

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/10/2002**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9918**

By/Representing: **Bauer (DS)**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous
Children - juvenile justice
Correctional System - misc**

Extra Copies: **rlr**

Submit via email: **NO**

Pre Topic:

LFB:.....Bauer (DS) -

Topic:

Prohibit window-peeping; expunging window-peeping conviction or adjudication; sex offender registration for window peeping or invasion of privacy involving a surveillance device at court's discretion

Instructions:

Draft SB371 as an amendment; incorporate LRBA1358/1

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 03/12/2002	csicilia 03/13/2002		_____			
/1			chanaman 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

<END>

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1?	mdsida	1 cjs 3/12 02		_____			

FE Sent For:

<END>

2001

Date (time) needed _____

LRB b 2368 / 1 / 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

mgd : cjs : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page , line :

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SA✓

2001 SENATE BILL 371

January 11, 2002 – Introduced by Senators ROESSLER, BURKE, DARLING and A. LASEE, cosponsored by Representatives MEYERHOFER, HINES, MCCORMICK, PETTIS, LASSA, GRONEMUS, ALBERS, JESKEWITZ and RYBA. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

1 **AN ACT to renumber and amend** 301.45 (1d) (b), 938.355 (4m), 942.08 (2) and
 2 973.015 (1); **to amend** 301.45 (1m) (title), 942.08 (1) (b) and 973.015 (2); and
 3 **to create** 301.45 (1d) (b) 3., 301.45 (1p), 301.45 (7) (e), 938.355 (4m) (b), 942.08
 4 (2) (b), 942.08 (2) (c) and 973.015 (1) (b) of the statutes; **relating to:** invasion
 5 of privacy and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may knowingly install a surveillance device in any private place or use a surveillance device that has been installed in a private place with the intent to observe any nude or partially nude person without the consent of the person observed. A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than nine months or both.

This bill prohibits a person from doing any of the following: 1) looking into a private place in which a person may reasonably be expected to be nude or partially nude, if the person looking does so for the purpose of sexual arousal or gratification and without the consent of any person who is present in the private place; or 2) looking into the dwelling of another for the purpose of sexual arousal or gratification, with the intent to intrude upon or interfere with the privacy of another, and without the consent of any person who is present in the dwelling. A person who violates either of these "peeping tom" prohibitions may be fined not more than \$10,000 or imprisoned for not more than nine months or both. The bill also requires anyone who violates one of the peeping tom prohibitions or who violates the existing prohibition

SENATE BILL 371

regarding installing or using a surveillance device to register with the department of corrections (DOC) as a sex offender.

This bill also contains provisions relating to expunging a delinquency adjudication or a conviction based on a violation of one of the peeping tom prohibitions. Under current law, a juvenile who has been adjudged delinquent for any offense may, after attaining 17 years of age, petition the court to expunge the record of the adjudication. The court may expunge the record if it determines that the juvenile has satisfactorily complied with the conditions of the dispositional order and that the juvenile will benefit and society will not be harmed by the expungement. Current law also provides that, if a person was under the age of 21 at the time of committing an offense for which he or she has been found guilty and the maximum penalty for the offense is imprisonment for one year or less in the county jail, the court may, if it determines the person will benefit and society will not be harmed by this disposition, order at the time of sentencing that the record be expunged upon successful completion of the sentence. This bill requires the court to expunge a juvenile's delinquency adjudication if the peeping tom violation was the juvenile's first offense and if he or she complied with the dispositional order. Similarly, the bill requires the court to order that the record of a person's peeping tom conviction be expunged upon successful completion of the sentence if the person was under 18 years old at the time of the offense and he or she had no prior peeping tom convictions. Finally, if a person's delinquency adjudication or conviction record is expunged in this manner, the person is no longer required to register as a sex offender and DOC must expunge the record of the person's delinquency adjudication or conviction from the sex offender registry, unless the person is required to register as a sex offender based on the commission of another sex offense.

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:

Page _____, line _____ after that line insert:

1 **SECTION 1.** 301.45 (1d) (b) of the statutes is renumbered 301.45 (1d) (b) (intro.)

