



**ASSEMBLY AMENDMENT 5,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 463**

November 11, 1997 – Offered by Representative LADWIG.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 10, line 4: after “support” insert “, except that for purposes of ss. 48.20
3 (2) (e) and (7) (bm), 48.203 (1m) and (6) (bm), 48.24 (4m) and 48.981 (3) (c) 3m.,
4 “unborn child” means an unborn human from the time of fertilization”.

5 **2.** Page 21, line 17: after that line insert:

6 “**SECTION 54d.** 48.20 (2) (ag) of the statutes is amended to read:

7 48.20 (2) (ag) Except as provided in pars. (b) to ~~(d)~~ (e), a person taking a child
8 into custody shall make every effort to release the child immediately to the child’s
9 parent, guardian or legal custodian.

10 **SECTION 54m.** 48.20 (2) (e) of the statutes is created to read:

11 48.20 (2) (e) If the child is an expectant mother who was taken into custody
12 under s. 48.19 (1) (cm) or (d) 8., but if after investigation it appears that the child’s

1 unborn child has not reached the stage of viability, the person who took the child into
2 custody shall release the child as provided in pars. (ag) to (d) after counseling the
3 child as appropriate and offering to provide appropriate services for the child or to
4 make arrangements for the provision of those services.

5 **SECTION 54r.** 48.20 (3) of the statutes is amended to read:

6 48.20 (3) If the child is released under sub. (2) (b) to ~~(d)~~ (e), the person who took
7 the child into custody shall immediately notify the child’s parent, guardian and legal
8 custodian of the time and circumstances of the release and the person, if any, to whom
9 the child was released. If the child is not released under sub. (2), the person who took
10 the child into custody shall arrange in a manner determined by the court and law
11 enforcement agencies for the child to be interviewed by the intake worker under s.
12 48.067 (2), and shall make a statement in writing with supporting facts of the reasons
13 why the child was taken into physical custody and shall give any child 12 years of
14 age or older a copy of the statement in addition to giving a copy to the intake worker.
15 When the intake interview is not done in person, the report may be read to the intake
16 worker.”.

17 **3.** Page 22, line 9: after that line insert:

18 “**SECTION 56g.** 48.20 (7) (bm) of the statutes is created to read:

19 48.20 (7) (bm) If, after investigation, the intake worker determines that the
20 unborn child of a child expectant mother who has taken into custody under s. 48.19
21 (1) (cm) or (d) 8. has not reached the stage of viability, the intake worker shall release
22 the child expectant mother as provided in par. (c) after counseling the child expectant
23 mother as appropriate and offering to provide appropriate services for the child
24 expectant mother or to make arrangements for the provision of those services.”.

1 **4.** Page 23, line 20: after that line insert:

2 “(1m) If an adult expectant mother is taken into custody under s. 48.193 (1) (c)
3 or (d) 2., but if after investigation it appears that the adult expectant mother’s
4 unborn child has not reached the stage of viability, the person who took the adult
5 expectant mother into custody shall release the adult expectant mother as provided
6 in sub. (1) after counseling the adult expectant mother as appropriate and offering
7 to provide appropriate services for the adult expectant mother or to make
8 arrangements for the provision of those services.”.

9 **5.** Page 25, line 8: after that line insert:

10 “(bm) If, after investigation, the intake worker determines that the unborn
11 child of an adult expectant mother who was taken into custody under s. 48.193 (1)
12 (c) or (d) 2. has not reached the stage of viability, the intake worker shall release the
13 adult expectant mother as provided in par. (c) after counseling the adult expectant
14 mother as appropriate and offering to provide appropriate services for the adult
15 expectant mother or to make arrangements for the provision of those services.”.

16 **6.** Page 39, line 14: after that line insert:

17 “**SECTION 89m.** 48.24 (4m) of the statutes is created to read:

18 48.24 (**4m**) If the intake worker determines as a result of the intake inquiry
19 that the case of an unborn child should be closed because it appears that the unborn
20 child has not reached the stage of viability, the intake worker shall close the case
21 after counseling the expectant mother as appropriate and offering to provide
22 appropriate services for the expectant mother or to make arrangements for the
23 provision of those services.”.

24 **7.** Page 108, line 18: after that line insert:

