

**2001 Jr2 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-AB1)**

Received: **03/28/2002**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus 6-9220**

By/Representing: **Engel**

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

Drafter: **nelsorp1**

May Contact:

Addl. Drafters: **mdsida  
kenneda**

Subject: **Courts - civil procedure  
Criminal Law - domestic abuse  
Health - abortion**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

SCC:.....Engel - CN7903,

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**Topic:**

Domestic violence package

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**Instructions:**

See Attached

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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>
/?	nelsorp1 03/29/2002	gilfokm 03/29/2002		_____			
/1			haugeca 03/29/2002	_____	lrb_docadmin 04/01/2002		
/2	mdsida 04/01/2002	gilfokm 04/01/2002	pgreensl 04/01/2002	_____	lrb_docadmin 04/01/2002		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	nelsorp1 04/03/2002	gilfokm 04/03/2002	pgreensl 04/04/2002	_____	lrb_docadmin 04/04/2002		
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/?	nelsorp1 03/29/2002	gilfokm 03/29/2002		<del>4/4</del>			
/1			haugeca 03/29/2002	<del>PG/JF</del>	lrb_docadmin 04/01/2002		
/2	mdsida 04/01/2002	gilfokm 04/01/2002	pgreensl 04/01/2002		lrb_docadmin 04/01/2002		

13 cjs 4/4  
02 PG

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/?	nelsorp1 03/29/2002	gilfokm 03/29/2002					
/1		4/1/02 [Signature]	haugeca 03/29/2002	4/1/02 [Signature]	lrb_docadmin 04/01/2002		

FE Sent For:

4/1/02  
p8  
[Signature]  
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/?	nelsorp1	3/29 truf	CH 329	<del>CH 329</del> CMAH			

FE Sent For:

<END>

**DATE:** March 27, 2002

**RE:** Caucus Budget Request

Adopt LRB 5063/1, related to domestic violence (see attached).

CN 7903

RPN

**2001 BILL**

1     **AN ACT** *to repeal* 940.32 (1) (d) and 940.32 (3m); *to renumber and amend*  
2         813.12 (1) (a) (intro.), 1., 2. and 3., 813.12 (1) (a) 4., 940.32 (1) (a), 940.32 (1) (b)  
3         and 940.32 (2m); *to amend* 106.50 (5m) (d), 767.11 (8) (b) 2., 767.11 (10) (e) 2.,  
4         767.24 (1m) (b), 767.24 (1m) (c), 767.24 (1m) (o), 767.24 (2) (b) 2. c., 767.24 (5)  
5         (i), 813.12 (2) (a), 813.12 (3) (a) (intro.), 813.12 (3) (a) 2., 813.12 (3) (c), 813.12  
6         (4) (a) (intro.), 813.12 (4) (a) 2., 813.12 (4) (a) 3., 813.12 (4) (c) 1., 813.12 (4) (c)  
7         2., 814.61 (1) (e), 814.70 (1), 814.70 (3) (intro.), 895.73 (1) (a), 940.32 (2) (intro.),  
8         940.32 (2) (a), 940.32 (2) (b), 940.32 (2) (c), 940.32 (3) (intro.), 940.32 (3) (a),  
9         940.32 (3) (b), 947.013 (1t) and 947.013 (1x) (a); and *to create* 813.12 (1) (ad),  
10         813.12 (1) (ag), 813.12 (1) (am) 5., 813.12 (1) (am) 6., 813.12 (1) (cg), 813.12 (1)  
11         (cj), 813.12 (5) (d), 813.12 (5m), 813.12 (6) (d), 813.12 (7) (c), 895.78, 905.045,  
12         940.32 (1) (a) 1., 940.32 (1) (a) 2., 940.32 (1) (a) 3., 940.32 (1) (a) 4., 940.32 (1)  
13         (a) 5., 940.32 (1) (a) 6., 940.32 (1) (a) 7., 940.32 (1) (a) 8., 940.32 (1) (a) 9., 940.32  
14         (1) (a) 10., 940.32 (1) (a) 11., 940.32 (1) (am), 940.32 (1) (ap), 940.32 (1) (cd),



**BILL**

1           940.32 (2e), 940.32 (2m) (a), 940.32 (2m) (b), 940.32 (2m) (d), 940.32 (2m) (e),  
2           940.32 (3) (c) and 947.08 of the statutes; **relating to:** stalking; preventing  
3           passage to and from a health care facility; prohibited activities near a health  
4           care facility; evidentiary privilege for communications made to a person  
5           employed by or volunteering with an organization providing counseling,  
6           assistance, or support services to victims of sexual assault or abusive conduct;  
7           domestic abuse restraining orders and injunctions; and providing a penalty.

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*Analysis by the Legislative Reference Bureau*

***Stalking***

Under current law, a person commits the offense of stalking if: 1) he or she engages in a course of conduct directed at another person (the victim) that would cause a reasonable person to fear bodily injury to or death of himself or herself or a member of his or her immediate family (the “reasonableness of the fear element”); 2) the person knows or should know that the victim will reasonably fear bodily injury to or death of himself or herself or a member of his or her immediate family (the “knowledge element”); and 3) the person’s acts induce such fear in the victim. Current law defines “course of conduct” to mean maintaining, on two or more calendar days, a visual or physical proximity to a person. In addition, current law defines “immediate family” to mean a spouse, parent, child, sibling, or any other person who regularly resides in the household or who within the prior six months regularly resided in the household.

A person who commits the offense of stalking is guilty of a Class A misdemeanor. More severe penalties may be imposed for stalking under certain circumstances. (The tables below describe the circumstances under which the more severe penalties apply and what those penalties are, as well as the penalties that are applicable under this bill.)

This bill modifies the elements of the offense of stalking and establishes a new penalty structure. First, the bill redefines “course of conduct” to mean a series of one or more acts carried out over time, however short or long, that show a continuity of purpose. The acts may include: 1) maintaining a visual or physical proximity to the victim; 2) approaching or confronting the victim; 3) appearing at the victim’s workplace or home or contacting the victim’s employer, coworkers, or neighbors; 4) entering property owned, leased, or occupied by the victim; 5) contacting the victim by telephone or causing the victim’s telephone or any other person’s telephone to ring repeatedly or continuously; 6) sending or delivering material or an object to the victim or his or her home; 7) delivering an object to a member of the victim’s family or household or an employer, coworker, or friend of the victim with the intent it be delivered to the victim; 8) harming an animal owned or cared for by the victim or a

**BILL**

member of the victim's family or household; or 9) causing another person to engage in any of these acts.