2 and amended to read:

3 301.45 (1d) (b) (intro.) "Sex offense" means ~~a~~ any of the following:

4 1. A violation, or the solicitation, conspiracy or attempt to commit a violation,

5 of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05,

6 948.055, 948.06, 948.07, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13 or

7 948.30, or,

Insert
1/7

SENATE BILL 371

1 ~~2. A violation, or the solicitation, conspiracy, or attempt to commit a violation,~~
2 ~~of s. 940.30 or 940.31 if the victim was a minor and the person who committed the~~
3 ~~violation was not the victim's parent.~~

Page 188, line 7 : after that line insert:

4 SECTION 2. 301.45 (1d) (b) 3 of the statutes is created to read:

5 301.45 (1d) (b) 3. A violation, or the solicitation, conspiracy, or attempt to
6 commit a violation, of s. 942.08 (2) occurring on or after the effective date of this
7 subdivision. Provision inserts date.

Page 188, line 7 : after that line insert:

8 SECTION 3. 301.45 (1m) (title) of the statutes is amended to read:

9 301.45 (1m) (title) EXCEPTION TO REGISTRATION REQUIREMENT; UNDERAGE SEXUAL
10 ACTIVITY.

Page 188, line 7 : after that line insert:

11 SECTION 4. 301.45 (1p) of the statutes is created to read:

12 301.45 (1p) EXCEPTION TO REGISTRATION REQUIREMENT; EXPUNGEMENT OF INVASION
13 OF PRIVACY CONVICTION. A person who is covered under sub. (1g) based solely on a
14 delinquency adjudication or conviction for a violation of s. 942.08 (2) (b) or (c) is not
15 required to comply with the reporting requirements under this section if the
16 delinquency adjudication is expunged under s. 938.355 (4m) (b) or if the conviction
17 is expunged under s. 973.015 (2).)

Page 188, line 14 : after that line insert:

18 SECTION 5. 301.45 (7) (e) of the statutes is created to read:

19 301.45 (7) (e) The department shall purge all of the information maintained
20 in the registry under sub. (2) concerning a person to whom sub. (1p) applies if any
21 of the following occurs:

22 1. The department receives notice under s. 938.355 (4m) (b) that a court has
23 expunged the record of the person's delinquency adjudication for the violation
24 described in sub. (1p).

25 2. The department issues a certificate of discharge under s. 973.015 (2).

Insert 3/13

SENATE BILL 371

Insert 4/2

1 3. The department receives a certificate of discharge issued under s. 973.015

(2) by the detaining authority. "

2

Page 227, line 4 : after that line insert:

SECTION 6. 938.355 (4m) of the statutes is renumbered 938.355 (4m) (a) and amended to read: 533g

5 938.355 (4m) (a) A juvenile who has been adjudged delinquent may, on
6 attaining 17 years of age, petition the court to expunge the court's record of the
7 juvenile's adjudication. The Subject to par. (b), the court may expunge the court's
8 record of the juvenile's adjudication if the court determines that the juvenile has
9 satisfactorily complied with the conditions of his or her dispositional order and that
10 the juvenile will benefit and society will not be harmed by the expungement.

Page 227, line 4 : after that line insert:

SECTION 7. 938.355 (4m) (b) of the statutes is created to read: 533r

12 938.355 (4m) (b) The court shall expunge the court's record of a juvenile's
13 adjudication if it was the juvenile's first adjudication based on a violation of s. 942.08
14 (2) (b) or (c) and if the court determines that the juvenile has satisfactorily complied
15 with the conditions of his or her dispositional order. Notwithstanding s. 938.396 (2)
16 (a), the court shall notify the department promptly of any expungement under this
17 paragraph. "

Page 255, line 2 : after that line insert:

SECTION 8. 942.08 (1) (b) of the statutes is amended to read: 700d

19 942.08 (1) (b) "Private place" means a place where a person may reasonably
20 expect to be safe from surveillance being observed without his or her knowledge and
21 consent.

