



2009 ASSEMBLY BILL 27

February 5, 2009 – Introduced by Representatives CULLEN, ZEPNICK, A. WILLIAMS, SINICKI, STASKUNAS, GUNDRUM, KERKMAN, ZIEGELBAUER, BERCEAU, TOWNSEND, SPANBAUER, VRUWINK, STRACHOTA, BARCA, TURNER and SOLETSKI, cosponsored by Senators LASSA, TAYLOR, SULLIVAN, COGGS, OLSEN, LAZICH, A. LASEE, DARLING and PLALE. Referred to Committee on Criminal Justice.

1 **AN ACT** *to amend* 944.06 of the statutes; **relating to:** the definition of sexual
2 intercourse for the crime of incest.

Analysis by the Legislative Reference Bureau

Under current law, a person who has sexual intercourse with a blood relative, if the relationship would prohibit them from legally marrying, is guilty of a felony. “Sexual intercourse” is defined to require vulvar penetration. This bill expands the definition of “sexual intercourse” to include cunnilingus, fellatio, or anal intercourse or any other intrusion, however slight, of any part of a person’s body or of any object into the genital or anal opening.

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.

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:

3 **SECTION 1.** 944.06 of the statutes is amended to read:
4 **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse, as
5 defined in s. 948.01 (6), with a person he or she knows is a blood relative and such

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1 relative is in fact related in a degree within which the marriage of the parties is
2 prohibited by the law of this state is guilty of a Class F felony.

3 (END)