Second, the bill establishes the following penalties for stalking offenses:

<i>Special circumstances under which offense occurs</i>	<i>Classification under current law</i>	<i>Classification under bill</i>
None ( <i>i.e.</i> , basic offense of stalking)	Class A misdemeanor	Class E felony
After conviction for misdemeanor or felony harassment or another stalking conviction	Class D felony (only if offense involves gaining access to a government record)	Class D felony (requirement regarding gaining access to record eliminated)
After conviction for violent crime	N/A	Class D felony
After conviction for any crime against current victim within last seven years	N/A	Class D felony
Involving gaining access to an electronic record containing personally identifiable information regarding the victim	Class D felony	Class D felony (modified to cover causing another person to gain access to the record)
Involving unlawful wiretapping or unlawful tracing of a telephone call	N/A	Class D felony
Victim is a minor	N/A	Class D felony
Victim suffers bodily harm	Class E felony	Class C felony
Family or household member suffers bodily harm	N/A	Class C felony
After conviction for misdemeanor or felony harassment or another stalking conviction against current victim within last seven years	Class E felony	Class C felony
After conviction for violent crime against current victim within last seven years	N/A	Class C felony
Act involved in the course of conduct involves use of a dangerous weapon	N/A	Class C felony

Third, the bill prohibits a person from engaging in any of the individual acts that can, in combination with other acts, constitute a course of conduct, if all of the following apply: 1) the person was previously convicted of sexual assault or found

**BILL**

to have committed an act of domestic abuse; 2) the individual at whom the current act is directed was the victim of the sexual assault or the act of domestic abuse; 3) the person intends that the act will place the victim in reasonable fear of bodily injury to or death of himself or herself or a member of his or her family or household; and 4) the person's acts induce such fear in the victim. This new offense is a Class E felony.

Fourth, the bill revises the reasonableness of the fear element. Under the bill, the court, in determining whether any fear resulting from the course of conduct would be reasonable, must consider whether the course of conduct would induce fear not just in a reasonable person, but in a reasonable person under the same circumstances as the victim.

Fifth, the bill replaces the knowledge element with an element based on the actor's intent. Under the bill, in order for a course of conduct to constitute stalking, the actor must intend that at least two of the acts that constitute the course of conduct will place the victim in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.

Sixth, the bill replaces the term "immediate family" with separate definitions for "member of a family" and "member of a household." Under the bill, "member of a family" is defined to mean: 1) a spouse, parent, child, or sibling; or 2) any person who is related to another individual by blood or adoption. "Member of a household" is defined to mean any person who regularly resides in the household of another, or who, within the prior six months, regularly resided in the household of another.

The penalties for the offenses described above are as follows:

<i>Crime</i>	<i>Maximum fine</i>	<i>Maximum term of Imprisonment</i>
Class A misdemeanor (not used under the bill)	\$10,000	Nine months
Class E felony	\$10,000	Five years
Class D felony	\$10,000	Ten years
Class C felony	\$10,000	Fifteen years

***Access to health care facility***

This bill prohibits a person from intentionally obstructing, detaining, hindering, impeding, or blocking another person's entry to or exit from a health care facility. The bill also prohibits a person from intentionally approaching within eight feet of another without the other's consent on a public way or sidewalk area within a radius of 100 feet from an entrance door to a health care facility, for the purpose of: 1) passing a leaflet or handbill to the other person; 2) displaying a sign to the other person; or 3) engaging in oral protest, education, or counseling with the other person. "Health care facility" is defined in the bill to be a nursing home, community-based residential facility, adult family home, residential care apartment complex, hospital, home health agency, rural medical center, or hospice; a place that is operated, certified, or licensed by a county as a county home, county infirmary, county hospital,

**BILL**

residential care institution, or adult family home; a local health department or a public health dispensary; the Wisconsin Veterans Home at King and the southeastern facility of the department of veterans affairs; a medical clinic, including a private, free-standing medical clinic that is situated on private property; a care management organization under family care; a place in which a provider provides a person with nursing, medical, or personal care services and maintenance services under a continuing care contract; or a facility or service that is certified as a provider of health care services under medical assistance. In *Hill v. Colorado*, 120 S.Ct. 2480, 147 L. Ed. 2d 597 (2000), six justices of the U. S. Supreme Court found that a Colorado statute with extremely similar language does not violate the First Amendment because the statute is a valid time, place, and manner regulation that is content neutral, is narrowly tailored to serve the state's significant and legitimate governmental interests, leaves open alternative communication channels; is not overbroad; is not unconstitutionally vague; and does not impose a prior restraint on speech.

Lastly, the bill creates a civil cause of action for an individual who suffers physical injury or emotional distress, against the person who causes the injury or distress, by the prohibited intentional obstructing, detaining, hindering, impeding, or blocking of entry to or exit from a health care facility or by the prohibited intentional approach for the purpose of passing a leaflet or handbill, displaying a sign, or engaging in oral protest, education, or counseling. The burden of proof in such a civil action, by a preponderance of the evidence, is on the injured or distressed individual. A prevailing plaintiff in such an action may recover special and general damages, punitive damages, and costs, including reasonable attorney fees and investigation and litigation costs.

***Privileged communications involving victims of sexual assault or domestic abuse***

Under current law, with certain exceptions, a patient has a privilege in a court and in certain administrative proceedings to refuse to disclose, and to prevent any other person from disclosing, confidential communications and information relating to the diagnosis or treatment of the patient's physical, mental, or emotional condition, if the communication was made or the information was shared between the patient, certain health care providers who are diagnosing or treating the patient, and other persons, including members of the patient's family, who are participating in the diagnosis or treatment under the direction of a specified health care provider. The health care providers included under this privilege are physicians, registered nurses, chiropractors, psychologists, social workers, marriage and family therapists, and professional counselors.

The bill creates a new privilege for communications made and information shared between a victim of child abuse, interspousal battery, domestic abuse, or sexual assault (abusive conduct) and an individual (a victim advocate) who works with an organization that provides free counseling, assistance, or support services to such victims. Under the bill, a victim of abusive conduct has a privilege in a court and in certain administrative proceedings to refuse to disclose, and to prevent any other person from disclosing, confidential communications made or information

**BILL**

obtained or disseminated among the victim, a victim advocate who is acting in the scope of his or her duties as an advocate, and persons who are participating in providing counseling, assistance, or support services under the direction of an advocate, if the communication was made or the information was obtained or disseminated for the purpose of providing counseling, assistance, or support services to the victim.

***Domestic abuse injunctions***

Under current law, “domestic abuse” for purposes of obtaining an injunction, is defined as certain types of behavior engaged in by an adult against another adult if the two adults are involved in one of the following relationships:

1. Are members of the same family.
2. Are members of the same household.
3. Are former spouses.
4. Have a child in common.

This bill expands the types of relationships that adults may be in for purposes of domestic abuse injunctions to include an adult who is being cared for by another adult and adults who have a dating relationship. The bill defines a “dating relationship” as a social relationship between two adults that involves a romantic or intimate association, and requires the court to consider the length and type of the relationship and the frequency of the interaction between the parties when determining if a dating relationship exists. The bill provides that a dating relationship is not a casual relationship or ordinary fraternization between two adult individuals.

Currently, the types of behavior that are considered domestic abuse include sexual assault, intentional infliction of pain or injury, intentional impairment of physical condition, and the threat to commit one of those acts. This bill expands the types of behavior that are considered domestic abuse to include destruction of property of the other person and mistreatment of an animal belonging to the other person.