~~SECTION 9. 942.08 (2) of the statutes is renumbered 942.08 (2) (intro.) and~~

SECTION 9. 942.08 (2) of the statutes is renumbered 942.08 (2) (intro.) and amended to read: 700j

24 942.08 (2) (intro.) Whoever knowingly does any of the following is guilty of a
25 Class A misdemeanor:

SENATE BILL 371

1 (a) Knowingly installs a surveillance device in any private place, or uses a
2 surveillance device that has been installed in a private place, with the intent to
3 observe any nude or partially nude person without the consent of the person observed
4 is guilty of a Class A misdemeanor.

Page 700g after that line insert

5 SECTION 10. 942.08 (2) (b) of the statutes is created to read:

6 942.08 (2) (b) For the purpose of sexual arousal or gratification and without the
7 consent of any person who is present in the private place, looks into a private place
8 that is or is part of a public accommodation, as defined in s. 134.48 (1) (b), and in
9 which a person may reasonably be expected to be nude or partially nude.

Page 700w after that line insert

10 SECTION 11. 942.08 (2) (c) of the statutes is created to read:

11 942.08 (2) (c) Enters private property without the consent of any person
12 present on the property and, for the purpose of sexual arousal or gratification, with
13 the intent to intrude upon or interfere with the privacy of another, and without the
14 consent of any person who is present in the dwelling, looks into the dwelling of
15 another.

Insert
5/15

#. Page 932 line 23 after that line insert:

16 SECTION 12. 973.015 (1) of the statutes is renumbered 973.015 (1) (a) and
17 amended to read:

18 973.015 (1) (a) ~~When~~ Subject to par. (b), when a person is under the age of 21
19 at the time of the commission of an offense for which the person has been found guilty
20 in a court for violation of a law for which the maximum penalty is imprisonment for
21 one year or less in the county jail, the court may order at the time of sentencing that
22 the record be expunged upon successful completion of the sentence if the court
23 determines the person will benefit and society will not be harmed by this disposition.

Page 1134m after that line insert

24 SECTION 13. 973.015 (1) (b) of the statutes is created to read:

1134 m

SENATE BILL 371

SECTION 13

1 973.015 (1) (b) The court shall order at the time of sentencing that the record
2 be expunged upon successful completion of the sentence if the offense was a violation
3 of s. 942.08 (2) (b) or (c) and the person was under the age of 18 when he or she
4 committed it.

Page # _____, line 5 : after that line insert:

5 SECTION 14. 973.015 (2) of the statutes is amended to read:

1134t

6 973.015 (2) A person has successfully completed the sentence if the person has
7 not been convicted of a subsequent offense and, if on probation, the probation has not
8 been revoked and the probationer has satisfied the conditions of probation. Upon
9 successful completion of the sentence the detaining or probationary authority shall
10 issue a certificate of discharge which shall be forwarded to the court of record and
11 which shall have the effect of expunging the record. If the person has been
12 imprisoned, the detaining authority shall also forward a copy of the certificate of
13 discharge to the department.

Page # _____, line 5 : after that line insert:

14 SECTION 15. Initial applicability.

444

15 (1) ~~This~~ first applies to offenses committed on the effective date of this
16 subsection.

17 (END)

*(CS) Sex offender registration for certain invasion of privacy offenses. The
treatment of sections 51-20(13)(ct) 1m., 938.34(15m)(am),
938.345(3)(a)(intro.), 971.17(1m)(b) 1m., and
973.048(1m) of the statutes*

INS 6/13

INserts

**SENATE AMENDMENT ,
TO 2001 SENATE BILL 371**

*Fix
Component*

1 At the locations indicated, amend the bill as follows:

2 *48 5*
→ 1. Page 2, line 7: ~~before~~ that line insert: *e after*

3 "SECTION *149 m* 51.20 (13) (ct) 1m. of the statutes is amended to read: ✓

4 51.20 (13) (ct) 1m. Except as provided in subd. 2m., if the subject individual is
5 before the court on a petition filed under a court order under s. 938.30 (5) (c) 1. and
6 is found to have committed any violation, or to have solicited, conspired, or attempted
7 to commit any violation, of ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
8 court may require the subject individual to comply with the reporting requirements
9 under s. 301.45 if the court determines that the underlying conduct was sexually
10 motivated, as defined in s. 980.01 (5), and that it would be in the interest of public
11 protection to have the subject individual report under s. 301.45."

