

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/23/2001**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Gregory Huber (608) 266-0654**

By/Representing: **mark**

This file may be shown to any legislator: **NO**

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - crimes agnst kids**

Extra Copies: **rlr**

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Using a computer to commit a sex crime against a child

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**Instructions:**

1999 AB 733 with AA1 and 2

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mdsida 09/21/2001	rschlue 11/15/2001		_____			S&L
/1			pgreensl 11/19/2001	_____	lrb_docadmin 11/19/2001	lrb_docadmin 01/08/2002	lrb_docadmin 01/08/2002

FE Sent For:

↳ At Intro.

<END>

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1?	mdsida	<i>D</i> 10-9-1 +cjs	<i>11/16</i> PS	<i>11/19</i> PZ/16			

FE Sent For:

<END>

Plc from Mark

Go ahead & draft this  
even though Robins case is pending before  
S.Ct.

(He had earlier told me to wait to  
see how appeals were decided in the  
other cases involving 948.07

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Plc from Mark

Dr of computerized comm. system  
constructed to include cell phones, ~~text~~ text pagers...

10/26

1999 ASSEMBLY BILL 733

LPS: Proof w/ folio all Bill Sections containing amended text

February 8, 2000 - Introduced by Representatives HUBER, WALKER, ZIEGELBAUER, LADWIG, PLALE, KAUFERT, BOCK, GUNDERSON, WASSERMAN, MUSSER, J. LEHMAN, SPILLNER, BLACK, KELSO, HASENOHRL, GROTHMAN, WILLIAMS, ALBERS, GRONEMUS, SYKORA, KREUSER and BERCEAU, cosponsored by Senators ERPENBACH, HUELSMAN, DECKER, SCHULTZ, CLAUSING, BOESSLER, ROBSON, ROSENZWEIG, BAUMGART and DARLING. Referred to Committee on Criminal Justice.

Gen

PWF

1 AN ACT to amend 51.20 (13) (ct) 2m., 165.70 (1) (b), 301.45 (1) (a), 301.45 (1) (b),  
2 301.45 (1) (bm), 301.45 (1) (c), 301.45 (1) (d), 301.45 (1) (dd), 301.45 (1) (dh),  
3 301.45 (5) (b) 1., 301.46 (2m) (a), 301.46 (2m) (am), 302.045 (2) (c), 938.34 (15m)  
4 (bm), 939.615 (1) (b) 1., 939.62 (2m) (a) 2m. b., 939.74 (2) (c), 948.025 (3), 948.13  
5 (1) (a), 971.17 (1m) (b) 2m., 973.01 (3m), 973.0135 (1) (b) 2., 973.034 and 973.048  
6 (2m); and to create 948.075 of the statutes; relating to: using a computer to  
7 facilitate having sexual contact or sexual intercourse with a person believed to  
8 be a child and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person may not, with intent to commit any of the following acts, cause or attempt to cause a child to go into a vehicle, building, room, or secluded place: (1) having sexual contact or sexual intercourse with the child; (2) causing the child to engage in prostitution; (3) exposing a sex organ to the child or causing the child to expose a sex organ; (4) taking a picture or making an audio recording of the child engaging in sexually explicit conduct; (5) causing bodily or mental harm to the child; and (6) giving or selling to the child a controlled substance or a controlled substance analog.

or

This bill creates a new crime involving the use of a computer with intent to commit certain sex offenses against a person believed to be a child. Under the bill,

**ASSEMBLY BILL 733**

*the person*

no person may intentionally use a computerized communication system to communicate with an individual who the person believes or has reason to believe has not attained the age of 16 years, with intent to have sexual contact or sexual intercourse with the individual. The person's belief that the individual is under 16 (as opposed to the individual's actual age) is an element of the offense. This prohibition does not apply if the person sending the communication reasonably believed that the age of the individual to whom the communication was sent was no more than 30 months less than the sender's own age.

24

A person who commits this offense may be imprisoned for up to 15 years, fined up to \$10,000, or both. If the person has been previously convicted of two serious felonies (as defined in the "three strikes" law), the person is subject to a sentence of life imprisonment without the possibility of parole or extended supervision.