Under current law, a court action is started by petitioning the court for a temporary restraining order, then the petitioner serves the other party, the court schedules a hearing and after determining the merits, the court issues a permanent injunction. If the petitioner is unable to serve the respondent personally with the petition, currently the petitioner may publish the petition and mail a copy of the petition to the respondent. The bill replaces the requirement to publish the petition when personal service is impossible with a requirement to publish a summary of the petition, which includes the name of the petitioner and respondent and the date, time, and place of the hearing regarding the requested injunction. The bill allows the petitioner to send the summary of the petition to the respondent by facsimile or mail. The bill also allows the guardian of an incompetent individual to file the petition for a domestic abuse order on behalf of the incompetent individual.

Currently, a hearing on the request to issue an injunction must be held within seven days after the temporary restraining order is issued, unless the hearing is extended once for 14 days to allow the petitioner more time to serve the respondent or is extended for a period of time agreed to by the parties in writing. This bill

2001

Date (time) needed

LRB b 289211

CAUCUS BUDGET AMENDMENT  
[CAUCUS AMDTS. ONLY]

RPN: KG:  
MGB/DAK

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT  
TO SENATE SUBSTITUTE AMENDMENT 1  
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

- ✓ #. Page 157, line 22: after that line insert:  
(157-22) ↓
- ✓ #. Page 223, line 5: after that line insert:  
(223-5) ↓
- ✓ #. Page 224, line 10: after that line insert:  
(224-10) ↓
- ✓ #. Page 225, line 3: after that line insert:  
(225-3) ↓
- ✓ #. Page 248, line 19: after that line insert:  
(248-19) ↓
- ✓ #. Page 248, line 20: delete lines 20 to 22 and substitute:  
"SECTION 658.940, 32(2) (intro) of the statutes, as affected by  
2001 Wisconsin Act, (this act), is amended to read:

2001

Date (time) needed

LRB b 2892, 1

CAUCUS BUDGET AMENDMENT [CAUCUS AMDTS. ONLY]

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT TO SENATE SUBSTITUTE AMENDMENT 1 TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page... line... ¶ 940.32(2) (intro.) whoe[n] meets all of the following criteria is guilty of a class ~~E~~ I felony.

#. Page 248, line 22: after that line insert: (248-22) INS (248-22B)

#. Page 248, line 23: delete the material beginning with that line and ending on page 249, line 2, and substitute:

¶ "SECTION 659b. 940.32(2m) (intro.), as affected by 2001 Wisconsin Act ... (this act), is amended to read:

#. Page... line... ¶ 940.32(2m) (intro.) whoe[n] violates sub. (2) is guilty of a class ~~D~~ H felony if any of the following applies:

#. Page 249, line 2: after that line insert: (249-2)

#. Page 249, line 3: delete lines 3 to 5 and substitute: "SECTION 660b. 940.32(3) (intro.) as affected by 2001 Wisconsin Act ... (this act), is amended to read:

Section 658g, 940.32(2e) (intro.) of the statutes, as created by 2001 Wisconsin Act ... (this act), is amended to read: ¶ 940.32(2e) (intro.) whoe[n] meets all of the following criteria is guilty of a class ~~E~~ I felony;

(3)

2001

Date (time) needed \_\_\_\_\_

LRB b 2892 / 1

**CAUCUS BUDGET AMENDMENT**  
**[CAUCUS AMDTS. ONLY]**

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

**CAUCUS AMENDMENT**  
**TO SENATE SUBSTITUTE AMENDMENT 1**  
**TO 2001 SPECIAL SESSION ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page . . . , line . . . : <sup>(B)</sup> § 940.32(3) (intro.) whoever violates sub. (2) is guilty of a class E felony if any of the following applies: de

#. Page 249, line 5: after that line insert:  
(249-5)

✓ #. Page 249, line 6: deletes lines 6 to 8 and substitute:  
(249-6) ✓

✓ #. Page 282, line 8: after that line insert:  
(282-8) ✓

✓ #. Page 282, line 9: delete lines 9 to 13 and substitute:  
§ "SECTION 875b. 947.013 (1e) of the statutes, as affected by 2001 Wisconsin Act 111 (this act), is amended to read:  
§ 947.013) whoever violates sub. (1c) is guilty of a class E I felony if the person has a prior conviction under this subsection

(B)  
(1e)

#. Page . . . , line . . . : or sub. (1c), (1v), or (1x) or s. 940.32(2), (2e), (2m), or (3) involving the same victim and the present violation occurs within 7 years of the prior conviction."



4

2001

Date (time) needed

LRB b 2892 / 1

**CAUCUS BUDGET AMENDMENT**  
[CAUCUS AMDTS. ONLY]

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

**CAUCUS AMENDMENT**  
**TO SENATE SUBSTITUTE AMENDMENT 1**  
**TO 2001 SPECIAL SESSION ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

✓ #. Page 282, line 21: after that line insert:  
(282-21) ✓

✓ #. Page 283, line 2: after that line insert:  
✓ (283-2)

✓ #. Page 435, line 2: after that line insert:  
✓ (435-2) ✓

#. Page ....., line .....

✓ #. Page 440, line 17: after "940.32 (2) (intro.)" insert "(by <sup>CS</sup> SECTION 658b)"  
940.32 (~~2~~) (2e) (intro.) (by <sup>CS</sup> SECTION 658g)"

940.32 ✓ #. Page 440, line 17: after "(2m)" insert "(by <sup>CS</sup> SECTION 659b)"  
(intro.) Δ

5

2001

Date (time) needed

LRB b 2892, 1

CAUCUS BUDGET AMENDMENT  
[CAUCUS AMDTS. ONLY]

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT  
TO SENATE SUBSTITUTE AMENDMENT 1  
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

- ✓ #. Page 440, line 18: after "(3)(intro.)" insert "(by <sup>CS</sup> SECTION 660b)".
- ✓ #. Page 440, line 18: delete "940.32 (3m)(intro.)".
- ✓ #. Page 441, line 24: after "947.013(it)" insert "(by <sup>CS</sup> SECTION 875b)".
- ✓ #. Page 451, line 20: after "940.32(2)(intro.)" insert "(by <sup>CS</sup> SECTION 658b)", "940.32(2e)(intro.) (by <sup>CS</sup> SECTION 658g)".
- ✓ #. Page 451, line 20: after ~~940.32(2m)~~ insert "(by <sup>CS</sup> SECTION 659b)".
- ✓ #. Page 451, line 20: after "940.32(3)(intro.)" insert "(by <sup>CS</sup> SECTION 660b)".
- ✓ #. Page 451, line 20: delete "940.32 (3m)(intro.)".
- ✓ #. Page 453, line 2: after "947.013(it)" insert "(by <sup>CS</sup> SECTION 875b)".

(End)

**BILL**

*Inserts*

changes the requirement to hold the hearing within seven days after the issuance of the temporary restraining order to 14 days after that order is issued. Under current law, a domestic abuse injunction is issued for the period requested by the petitioner, but not more than two years and can be extended for an additional period up to the two-year maximum if the extension is necessary to protect the petitioner. This bill extends the maximum period to four years.