12 2. Page 2, line 1: delete the material beginning with that line and ending on
13 page 3, line 7.

INsert 1-7

[Large handwritten scribble covering the bottom of the page]

1/insert
3/13

3. ~~Page 3, line 13: delete lines 13 and 14 and substitute~~ OF PRIVACY
 ADJUDICATION OR CONVICTION. If a person is covered under sub. (1g) based solely on an
 order that was entered under s. 938.34 (15m) (am) or 973.048 (1m) in connection with
 a delinquency adjudication or a conviction for a violation of s. 942.08 (2) (b) or (c), the
 person is not

226 10

4. Page 4, line 2: after that line insert:

"SECTION ~~5g~~ 938.34 (15m) (am) of the statutes is amended to read:

938.34 (15m) ^{531g} (am) Except as provided in par. (bm), if the juvenile is adjudicated
 delinquent on the basis of any violation, or the solicitation, conspiracy, or attempt to
 commit any violation, under ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
 court may require the juvenile to comply with the reporting requirements under s.
 301.45 if the court determines that the underlying conduct was sexually motivated,
 as defined in s. 980.01 (5), and that it would be in the interest of public protection to
 have the juvenile report under s. 301.45.

SECTION ~~5r~~ 938.345 (3) (a) (intro.) of the statutes is amended to read:

938.345 (3) (a) ^{531r} (intro.) If the court finds that a juvenile is in need of protection
 or services on the basis of a violation, or the solicitation, conspiracy, or attempt to
 commit a violation, under ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
 court may require the juvenile to comply with the reporting requirements under s.
 301.45 if the court determines that the underlying conduct was sexually motivated,
 as defined in s. 980.01 (5), and that it would be in the interest of public protection to
 have the juvenile report under s. 301.45. In determining whether it would be in the
 interest of public protection to have the juvenile report under s. 301.45, the court may
 consider any of the following:"

1/insert
4/2

Insert 5/15

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327 10 ✓
5. Page 6, line 10: after that line insert:

“SECTION 11m. 971.17 (1m) (b) 1m. of the statutes is amended to read:

1108m
971.17 (1m) (b) 1m. Except as provided in subd. 2m., if the defendant under sub. (1) is found not guilty by reason of mental disease or defect for any violation, or for the solicitation, conspiracy, or attempt to commit any violation, of ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the court may require the defendant to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the defendant report under s. 301.45.”

339
6. Page 6, line 13: after that line insert:

“SECTION 14m. 973.048 (1m) of the statutes is amended to read:

1140m
973.048 (1m) Except as provided in sub. (2m), if a court imposes a sentence or places a person on probation for any violation, or for the solicitation, conspiracy, or attempt to commit any violation, under ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the court may require the person to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the person report under s. 301.45.”

Insert 6/13

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2368/1
MGD:cjs:cmh

LFB:.....Bauer (DS) - Prohibit window-peeping; expunging window-peeping conviction or adjudication; sex offender registration for window peeping or invasion of privacy involving a surveillance device at court's discretion

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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

2 **1.** Page 48, line 5: after that line insert:

3 **"SECTION 149m.** 51.20 (13) (ct) 1m. of the statutes is amended to read:

4 51.20 (13) (ct) 1m. Except as provided in subd. 2m., if the subject individual is
5 before the court on a petition filed under a court order under s. 938.30 (5) (c) 1. and
6 is found to have committed any violation, or to have solicited, conspired, or attempted
7 to commit any violation, of ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
8 court may require the subject individual to comply with the reporting requirements

1 under s. 301.45 if the court determines that the underlying conduct was sexually
2 motivated, as defined in s. 980.01 (5), and that it would be in the interest of public
3 protection to have the subject individual report under s. 301.45.”.