In addition, the bill also requires that persons convicted of this offense register with the sex offender registry. The bill also prohibits certain persons convicted of the offense from engaging in an occupation or participating in a volunteer position that requires the person to work or interact primarily and directly with children under 16.

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:*

SECTION 1. 51.20 (13) (ct) 2m. of the statutes is amended to read:

51.20 (13) (ct) 2m. If the subject individual is before the court on a petition filed under a court order under s. 938.30 (5) (c) 1. and is found to have committed a violation, or to have solicited, conspired, or attempted to commit a violation, of s. 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11, (2)(a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the subject individual was not the victim's parent, the court shall require the individual to comply with the reporting requirements under s. 301.45 unless the court determines, after a hearing on a motion made by the individual, that the individual is not required to comply under s. 301.45 (1m).

SECTION 2. 165.70 (1) (b) of the statutes is amended to read:

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3 Sent  
3/3  
3

1 165.70 (1) (b) Enforce chs. 945 and 961 and ss. 940.20 (3), 940.201, 941.25 to  
2 941.27, 943.01 (2) (c), 943.011, 943.27, 943.28, 943.30, 944.30, 944.31, 944.32, 944.33,  
3 944.34, 946.65, 947.02 (3) and (4), 948.075 and 948.08.

4 ~~SECTION 3. 301.45 (1) (a) of the statutes is amended to read.~~

5 301.45 (1) (a) Is convicted, adjudicated delinquent or found in need of  
6 protection or services on or after December 25, 1993, for any violation, or for the  
7 solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225  
8 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07,  
9 948.075, 948.08, 948.11 or 948.30, or of s. 940.30 or 940.31 if the victim was a minor  
10 and the person was not the victim's parent.

11 ~~SECTION 4. 301.45 (1) (b) of the statutes, as affected by 1999 Wisconsin Act 9,~~  
12 is amended to read:

13 301.45 (1) (b) Is in prison, a secured correctional facility, a secured child caring  
14 institution or a secured group home or is on probation, extended supervision, parole,  
15 supervision or aftercare supervision on or after December 25, 1993, for any violation,  
16 or for the solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2),  
17 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
18 948.07, 948.075, 948.08, 948.11 or 948.30, or of s. 940.30 or 940.31 if the victim was  
19 a minor and the person was not the victim's parent.

20 ~~SECTION 5. 301.45 (1) (bm) of the statutes, as affected by 1999 Wisconsin Act~~  
21 ~~9,~~ is amended to read:

22 301.45 (1) (bm) Is in prison, a secured correctional facility, a secured child  
23 caring institution or a secured group home or is on probation, extended supervision,  
24 parole, supervision or aftercare supervision on or after December 25, 1993, for a  
25 violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law

**ASSEMBLY BILL 733****SECTION 5**

1 of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
2 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30  
3 or that is comparable to a violation of s. 940.30 or 940.31 if the victim was a minor  
4 and the person was not the victim's parent.

5 **SECTION 6.** 301.45 (1) (c) of the statutes is amended to read:

6 301.45 (1) (c) Is found not guilty or not responsible by reason of mental disease  
7 or defect on or after December 25, 1993, and committed under s. 51.20 or 971.17 for  
8 any violation, or for the solicitation, conspiracy or attempt to commit any violation,  
9 of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, ~~948.02 (1) or (2)~~, 948.025, 948.05,  
10 948.055, 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30, or of s. 940.30 or 940.31  
11 if the victim was a minor and the person was not the victim's parent.

12 **SECTION 7.** 301.45 (1) (d) of the statutes is amended to read:

13 301.45 (1) (d) Is in institutional care or on conditional transfer under s. 51.35  
14 (1) or conditional release under s. 971.17 on or after December 25, 1993, for any  
15 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.  
16 940.22 (2), 940.225 (1), (2) or (3), 944.06, ~~948.02 (1) or (2)~~, 948.025, 948.05, 948.055,  
17 948.06, 948.07, 948.075, 948.08, 948.11 or ~~948.30~~, or of s. 940.30 or 940.31 if the  
18 victim was a minor and the person was not the victim's parent.