The bill prohibits the inclusion of the petitioner's address in the petition, temporary restraining order, or injunction.

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:*

*274m*

*11 274m*

①

SECTION ~~7~~. 106.50 (5m) (d) of the statutes is amended to read:

2

106.50 (5m) (d) Nothing in this section requires that housing be made available

3

to an individual whose tenancy would constitute a direct threat to the safety of other

4

tenants or persons employed on the property or whose tenancy would result in

5

substantial physical damage to the property of others, if the risk of direct threat or

6

damage cannot be eliminated or sufficiently reduced through reasonable

7

accommodations. A claim that an individual's tenancy poses a direct threat or a

8

substantial risk of harm or damage must be evidenced by behavior by the individual

9

~~which that~~ caused harm or damage, ~~which that~~ directly threatened harm or damage,

10

or ~~which that~~ caused a reasonable fear of harm or damage to other tenants, persons

11

employed on the property, or the property. No claim that an individual's tenancy

12

would constitute a direct threat to the safety of other persons or would result in

13

substantial damage to property may be based on the fact that a tenant has been or

14

may be the victim of domestic abuse, as defined in s. 813.12 (1) (a) (am). "

①5

*514c*  
SECTION ~~7~~. 767.11 (8) (b) 2. of the statutes is amended to read:

*223-5*

**BILL**

**SECTION 2**

723-5  
(cont) 3

1 767.11 (8) (b) 2. Interspousal battery as described under s. 940.19 or 940.20  
2 (1m) or domestic abuse as defined in s. 813.12 (1) (a) (am).

514 F  
SECTION 3. 767.11 (10) (e) 2. of the statutes is amended to read:

4 767.11 (10) (e) 2. There is evidence of interspousal battery as described under  
5 s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) (a) (am).

↓ 6

514 h  
SECTION 4. 767.24 (1m) (b) of the statutes is amended to read:

7 767.24 (1m) (b) Where the parent lives currently and where the parent intends  
8 to live during the next 2 years. If there is evidence that the other parent engaged in  
9 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
10 as defined in s. 813.12 (1) (a) (am), with respect to the parent providing the parenting  
11 plan, the parent providing the parenting plan is not required to disclose the specific  
12 address but only a general description of where he or she currently lives and intends  
13 to live during the next 2 years.

14

514 h  
SECTION 5. 767.24 (1m) (c) of the statutes is amended to read:

15 767.24 (1m) (c) Where the parent works and the hours of employment. If there  
16 is evidence that the other parent engaged in interspousal battery, as described under  
17 s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a) (am), with  
18 respect to the parent providing the parenting plan, the parent providing the  
19 parenting plan is not required to disclose the specific address but only a general  
20 description of where he or she works.

↓

21

514 m  
SECTION 6. 767.24 (1m) (o) of the statutes is amended to read:

22 767.24 (1m) (o) If there is evidence that either party engaged in interspousal  
23 battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined  
24 in s. 813.12 (1) (a) (am), with respect to the other party, how the child will be

**BILL**

1 transferred between the parties for the exercise of physical placement to ensure the  
2 safety of the child and the parties.

2235  
cont

<sup>514P</sup>  
SECTION 7. 767.24 (2) (b) 2. c. of the statutes is amended to read:

4 767.24 (2) (b) 2. c. The parties will not be able to cooperate in the future decision  
5 making required under an award of joint legal custody. In making this finding the  
6 court shall consider, along with any other pertinent items, any reasons offered by a  
7 party objecting to joint legal custody. Evidence that either party engaged in abuse,  
8 as defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of  
9 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
10 as defined in s. 813.12 (1) (a) (am), creates a rebuttable presumption that the parties  
11 will not be able to cooperate in the future decision making required.

↓

<sup>514S</sup>  
SECTION 8. 767.24 (5) (i) of the statutes is amended to read:

13 767.24 (5) (i) Whether there is evidence of interspousal battery as described  
14 under s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) (a) (am). "

↑

<sup>519 mb</sup>  
SECTION 9. 813.12 (1) (a) (intro.), 1., 2. and 3. of the statutes are renumbered  
16 813.12 (1) (am) (intro.), 1., 2. and 3., and 813.12 (1) (am) (intro.), as renumbered, is  
17 amended to read:

✓  
274-10

18 813.12 (1) (am) (intro.) "Domestic abuse" means any of the following engaged  
19 in by an adult family member or adult household member against another adult  
20 family member or adult household member, by an adult caregiver against an adult  
21 who is under the caregiver's care, by an adult against his or her adult former spouse,  
22 by an adult against an adult with whom the individual has or had a dating  
23 relationship, or by an adult against an adult with whom the person has a child in  
24 common:

↓  
w/ P. mag  
w/ F. O. L. P.

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274-10  
cont.  
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519mc

SECTION ~~10~~. 813.12 (1) (a) 4. of the statutes is renumbered 813.12 (1) (am) 8.

and amended to read:

813.12 (1) (am) 8. A threat to engage in the conduct under subd. 1., 2. or 3., 5.  
or 6.

519md

SECTION ~~11~~. 813.12 (1) (ad) of the statutes is created to read:

813.12 (1) (ad) "Caregiver" means an individual who is a provider of in-home  
or community care to an individual through regular and direct contact.

519mf

SECTION ~~12~~. 813.12 (1) (ag) of the statutes is created to read:

813.12 (1) (ag) "Dating relationship" means a romantic or intimate social  
relationship between 2 adult individuals but "dating relationship" does not include  
a casual relationship or an ordinary fraternization between 2 individuals in a  
business or social context. A court shall determine if a dating relationship existed  
by considering the length of the relationship, the type of the relationship, and the  
frequency of the interaction between the adult individuals involved in the  
relationship.

519mg

SECTION ~~13~~. 813.12 (1) (am) 5. of the statutes is created to read:

813.12 (1) (am) 5. A violation of s. 943.01, involving property that belongs to  
the individual.

519mh

SECTION ~~14~~. 813.12 (1) (am) 6. of the statutes is created to read:

813.12 (1) (am) 6. A violation of s. 951.02, involving an animal that belongs to  
the individual.

519mj

SECTION ~~15~~. 813.12 (1) (cg) of the statutes is created to read:

813.12 (1) (cg) "Reasonable grounds" means more likely than not that a specific  
event has occurred or will occur.

519ml

SECTION ~~16~~. 813.12 (1) (cj) of the statutes is created to read:

519mg

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813.12 (1) (cj) "Regular and direct contact" means face-to-face physical proximity to an individual that is planned, scheduled, expected, or periodic.

<sup>519mm</sup> SECTION ~~17~~ 813.12 (2) (a) of the statutes is amended to read:

813.12 (2) (a) No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by a petition described under sub. (5) (a). The action commences with service of the petition upon the respondent if a copy of the petition is filed before service or promptly after service. If the judge or family court commissioner extends the time for a hearing under sub. (3) (c) and the petitioner files an affidavit with the court stating that personal service by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful because the respondent is avoiding service by concealment or otherwise, the judge or family court commissioner shall inform the petitioner that he or she may serve the respondent by publication of a summary of the petition as a class 1 notice, under ch. 985, and by mailing or sending a facsimile if the respondent's post-office address or facsimile number is known or can with due diligence be ascertained. The mailing or sending of a facsimile may be omitted if the post-office address or facsimile number cannot be ascertained with due diligence. A summary of the petition published as a class 1 notice shall include the name of the respondent and of the petitioner, notice of the temporary restraining order, and notice of the date, time, and place of the hearing regarding the injunction.