4 **2.** Page 188, line 7: after that line insert:

5 “**SECTION 378m.** 301.45 (1m) (title) of the statutes is amended to read:

6 301.45 (1m) (title) EXCEPTION TO REGISTRATION REQUIREMENT, UNDERAGE SEXUAL
7 ACTIVITY

8 **SECTION 378t.** 301.45 (1p) of the statutes is created to read:

9 301.45 (1p) EXCEPTION TO REGISTRATION REQUIREMENT; EXPUNGEMENT OF INVASION
10 OF PRIVACY ADJUDICATION OR CONVICTION. If a person is covered under sub. (1g) based
11 solely on an order that was entered under s. 938.34 (15m) (am) or 973.048 (1m) in
12 connection with a delinquency adjudication or a conviction for a violation of s. 942.08
13 (2) (b) or (c), the person is not required to comply with the reporting requirements
14 under this section if the delinquency adjudication is expunged under s. 938.355 (4m)
15 (b) or if the conviction is expunged under s. 973.015 (2).”.

16 **3.** Page 188, line 14: after that line insert:

17 “**SECTION 379m.** 301.45 (7) (e) of the statutes is created to read:

18 301.45 (7) (e) The department shall purge all of the information maintained
19 in the registry under sub. (2) concerning a person to whom sub. (1p) applies if any
20 of the following occurs:

21 1. The department receives notice under s. 938.355 (4m) (b) that a court has
22 expunged the record of the person’s delinquency adjudication for the violation
23 described in sub. (1p).

24 2. The department issues a certificate of discharge under s. 973.015 (2).

1 3. The department receives a certificate of discharge issued under s. 973.015
2 (2) by the detaining authority.”.

3 **4.** Page 226, line 10: after that line insert:

4 “**SECTION 531g.** 938.34 (15m) (am) of the statutes is amended to read:

5 938.34 (15m) (am) Except as provided in par. (bm), if the juvenile is adjudicated
6 delinquent on the basis of any violation, or the solicitation, conspiracy, or attempt to
7 commit any violation, under ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
8 court may require the juvenile to comply with the reporting requirements under s.
9 301.45 if the court determines that the underlying conduct was sexually motivated,
10 as defined in s. 980.01 (5), and that it would be in the interest of public protection to
11 have the juvenile report under s. 301.45.

12 **SECTION 531r.** 938.345 (3) (a) (intro.) of the statutes is amended to read:

13 938.345 (3) (a) (intro.) If the court finds that a juvenile is in need of protection
14 or services on the basis of a violation, or the solicitation, conspiracy, or attempt to
15 commit a violation, under ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
16 court may require the juvenile to comply with the reporting requirements under s.
17 301.45 if the court determines that the underlying conduct was sexually motivated,
18 as defined in s. 980.01 (5), and that it would be in the interest of public protection to
19 have the juvenile report under s. 301.45. In determining whether it would be in the
20 interest of public protection to have the juvenile report under s. 301.45, the court may
21 consider any of the following:”.

22 **5.** Page 227, line 4: after that line insert:

23 “**SECTION 533g.** 938.355 (4m) of the statutes is renumbered 938.355 (4m) (a)
24 and amended to read:

1 938.355 (4m) (a) A juvenile who has been adjudged delinquent may, on
2 attaining 17 years of age, petition the court to expunge the court's record of the
3 juvenile's adjudication. The Subject to par. (b), the court may expunge the court's
4 record of the juvenile's adjudication if the court determines that the juvenile has
5 satisfactorily complied with the conditions of his or her dispositional order and that
6 the juvenile will benefit and society will not be harmed by the expungement.

7 **SECTION 533r.** 938.355 (4m) (b) of the statutes is created to read:

8 938.355 (4m) (b) The court shall expunge the court's record of a juvenile's
9 adjudication if it was the juvenile's first adjudication based on a violation of s. 942.08
10 (2) (b) or (c) and if the court determines that the juvenile has satisfactorily complied
11 with the conditions of his or her dispositional order. Notwithstanding s. 938.396 (2)
12 (a), the court shall notify the department promptly of any expungement under this
13 paragraph.”.