19 **SECTION 8.** 301.45 (1) (dd) of the statutes is amended to read:

20 301.45 (1) (dd) Is in institutional care or on conditional transfer under s. 51.35  
21 (1) or conditional release under s. 971.17 on or after December 25, 1993, for a  
22 violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law  
23 of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
24 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, ~~948.11~~ or 948.30



## ASSEMBLY BILL 733

1 or that is comparable to a violation of s. 940.30 or 940.31 if the victim was a minor  
2 and the person was not the victim's parent.

3 **SECTION 9.** 301.45 (1) (dh) of the statutes is amended to read:

4 301.45 (1) (dh) Is on parole, extended supervision or probation in this state  
5 from another state under s. 304.13 or 304.135 on or after December 25, 1993, for a  
6 violation, or for the solicitation, conspiracy or attempt to commit a violation, of the  
7 law of another state that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2)  
8 or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075,  
9 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if  
10 the victim was a minor and the person was not the victim's parent.

11 **SECTION 10.** 301.45 (5) (b) 1. of the statutes is amended to read:

12 301.45 (5) (b) 1. The person has, on 2 or more separate occasions, been convicted  
13 or found not guilty or not responsible by reason of mental disease or defect for any  
14 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.  
15 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,  
16 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30, or of s. 940.30 or 940.31 if the  
17 victim was a minor and the person was not the victim's parent, or for any violation,  
18 or for the solicitation, conspiracy or attempt to commit any violation, of a law of this  
19 state or any other state that is comparable to a violation of s. 940.22 (2), 940.225 (1),  
20 (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075,  
21 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if  
22 the victim was a minor and the person was not the victim's parent. A conviction that  
23 has been reversed, set aside or vacated is not a conviction for purposes of determining  
24 under this subdivision whether a person has been convicted on 2 or more separate  
25 occasions.

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1. **SECTION 11.** 301.46 (2m) (a) of the statutes is amended to read:

2. 301.46 (2m) (a) If an agency with jurisdiction confines a person under s.  
3. 301.046, provides a person entering the intensive sanctions program under s.  
4. 301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases  
5. a person from confinement or institutional care, and the person has, on one occasion  
6. only, been convicted or found not guilty or not responsible by reason of mental disease  
7. or defect for any violation, or for the solicitation, conspiracy or attempt to commit any  
8. violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,  
9. 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30, or of s. 940.30 or  
10. 940.31 if the victim was a minor and the person was not the victim's parent, or a law  
11. of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
12. (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30,  
13. or that is comparable to s. 940.30 or 940.31 if the victim was a minor and the person  
14. was not the victim's parent, the agency with jurisdiction may notify the police chief  
15. of any community and the sheriff of any county in which the person will be residing,  
16. employed or attending school if the agency with jurisdiction determines that such  
17. notification is necessary to protect the public. Notification under this paragraph may  
18. be in addition to providing access to information under sub. (2) or to any other  
19. notification that an agency with jurisdiction is authorized to provide.

20. **SECTION 12.** 301.46 (2m) (am) of the statutes is amended to read:

21. 301.46 (2m) (am) If an agency with jurisdiction confines a person under s.  
22. 301.046, provides a person entering the intensive sanctions program under s.  
23. 301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases  
24. a person from confinement or institutional care, and the person has been found to be  
25. a sexually violent person under ch. 980 or has, on 2 or more separate occasions, been

## ASSEMBLY BILL 733

1 convicted or found not guilty or not responsible by reason of mental disease or defect  
 2 for any violation, or for the solicitation, conspiracy or attempt to commit any  
 3 violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,  
 4 948.05, 948.055, 948.06, 948.07, 948.075, 948.08 or 948.11 or a law of this state that  
 5 is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,  
 6 948.05, 948.055, 948.06, 948.07, 948.075, 948.08 or 948.11, the agency with  
 7 jurisdiction shall notify the police chief of any community and the sheriff of any  
 8 county in which the person will be residing, employed or attending school.  
 9 Notification under this paragraph shall be in addition to providing access to  
 10 information under sub. (2) and to any other notification that an agency with  
 11 jurisdiction is authorized to provide.