Rev. copy merge

<sup>519mm</sup> SECTION ~~18~~ 813.12 (3) (a) (intro.) of the statutes is amended to read:

813.12 (3) (a) (intro.) A judge or family court commissioner shall issue a temporary restraining order ordering the respondent to refrain from committing acts of domestic abuse against the petitioner, to avoid the petitioner's residence, except as provided in par. (am), or any premises other location temporarily occupied by the

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224-10  
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1 petitioner or both, or to avoid contacting or causing any person other than a party's  
2 attorney or a law enforcement officer to contact the petitioner unless the petitioner  
3 consents in writing, or any combination of these remedies requested in the petition,  
4 or any other appropriate remedy not inconsistent with the remedies requested in the  
5 petition. if all of the following occur:

(6)

<sup>519 MO</sup>  
SECTION ~~18~~ 813.12 (3) (a) 2. of the statutes is amended to read:

7 813.12 (3) (a) 2. The judge or family court commissioner finds reasonable  
8 grounds to believe that the respondent has engaged in, or based on prior conduct of  
9 the petitioner and the respondent may engage in, domestic abuse of the petitioner.

10 (aj) In determining whether to issue a temporary restraining order, the judge  
11 or family court commissioner shall consider the potential danger posed to the  
12 petitioner and the pattern of abusive conduct of the respondent but may not base his  
13 or her decision solely on the length of time since the last domestic abuse or the length  
14 of time since the relationship ended. The judge or family court commissioner may  
15 grant only the remedies requested or approved by the petitioner. The judge or family  
16 court commissioner may not dismiss or deny granting a temporary restraining order  
17 because of the existence of a pending action or of any other court order that bars  
18 contact between the parties, nor due to the necessity of verifying the terms of an  
19 existing court order.

↓

(20)

<sup>519 MP</sup>  
SECTION ~~20~~ 813.12 (3) (c) of the statutes is amended to read:

21 813.12 (3) (c) The temporary restraining order is in effect until a hearing is held  
22 on issuance of an injunction under sub. (4). The temporary restraining order is not  
23 voided if the respondent is admitted into a dwelling that the order directs him or her  
24 to avoid. A judge or family court commissioner shall hold a hearing on issuance of  
25 an injunction within 7 14 days after the temporary restraining order is issued, unless



**BILL**

1 the time is extended upon the written consent of the parties or extended once for 14  
2 days upon a finding that the respondent has not been served with a copy of the  
3 temporary restraining order although the petitioner has exercised due diligence.

4 <sup>519 mg</sup> SECTION ~~21~~. 813.12 (4) (a) (intro.) of the statutes is amended to read:

5 813.12 (4) (a) (intro.) A judge or family court commissioner may grant an  
6 injunction ordering the respondent to refrain from committing acts of domestic abuse  
7 against the petitioner, to avoid the petitioner's residence, except as provided in par.  
8 (am), or any ~~premises~~ other location temporarily occupied by the petitioner or both,  
9 or to avoid contacting or causing any person other than a party's attorney or a law  
10 enforcement officer to contact the petitioner unless the petitioner consents to that  
11 contact in writing, or any combination of these remedies requested in the petition,  
12 or any other appropriate remedy not inconsistent with the remedies requested in the  
13 petition, if all of the following occur:

14 <sup>519 nr</sup> SECTION ~~22~~. 813.12 (4) (a) 2. of the statutes is amended to read:

15 813.12 (4) (a) 2. The petitioner serves upon the respondent a copy or summary  
16 of the petition and notice of the time for hearing on the issuance of the injunction,  
17 or the respondent serves upon the petitioner notice of the time for hearing on the  
18 issuance of the injunction.

19 <sup>519 ms</sup> SECTION ~~23~~. 813.12 (4) (a) 3. of the statutes is amended to read:

20 813.12 (4) (a) 3. After hearing, the judge or family court commissioner finds  
21 reasonable grounds to believe that the respondent has engaged in, or based upon  
22 prior conduct of the petitioner and the respondent may engage in, domestic abuse of  
23 the petitioner.

24 (aj) In determining whether to issue an injunction, the judge or family court  
25 commissioner shall consider the potential danger posed to the petitioner and the

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Cont.

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d

✓

1 pattern of abusive conduct of the respondent but may not base his or her decision  
2 solely on the length of time since the last domestic abuse or the length of time since  
3 the relationship ended. The judge or family court commissioner may grant only the  
4 remedies requested by the petitioner. The judge or family court commissioner may  
5 not dismiss or deny granting an injunction because of the existence of a pending  
6 action or of any other court order that bars contact between the parties, nor due to  
7 the necessity of verifying the terms of an existing court order.

8

<sup>519 mt</sup>  
SECTION ~~24~~. 813.12 (4) (c) 1. of the statutes is amended to read:

9 813.12 (4) (c) 1. An injunction under this subsection is effective according to its  
10 terms, for the period of time that the petitioner requests, but not more than 2 4 years.  
11 An injunction granted under this subsection is not voided if the petitioner allows or  
12 initiates contact with the respondent or by the admittance of the respondent into a  
13 dwelling that the injunction directs him or her to avoid.

14

<sup>519 mt</sup>  
SECTION ~~25~~. 813.12 (4) (c) 2. of the statutes is amended to read:

15 813.12 (4) (c) 2. When an injunction granted for less than 2 4 years expires, the  
16 court shall extend the injunction if the petitioner states that an extension is  
17 necessary to protect him or her. This extension shall remain in effect until 2 4 years  
18 after the date the court first entered the injunction.

19

<sup>519 mt</sup>  
SECTION ~~26~~. 813.12 (5) (d) of the statutes is created to read:

20 813.12 (5) (d) A petition may be prepared and filed by the person who alleges  
21 that he or she has been the subject of domestic abuse or by the guardian, as defined  
22 in s. 880.01 (3), of an incompetent individual, as defined in s. 880.01 (4), who has been  
23 the subject of domestic abuse.

24

<sup>519 mt</sup>  
SECTION ~~27~~. 813.12 (5m) of the statutes is created to read:

**BILL**

1 813.12 (5m) CONFIDENTIALITY OF VICTIM'S ADDRESS. The petition under sub. (5)  
2 and the court order under sub. (3) or (4) shall not disclose the address of the alleged  
3 victim.

724-10  
cont.

(4) SECTION ~~26~~ 813.12 (6) (d) of the statutes is created to read:

5 813.12 (6) (d) The issuance of an order under s. 813.12 (3) or (4) is enforceable  
6 despite the existence of any other criminal or civil order restricting or prohibiting  
7 contact.

