ASSEMBLY AMENDMENT 1, TO 1999 ASSEMBLY BILL 284

May 19, 1999 – Offered by Representative GUNDRUM.

1	At the locations indicated, amend the bill as follows:
2	1. Page 2, line 4: after that line insert:
3	"SECTION 1L. 948.13 (2) of the statutes is renumbered 948.13 (2) (a) and
4	amended to read:
5	948.13 (2) (a) Whoever <u>Except as provided in pars. (b) and (c), whoever</u> has been
6	convicted of a serious child sex offense and subsequently engages in an occupation
7	or participates in a volunteer position that requires him or her to work or interact
8	primarily and directly with children under 16 years of age is guilty of a Class C
9	felony. This subsection
10	(c) The prohibition under par. (a) does not apply to a person who is exempt
11	under a court order issued under sub. (2m).
12	SECTION 1m. 948.13 (2) (b) of the statutes is created to read:

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1	948.13 (2) (b) If all of the following apply, the prohibition under par. (a) does
2	not apply to a person who has been convicted of a serious child sex offense until 90
3	days after the date on which the person receives actual written notice from a law
4	enforcement agency, as defined in s. 165.77 (1) (b), of the prohibition under par. (a):
5	1. The only serious child sex offense for which the person has been convicted
6	is a crime under s. 948.02 (2).
7	2. The person was convicted of the serious child sex offense before the effective
8	date of this subdivision [revisor inserts date].
9	3. The person is eligible to petition for an exemption from the prohibition under
10	sub. (2m) because he or she meets the criteria specified in sub. (2m) (a) 1. and 1m.".
11	2. Page 2, line 8: after "(2)" insert " <u>(a)</u> ".
12	3. Page 2, line 17: after that line insert:
13	"SECTION 3d. 948.13 (2m) (a) 2. of the statutes is amended to read:
14	948.13 (2m) (a) 2. It is not necessary, in the interest of public protection, to
15	require the person to comply with sub. (2) <u>(a)</u> .
16	
	SECTION 3h. 948.13 (2m) (c) of the statutes is amended to read:
17	SECTION 3h. 948.13 (2m) (c) of the statutes is amended to read: 948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and
17 18	
	948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and
18	948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and the district attorney who prosecuted the person may appear at the hearing. <u>Any</u>
18 19	948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and the district attorney who prosecuted the person may appear at the hearing. <u>Any</u> hearing that a court decides to hold under this paragraph shall be held no later than
18 19 20	948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and the district attorney who prosecuted the person may appear at the hearing. <u>Any</u> hearing that a court decides to hold under this paragraph shall be held no later than 30 days after the petition is filed if the petition specifies that the person filing the
18 19 20 21	948.13 (2m) (c) A court may hold a hearing on a petition filed under par. (a) and the district attorney who prosecuted the person may appear at the hearing. <u>Any</u> <u>hearing that a court decides to hold under this paragraph shall be held no later than</u> <u>30 days after the petition is filed if the petition specifies that the person filing the</u> <u>petition is covered under sub. (2) (b), that he or she has received actual written notice</u>

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1	SECTION 3p. 948.13 (2m) (e) 2. of the statutes is amended to read:
2	948.13 (2m) (e) 2. If a person is examined by a physician, psychologist or other
3	expert under subd. 1., the physician, psychologist or other expert shall file a report
4	of his or her examination with the court, and the court shall provide copies of the
5	report to the person and, if he or she requests a copy, to the district attorney. The
6	contents of the report shall be confidential until the physician, psychologist or other
7	expert has testified at the \underline{a} hearing held under par. (c). The report shall contain an
8	opinion regarding whether it would be in the interest of public protection to require
9	the person to comply with sub. (2) <u>(a)</u> and the basis for that opinion.
10	SECTION 3t. 948.13 (2m) (em) of the statutes is created to read:
11	948.13 (2m) (em) A court shall decide a petition no later than 45 days after the
12	petition is filed if the petition specifies that the person filing the petition is covered
13	under sub. (2) (b), that he or she has received actual written notice from a law
14	enforcement agency of the prohibition under sub. (2) (a) and that he or she is seeking
15	an exemption under this subsection before the expiration of the 90–day period under
16	sub. (2) (b).".
17	(END)