14 **6.** Page 255, line 2: after that line insert:

15 “**SECTION 700d.** 942.08 (1) (b) of the statutes is amended to read:

16 942.08 (1) (b) “Private place” means a place where a person may reasonably
17 expect to be safe from surveillance being observed without his or her knowledge and
18 consent.

19 **SECTION 700j.** 942.08 (2) of the statutes is renumbered 942.08 (2) (intro.) and
20 amended to read:

21 942.08 (2) (intro.) Whoever knowingly does any of the following is guilty of a
22 Class A misdemeanor:

23 (a) Knowingly installs a surveillance device in any private place, or uses a
24 surveillance device that has been installed in a private place, with the intent to

1 observe any nude or partially nude person without the consent of the person observed
2 ~~is guilty of a Class A misdemeanor.~~

3 **SECTION 700q.** 942.08 (2) (b) of the statutes is created to read:

4 942.08 (2) (b) For the purpose of sexual arousal or gratification and without the
5 consent of any person who is present in the private place, looks into a private place
6 that is or is part of a public accommodation, as defined in s. 134.48 (1) (b), and in
7 which a person may reasonably be expected to be nude or partially nude.

8 **SECTION 700w.** 942.08 (2) (c) of the statutes is created to read:

9 942.08 (2) (c) Enters private property without the consent of any person
10 present on the property and, for the purpose of sexual arousal or gratification, with
11 the intent to intrude upon or interfere with the privacy of another, and without the
12 consent of any person who is present in the dwelling, looks into the dwelling of
13 another.”.

14 **7.** Page 327, line 10: after that line insert:

15 **“SECTION 1108m.** 971.17 (1m) (b) 1m. of the statutes is amended to read:

16 971.17 (1m) (b) 1m. Except as provided in subd. 2m., if the defendant under
17 sub. (1) is found not guilty by reason of mental disease or defect for any violation, or
18 for the solicitation, conspiracy, or attempt to commit any violation, of ch. 940, 944,
19 or 948 or ss. 942.08 or 943.01 to 943.15, the court may require the defendant to
20 comply with the reporting requirements under s. 301.45 if the court determines that
21 the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that
22 it would be in the interest of public protection to have the defendant report under s.
23 301.45.”.

24 **8.** Page 332, line 23: after that line insert:

1 **“SECTION 1134f.** 973.015 (1) of the statutes is renumbered 973.015 (1) (a) and
2 amended to read:

3 973.015 (1) (a) ~~When Subject to par. (b), when~~ a person is under the age of 21
4 at the time of the commission of an offense for which the person has been found guilty
5 in a court for violation of a law for which the maximum penalty is imprisonment for
6 one year or less in the county jail, the court may order at the time of sentencing that
7 the record be expunged upon successful completion of the sentence if the court
8 determines the person will benefit and society will not be harmed by this disposition.

9 **SECTION 1134m.** 973.015 (1) (b) of the statutes is created to read:

10 973.015 (1) (b) The court shall order at the time of sentencing that the record
11 be expunged upon successful completion of the sentence if the offense was a violation
12 of s. 942.08 (2) (b) or (c) and the person was under the age of 18 when he or she
13 committed it.

14 **SECTION 1134t.** 973.015 (2) of the statutes is amended to read:

15 973.015 (2) A person has successfully completed the sentence if the person has
16 not been convicted of a subsequent offense and, if on probation, the probation has not
17 been revoked and the probationer has satisfied the conditions of probation. Upon
18 successful completion of the sentence the detaining or probationary authority shall
19 issue a certificate of discharge which shall be forwarded to the court of record and
20 which shall have the effect of expunging the record. If the person has been
21 imprisoned, the detaining authority shall also forward a copy of the certificate of
22 discharge to the department.”.

23 **9.** Page 339, line 13: after that line insert:

24 **“SECTION 1140m.** 973.048 (1m) of the statutes is amended to read:

