall promptly
25 forward a copy of the order to the department of corrections. If the finding of not

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1 guilty by reason of mental disease or defect on which the order is based is reversed,
2 set aside, or vacated, the clerk of the court shall promptly forward to the department
3 of corrections a certificate stating that the finding has been reversed, set aside, or
4 vacated.

5 **SECTION 31.** 971.19 (9m) of the statutes is created to read:

6 971.19 (9m) In an action under s. 301.55 (8) (a) or (b), the defendant may be
7 tried in the defendant's county of residence at the time that the complaint is filed.
8 If the defendant does not have a county of residence in this state at the time that the
9 complaint is filed, or if the defendant's county of residence is unknown at the time
10 that the complaint is filed, the defendant may be tried in any of the following
11 counties:

12 (a) Any county in which he or she has resided while subject to s. 301.55.

13 (b) The county in which he or she was convicted, found not guilty, or not
14 responsible, by reason of mental disease or defect, or adjudicated delinquent for the
15 violent offense that requires the person to register under s. 301.55.

16 (c) If the person is required to register only under s. 301.55 (2) (e) or (f), any
17 county in which the person has been a student in this state or has been employed or
18 carrying on a vocation in this state.

19 **SECTION 32.** 973.017 (3) (bg) of the statutes is created to read:

20 973.017 (3) (bg) The fact that the person committed the crime using
21 information that was provided to him or her under s. 301.55 (11).

22 **SECTION 33.** 973.0485 of the statutes is created to read:

23 **973.0485 Violent offender reporting requirements.** (1) Except as
24 provided in sub. (2), if a court imposes a sentence or places a person on probation for
25 a violation of a felony or a misdemeanor, the court may require the person to comply

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1 with the reporting requirements under s. 301.55 if the court determines that the
2 person's actions demonstrate a pattern of violent activity, as defined in s. 51.20 (13)
3 (cu) 1., and that it would be in the interest of public protection to have the person
4 report under s. 301.55.

5 (2) If a court imposes a sentence or places a person on probation for the
6 commission of, or for the solicitation, conspiracy, or attempt to commit, a violent
7 offense, as defined in s. 301.55 (1) (d), the court shall require the person to comply
8 with the reporting requirements under s. 301.55.

9 (3) In making its determination under sub. (1), the court may consider any of
10 the following:

11 (a) The ages, at the time of the violation, of the person and the victim of the
12 violation.

13 (b) The injury the victim suffered.

14 (c) The probability that the person will commit other violations in the future.

15 (d) Any temporary restraining order or injunction issued under ch. 813.

16 (e) Any other factor that the court determines may be relevant to the particular
17 case.

18 (4) If the court orders a person to comply with the reporting requirements
19 under s. 301.55, the clerk of the court in which the order is entered shall promptly
20 forward a copy of the order to the department of corrections. If the conviction on
21 which the order is based is reversed, set aside, or vacated, the clerk of the court shall
22 promptly forward to the department of corrections a certificate stating that the
23 conviction has been reversed, set aside, or vacated.

24 **SECTION 34. Initial applicability.**

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1 (1) This act first applies to violations committed on the effective date of this
2 subsection, but does not preclude the counting of other violations as prior violations
3 for purposes of determining under section 301.55 (7m) (b) 1. a. or b. or (c) 2. of the
4 statutes, as created by this act, whether the person has been convicted or found not
5 guilty, or not responsible, by reason of mental disease, defect, or illness or of insanity,
6 for a violent offense as defined in section 301.55 (1) (d) of the statutes, as created by
7 this act.

8 **SECTION 35. Effective date.**

9 (1) This act takes effect on the first day of the 6th month beginning after
10 publication.

11 (END)