12 SECTION 13. 302.045 (2) (c) of the statutes is amended to read:

13 302.045 (2) (c) The inmate is incarcerated regarding a violation other than a  
 14 crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,  
 15 948.07, 948.075, 948.08, or 948.095.

16 SECTION 14. 938.34 (15m) (bm) of the statutes is amended to read:

17 938.34 (15m) (bm) If the juvenile is adjudicated delinquent on the basis of a  
 18 violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. <sup>940.22(2),</sup>  
 19 940.225 (1), (2), <sup>2</sup> or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
 20 948.07, 948.075, 948.08, <sup>2</sup> 948.095, <sup>(2)(a) or (am), 948-12, 948.13,</sup> 948.11 or 948.30, or of s. 940.30 or 940.31 if the victim was  
 21 a minor and the juvenile was not the victim's parent, the court shall require the  
 22 juvenile to comply with the reporting requirements under s. 301.45 unless the court  
 23 determines, after a hearing on a motion made by the juvenile, that the juvenile is not  
 24 required to comply under s. 301.45 (1m).

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SECTION 15

1 SECTION 15. 939.615 (1) (b) 1. of the statutes, as affected by 1999 Wisconsin Act

2 3, is amended to read:

3 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to  
4 commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 948.02 (1) or (2), 948.025  
5 (1), 948.05 (1) or (1m), 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.11 (2) (a),  
6 948.12, or 948.13.

7 SECTION 16. 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

8 939.62 (2m) (a) 2m. b. Any felony under s. 940.01, 940.02, 940.03, 940.05,  
9 940.09 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31, (1m)  
10 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 946.43,  
11 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,  
12 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

*as affected by 2001 Wisconsin Act 16,*

13 SECTION 17. 939.74 (2) (c) of the statutes is amended to read:

14 939.74 (2) (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a),  
15 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.075, 948.08 or 948.095 shall be  
16 commenced before the victim reaches the age of 31 years or be barred, except as  
17 provided in

*sub. (2d) (c)*

18 SECTION 18. 948.025 (3) of the statutes is amended to read:

19 948.025 (3) The state may not charge in the same action a defendant with a  
20 violation of this section and with a felony violation involving the same child under  
21 ch. 944 or a violation involving the same child under s. 948.02, 948.05, 948.06,  
22 948.07, 948.075, 948.08, 948.10, 948.11, or 948.12, unless the other violation occurred  
23 outside of the time period applicable under sub. (1). This subsection does not prohibit  
24 a conviction for an included crime under s. 939.66 when the defendant is charged  
25 with a violation of this section.

SECTION 19. 948.075 of the statutes is created to read:

Proof w/ 2001 Wis Act 16  
section 3935

ASSEMBLY BILL 733

^

1           **948.075 Use of a computer to facilitate a child sex crime.** (1) Whoever  
2 uses a computerized communication system to communicate with an individual who  
3 the actor believes or has reason to believe has not attained the age of 16 years with  
4 intent have sexual contact or sexual intercourse with the individual in violation of  
5 s. 948.02 (1) or (2) is guilty of a Class C felony.

6           (2) This section does not apply if, at the time of the communication, the actor  
7 reasonably believed that the age of the person to whom the communication was sent  
8 was no more than 30 months less than the age of the actor.

Insert  
B

9           **SECTION 20.** 948.13 (1) (a) of the statutes, as affected by 1999 Wisconsin Act 3,  
10 is amended to read:

11           948.13 (1) (a) A crime under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim  
12 is under 18 years of age at the time of the offense, or a crime under s. 948.02 (1),  
13 948.025 (1), 948.05 (1) or (1m), 948.06 or, 948.07 (1), (2), (3) or (4) or 948.075.

14           **SECTION 21.** 971.17 (1m) (b) 2m. of the statutes is amended to read:

15           971.17 (1m) (b) 2m. If the defendant under sub. (1) is found not guilty by reason  
16 of mental disease or defect for a violation, or for the solicitation, conspiracy, or  
17 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
18 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.11 or 948.30,  
19 or of s. 940.30 or 940.31 if the victim was a minor and the defendant was not the  
20 victim's parent, the court shall require the defendant to comply with the reporting  
21 requirements under s. 301.45 unless the court determines, after a hearing on a  
22 motion made by the defendant, that the defendant is not required to comply under  
23 s. 301.45 (1m).

24           **SECTION 22.** 973.01 (3m) of the statutes is amended to read:

## ASSEMBLY BILL 733

## SECTION 22

1           973.01 (3m) CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing  
 2 a bifurcated sentence under this section on a person convicted of a crime other than  
 3 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,  
 4 948.07, 948.075, 948.08<sup>2</sup> or 948.095, the court shall, as part of the exercise of its  
 5 sentencing discretion, decide whether the person being sentenced is eligible or  
 6 ineligible for the challenge incarceration program under s. 302.045 during the term  
 7 of confinement in prison portion of the bifurcated sentence.

8           **SECTION 23.** 973.0135 (1) (b) 2. of the statutes is amended to read:

9           973.0135 (1) (b) 2. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09  
 10 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,  
 11 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 946.43<sup>1</sup> (1m)  
 12 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06<sup>2</sup>, 948.07, 948.075, 948.08,  
 13 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

14           **SECTION 24.** 973.034 of the statutes, as affected by 1999 Wisconsin Act 3, is  
 15 amended to read:

16           **973.034 Sentencing; restriction on child sex offender working with**  
 17 **children.** Whenever a court imposes a sentence or places a defendant on probation  
 18 regarding a conviction under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is  
 19 under 18 years of age at the time of the offense, or a conviction under s. 948.02 (1),  
 20 948.025 (1), 948.05 (1) or (1m), 948.06 or, 948.07 (1), (2), (3) or (4) or 948.075, the court  
 21 shall inform the defendant of the requirements and penalties under s. 948.13.

22           **SECTION 25.** 973.048 (2m) of the statutes is amended to read:

23           973.048 (2m) If a court imposes a sentence or places a person on probation for  
 24 a violation, or for the solicitation, conspiracy or attempt to commit a violation, of s.  
 25 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,

**ASSEMBLY BILL 733**

(2)(a) or (am), 948-12, 948.13<sup>1</sup>

948.095,

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948.06, 948.07, 948.075, 948.08, 948.11) or 948.30, or of s. 940.30 or 940.31 if the  
victim was a minor and the person was not the victim's parent, the court shall require  
the person to comply with the reporting requirements under s. 301.45 unless the  
court determines, after a hearing on a motion made by the person, that the person  
is not required to comply under s. 301.45 (1m).

(END)

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2191/linsA  
MGD:.....

1           **INSERT 3/3**

2           **SECTION 1.** 301.45 (1d) (b) of the statutes is amended to read:

3           301.45 (1d) (b) "Sex offense" means a violation, or the solicitation, conspiracy,  
4           or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
5           (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11  
6           (2) (a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was a  
7           minor and the person who committed the violation was not the victim's parent.

~~History: 1995 a. 440 ss. 26 to 49, 53 to 74; Stats. 1995 s. 301.45; 1997 a. 3, 35, 130, 191, 237, 283; 1999 a. 9, 89, 156, 186; s. 13.93 (2) (c).~~





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa1456/1  
MCD:cmh:kjf

*LEO*

ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 733

*Insert B  
at 9/8*

~~AA 1~~

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At the locations indicated, amend the bill as follows:

1. Page 9, line 8: after that line insert:

~~2~~(3) Proof that the actor did an act, other than use a computerized communication system to communicate with the individual, to effect the actor's intent shall be necessary to prove that intent under sub. (1).<sup>2</sup>

~~(END)~~



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

November 19, 2001

### MEMORANDUM

To: Representative Huber

From: Michael Dsida, Legislative Attorney

Re: LRB-2191/1 Using a computer to commit a sex crime against a child

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9867 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.