↓

(8) SECTION ~~26~~ 813.12 (7) (c) of the statutes is created to read:

9 813.12 (7) (c) A respondent who does not appear at a hearing at which the court  
10 orders an injunction under s. 813.12 (4) but who has been served with a copy of the  
11 petition and notice of the time for hearing under s. 813.12 (3) has constructive  
12 knowledge of the existence of the injunction and shall be arrested for violation of the  
13 injunction regardless of whether he or she has been served with a copy of the  
14 injunction.

↓

(15) SECTION ~~30~~ 814.61 (1) (e) of the statutes is amended to read:

16 814.61 (1) (e) No fee charged under this subsection in any action commenced  
17 under s. 813.122, 813.123, or 813.125 may be collected from a petitioner under s.  
18 813.122, 813.123, or 813.125 if the petition alleges conduct that is the same as or  
19 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)  
20 (am) 1. to -4. 8. If no fee is collected under this paragraph, the fee charged under this  
21 subsection for petitions filed and granted under s. 813.122, 813.123, or 813.125 shall  
22 be collected from the respondent under s. 813.122, 813.123, or 813.125 if he or she  
23 is convicted of violating a temporary restraining order or injunction issued under s.  
24 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4).

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725-3

(25) SECTION ~~31~~ 814.70 (1) of the statutes is amended to read:

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225-3  
cont.  
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814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena, or any other order, \$12 for each defendant or person. If there is more than one defendant or person to be served at a given address, \$6 for each additional defendant or person. No fee charged under this subsection in any action commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner under s. 813.12, 813.122, or 813.123. The fee charged under this subsection in any action commenced under s. 813.12, 813.122, 813.123, or 813.125 shall be collected from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4), 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4). No fee charged under this subsection in any action commenced under s. 813.125 may be collected from a petitioner under s. 813.125 if the petition alleges conduct that is the same as or similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a) (am) 1. to -4. 8. If no fee is collected under this subsection from a petitioner under s. 813.125, the fee charged under this subsection in any action commenced under s. 813.125 shall be collected from the respondent under s. 813.125 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.125 (3) or (4).

↓

523f  
SECTION ~~32~~. 814.70 (3) (intro.) of the statutes is amended to read:

814.70 (3) (intro.) For travel in serving any summons, writ or other process, except criminal warrants, and except that a fee under this subsection in any action commenced under s. 813.12, 813.122, or 813.123 may not be collected from a petitioner but shall be collected from the respondent if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),

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225-3  
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1 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4), and except that a fee under  
 2 this subsection in any action commenced under s. 813.125 may not be collected from  
 3 a petitioner if the petition alleges conduct that is the same as or similar to conduct  
 4 that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) ~~(a)~~ (am) 1. to ~~4~~ 8, but  
 5 shall be collected from the respondent if he or she is convicted of violating a  
 6 temporary restraining order or injunction issued under s. 813.125 (3) or (4):

(7)

<sup>523h</sup>  
SECTION ~~32~~. 895.73 (1) (a) of the statutes is amended to read:

8 895.73 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.  
 9 46.95 (1) (a), 813.12 (1) ~~(a)~~ (am), or 968.075 (1) (a), harassment, as defined under s.  
 10 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under  
 11 s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.  
 12 948.02 to 948.11.

(13)

<sup>523j</sup>  
SECTION ~~34~~. 895.78 of the statutes is created to read:

14 **895.78 Injury caused by preventing passage to and from a health care**  
 15 **facility.** (1) Any person who suffers physical injury to his or her person or emotional  
 16 distress by reason of conduct that is prohibited under s. 947.08 has a civil cause of  
 17 action against the person who causes the physical injury or emotional distress.



18 (2) The burden of proof in a civil action under sub. (1) rests with the person who  
 19 suffers the physical injury or emotional distress to prove his or her case by a  
 20 preponderance of the credible evidence.

21 (3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover  
 22 special and general damages, including damages for emotional distress; punitive  
 23 damages; and costs, including all reasonable attorney fees and other costs of the  
 24 investigation and litigation that were reasonably incurred.

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cont.

1 (4) A person may bring a civil action under sub. (1), regardless of whether there  
2 has been a criminal action related to the physical injury or emotional distress under  
3 sub. (1) and regardless of the outcome of any such criminal action.

↓

4 (5) This section does not limit the right of a person to recover from any parent  
5 or parents under s. 895.035.

523 m

6 SECTION 36. 905.045 of the statutes is created to read:

7 **905.045 Domestic violence or sexual assault advocate-victim**  
8 **privilege.** (1) DEFINITIONS. In this section:

9 (a) "Abusive conduct" means abuse, as defined in s. 813.122 (1) (a), of a child,  
10 as defined in s. 48.02 (2), interspousal battery, as described under s. 940.19 or 940.20  
11 (1m), domestic abuse, as defined in s. 813.12 (1) (am), or sexual assault under s.  
12 940.225.

13 (b) "Advocate" means an individual who is an employee of or a volunteer for an  
14 organization the purpose of which is to provide counseling, assistance, or support  
15 services free of charge to a victim.

↓

16 (c) A communication or information is "confidential" if not intended to be  
17 disclosed to 3rd persons other than persons present to further the interest of the  
18 person receiving counseling, assistance, or support services, persons reasonably  
19 necessary for the transmission of the communication or information, and persons  
20 who are participating in providing counseling, assistance, or support services under  
21 the direction of an advocate, including family members of the person receiving  
22 counseling, assistance, or support services and members of any group of individuals  
23 with whom the person receives counseling, assistance, or support services.

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↓

1 (d) "Victim" means an individual who has been the subject of abusive conduct  
2 or who alleges that he or she has been the subject of abusive conduct. It is immaterial  
3 that the abusive conduct has not been reported to any government agency.

4 (2) GENERAL RULE OF PRIVILEGE. A victim has a privilege to refuse to disclose and  
5 to prevent any other person from disclosing confidential communications made or  
6 information obtained or disseminated among the victim, an advocate who is acting  
7 in the scope of his or her duties as an advocate, and persons who are participating  
8 in providing counseling, assistance, or support services under the direction of an  
9 advocate, if the communication was made or the information was obtained or  
10 disseminated for the purpose of providing counseling, assistance, or support services  
11 to the victim.

12 (3) WHO MAY CLAIM THE PRIVILEGE. The privilege may be claimed by the victim,  
13 by the victim's guardian or conservator, or by the victim's personal representative if  
14 the victim is deceased. The advocate may claim the privilege on behalf of the victim.  
15 The advocate's authority to do so is presumed in the absence of evidence to the  
16 contrary.

↓

17 (4) EXCEPTIONS. Subsection (2) does not apply to any report concerning child  
18 abuse that an advocate is required to make under s. 48.981.

19 (5) RELATIONSHIP TO S. 905.04. If a communication or information that is  
20 privileged under sub. (2) is also a communication or information that is privileged  
21 under s. 905.04 (2), the provisions of s. 905.04 supersede this section with respect to  
22 that communication or information. ✓

✓  
248-19 (23)

23 " SECTION <sup>657b</sup>36. 940.32 (1) (a) of the statutes is renumbered 940.32 (1) (a) (intro.)  
24 and amended to read:

**BILL**

248-19  
Cont.  
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1 940.32 (1) (a) (intro.) "Course of conduct" means ~~repeatedly maintaining a~~  
2 ~~visual or physical proximity to a person. a series of 2 or more acts carried out over~~  
3 ~~time, however short or long, that show a continuity of purpose, including any of the~~  
4 following:

5

<sup>657c</sup>  
SECTION ~~37~~ 940.32 (1) (a) 1. of the statutes is created to read:

6

940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

7

<sup>657d</sup>  
SECTION ~~38~~ 940.32 (1) (a) 2. of the statutes is created to read:

8

940.32 (1) (a) 2. Approaching or confronting the victim.

9

<sup>657e</sup>  
SECTION ~~39~~ 940.32 (1) (a) 3. of the statutes is created to read:

10

940.32 (1) (a) 3. Appearing at the victim's workplace or contacting the victim's  
11 employer or coworkers.

12

<sup>657f</sup>  
SECTION ~~40~~ 940.32 (1) (a) 4. of the statutes is created to read:

13

940.32 (1) (a) 4. Appearing at the victim's home or contacting the victim's  
14 neighbors.

15

<sup>657g</sup>  
SECTION ~~41~~ 940.32 (1) (a) 5. of the statutes is created to read:

16

940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.

17

<sup>657h</sup>  
SECTION ~~42~~ 940.32 (1) (a) 6. of the statutes is created to read:

18

940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim's  
19 telephone or any other person's telephone to ring repeatedly or continuously,  
20 regardless of whether a conversation ensues.

21

<sup>657i</sup>  
SECTION ~~43~~ 940.32 (1) (a) 7. of the statutes is created to read:

22

940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose  
23 of obtaining information about, disseminating information about, or communicating  
24 with the victim, to a member of the victim's family or household or an employer,  
25 coworker, or friend of the victim.



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248-19  
Conf. ①

<sup>657j</sup>  
SECTION ~~44~~. 940.32 (1) (a) 8. of the statutes is created to read:

2 940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,  
3 leased, or occupied by the victim.

<sup>657k</sup>  
SECTION ~~45~~. 940.32 (1) (a) 9. of the statutes is created to read:

5 940.32 (1) (a) 9. Delivering an object to a member of the victim's family or  
6 household or an employer, coworker, or friend of the victim or placing an object on,  
7 or delivering an object to, property owned, leased, or occupied by such a person with  
8 the intent that the object be delivered to the victim.

<sup>657l</sup>  
SECTION ~~46~~. 940.32 (1) (a) 10. of the statutes is created to read:

10 940.32 (1) (a) 10. Harming an animal owned or cared for by the victim or a  
11 member of the victim's family or household.

<sup>657m</sup>  
SECTION ~~47~~. 940.32 (1) (a) 11. of the statutes is created to read:

13 940.32 (1) (a) 11. Causing a person to engage in any of the acts described in  
14 subs. 7. to 10.

<sup>657n</sup>  
SECTION ~~48~~. 940.32 (1) (am) of the statutes is created to read:

16 940.32 (1) (am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).

<sup>657o → NO</sup>  
SECTION ~~49~~. 940.32 (1) (ap) of the statutes is created to read:

18 940.32 (1) (ap) "Domestic abuse offense" means an act of domestic abuse that  
19 constitutes a crime.

<sup>657p</sup>  
SECTION ~~50~~. 940.32 (1) (b) of the statutes is renumbered 940.32 (1) (cb) and  
21 amended to read:

22 940.32 (1) (cb) "~~Immediate family~~" "Member of a family" means a spouse,  
23 parent, child, sibling, or any other person ~~who regularly resides in the household or~~  
24 ~~who within the prior 6 months regularly resided in the household who is related by~~  
25 blood or adoption to another.



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BILL

248-19  
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cont. 2  
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657g.

SECTION ~~51~~. 940.32 (1) (cd) of the statutes is created to read:

940.32 (1) (cd) "Member of a household" means a person who regularly resides in the household of another or who within the previous 6 months regularly resided in the household of another.

⑤

657r

SECTION ~~52~~. 940.32 (1) (d) of the statutes is repealed.

⑥

657s

SECTION ~~53~~. 940.32 (2) (intro.) of the statutes is amended to read:

940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class

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⑧

~~A misdemeanor E felony:~~ <sup>1</sup>

248-22  
⑨  
✓

⑩

658c

SECTION ~~54~~. 940.32 (2) (a) of the statutes is amended to read:

940.32 (2) (a) The actor intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to fear bodily injury to ~~himself or herself or a member of his or her immediate family or to fear the death of himself or herself or a member of his or her immediate family or household.~~

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658d

SECTION ~~55~~. 940.32 (2) (b) of the statutes is amended to read:

940.32 (2) (b) The actor ~~has knowledge or should have knowledge~~ intends that at least one of the acts that constitute the course of conduct will place the specific person will be placed in reasonable fear of bodily injury to himself or herself or a member of his or her immediate family or will be placed in reasonable fear of the death of himself or herself or a member of his or her immediate family or household.

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658e

SECTION ~~56~~. 940.32 (2) (c) of the statutes is amended to read:

940.32 (2) (c) The actor's acts induce fear in the specific person of bodily injury to ~~himself or herself or a member of his or her immediate family or induce fear in the specific person of the death of himself or herself or a member of his or her immediate family or household.~~

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**BILL**

284-22  
cont. ①

<sup>658f</sup>  
SECTION ~~57~~. 940.32 (2e) of the statutes is created to read:

2 940.32 (2e) Whoever meets all of the following criteria is guilty of a Class E  
3 felony:

4 (a) After having been convicted of sexual assault under s. 940.225, 948.02, or  
5 948.025 or a domestic abuse offense, the actor engages in any of the acts listed in sub.

6 (1) (a) 1. to 11., if the act is directed at the victim of the sexual assault or the domestic  
7 abuse offense.

8 (b) The actor intends that the act will place the specific person in reasonable  
9 fear of bodily injury to or the death of himself or herself or a member of his or her  
10 family or household.

11 (c) The actor's act induces fear in the specific person of bodily injury to or the  
12 death of himself or herself or a member of his or her family or household. ✓

248-22B  
✓ ⑬

<sup>658h</sup>  
SECTION ~~58~~. 940.32 (2m) of the statutes is renumbered 940.32 (2m) (intro.) and  
14 amended to read:

15 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if he  
16 or she any of the following applies:

17 (c) The actor intentionally gains access or causes another person to gain access  
18 to a record in electronic format that contains personally identifiable information  
19 regarding the victim in order to facilitate the violation under sub. (2). ) ✓

249-2  
⑳

<sup>659c</sup>  
SECTION ~~59~~. 940.32 (2m) (a) of the statutes is created to read:

21 940.32 (2m) (a) The actor has a previous conviction for a violent crime, as  
22 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013  
23 (1r), (1t), (1v), or (1x).

㉔

<sup>659d</sup>  
SECTION ~~60~~. 940.32 (2m) (b) of the statutes is created to read:

**BILL**

249-21  
cont

940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

④

<sup>659e</sup> SECTION ~~61~~. 940.32 (2m) (d) of the statutes is created to read:

940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to facilitate the violation.

⑦

<sup>659f</sup> SECTION ~~62~~. 940.32 (2m) (e) of the statutes is created to read:

940.32 (2m) (e) The victim is under the age of 18 years at the time of the violation.

⑧

<sup>659g</sup> SECTION ~~63~~. 940.32 (3) (intro.) of the statutes is amended to read:

940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following circumstances~~ is guilty of a Class E C felony if any of the following applies: " ✓

249-5 ✓

⑩

<sup>660c</sup> SECTION ~~64~~. 940.32 (3) (a) of the statutes is amended to read:

940.32 (3) (a) The act results in bodily harm to the victim or a member of the victim's family or household.

⑪

<sup>660d</sup> SECTION ~~65~~. 940.32 (3) (b) of the statutes is amended to read:

940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x) for a violation against, the same victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

⑫

<sup>660e</sup> SECTION ~~66~~. 940.32 (3) (c) of the statutes is created to read:

940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 10. " ✓

249-6 ✓

⑬

<sup>661b</sup> SECTION ~~67~~. 940.32 (3m) of the statutes is repealed. "

**BILL**

X

282-8 1

" SECTION ~~68~~<sup>874</sup> 947.013 (1t) of the statutes is amended to read:

2 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person  
3 has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s. 940.32 (2),  
4 (2e), (2m), or (3) or (3m) involving the same victim and the present violation occurs  
5 within 7 years of the prior conviction. )

282-21 6

" SECTION ~~69~~<sup>877g</sup> 947.013 (1x) (a) of the statutes is amended to read:

7 947.013 (1x) (a) The person has a prior conviction under sub. (1r), (1t) or (1v)  
8 or this subsection or s. 940.32 (2), (2e), (2m), or (3) or (3m). "

283-2 9

" SECTION ~~70~~<sup>878g</sup> 947.08 of the statutes is created to read:

10 **947.08 Preventing passage to and from a health care facility;**  
11 **prohibited activities near a facility. (1) In this section, "health care facility"**  
12 **means all of the following:**

13 (a) A place or service that is licensed, registered, certified, or approved by the  
14 department of health and family services under s. 50.02, 50.03, 50.032, 50.033,  
15 50.034, 50.35, 50.49, 50.52, or 50.93.

16 (b) A place that is operated, certified, or licensed by a county under s. 49.70,  
17 49.71, 49.72, 49.73, 50.032, or 50.033.

18 (c) A local health department under s. 251.02 or a public health dispensary  
19 under s. 252.10.

20 (d) The Wisconsin Veterans Home at King and the southeastern facility under  
21 s. 45.365.

22 (e) A medical clinic, including a private, free-standing medical clinic that is  
23 situated on private property and a family planning clinic.

24 (f) A care management organization under s. 46.284.

25 (g) A facility, as defined in s. 647.01 (4).

**BILL**

1 (h) A facility or service that is not included under pars. (a) to (g) and that is  
2 certified under s. 49.45 (2) (a) 11. as a provider of health care services.

283-2

3 (2) Whoever does any of the following is guilty of a Class A misdemeanor:

4 (a) Intentionally obstructs, detains, hinders, impedes, or blocks another  
5 person's entry to or exit from a health care facility.

6 (b) Intentionally approaches another person within 8 feet of the person, unless  
7 the person consents, for the purpose of doing any of the following on a public way or  
8 sidewalk area within a radius of 100 feet from an entrance door to a health care  
9 facility:

10 1. Passing a leaflet or handbill to the person.

11 2. Displaying a sign to the person.

12 3. Engaging in oral protest, education, or counseling with the person. " ✓

↑

~~SECTION 71. Initial applicability~~

435-2

13 (1) <sup>(CS)</sup> Domestic violence privilege.

14 (1) The treatment of section 905.045 of the statutes first applies to  
15 communications made or information obtained or disseminated on the effective date  
16 of this subsection. <sup>(CS)</sup>

222

<sup>(CS)</sup> Domestic abuse injunctions.

17 (1) The treatment of sections 106.50 (5m) (d), 767.11 (8) (b) 2. and (10) (e) 2.,  
18 767.24 (1m) (b), (c), and (o), (2) (b) 2. c., and (5) (i), 813.12 (1) (a) (intro.) 1., 2., 3., and  
19 4., (ad), (ag), (am) 5. and 6., (cg), and (cj), (2) (a), (3) (a) (intro.) and 2. and (c), (4) (a)  
20 (intro.), 2. and 3. and (c) 1. and 2., (5) (d), (5m), (6) (d), and (7) (c), 814.61 (1) (e), 814.70  
21 (1) and (3) (intro.), and 895.73 (1) (a) of the statutes first applies to actions  
22 commenced on the effective date of this subsection. " )

~~END~~



State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2892/1  
RPN/MGD/DAK:kg:ch

2

SCC:.....Engel - CN7903, Domestic violence package

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 1

P. 23  
only

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 157, line 22: after that line insert:
- 3 **"SECTION 274m.** 106.50 (5m) (d) of the statutes is amended to read:
- 4 106.50 (5m) (d) Nothing in this section requires that housing be made available
- 5 to an individual whose tenancy would constitute a direct threat to the safety of other
- 6 tenants or persons employed on the property or whose tenancy would result in
- 7 substantial physical damage to the property of others, if the risk of direct threat or
- 8 damage cannot be eliminated or sufficiently reduced through reasonable
- 9 accommodations. A claim that an individual's tenancy poses a direct threat or a
- 10 substantial risk of harm or damage must be evidenced by behavior by the individual

1 ~~which that~~ caused harm or damage, ~~which that~~ directly threatened harm or damage,  
2 or ~~which that~~ caused a reasonable fear of harm or damage to other tenants, persons  
3 employed on the property, or the property. No claim that an individual's tenancy  
4 would constitute a direct threat to the safety of other persons or would result in  
5 substantial damage to property may be based on the fact that a tenant has been or  
6 may be the victim of domestic abuse, as defined in s. 813.12 (1) ~~(a)~~ (am).”.

7 **2.** Page 223, line 5: after that line insert:

8 “**SECTION 514c.** 767.11 (8) (b) 2. of the statutes is amended to read:

9 767.11 (8) (b) 2. Interspousal battery as described under s. 940.19 or 940.20  
10 (1m) or domestic abuse as defined in s. 813.12 (1) ~~(a)~~ (am).

11 **SECTION 514f.** 767.11 (10) (e) 2. of the statutes is amended to read:

12 767.11 (10) (e) 2. There is evidence of interspousal battery as described under  
13 s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) ~~(a)~~ (am).

14 **SECTION 514h.** 767.24 (1m) (b) of the statutes is amended to read:

15 767.24 (1m) (b) Where the parent lives currently and where the parent intends  
16 to live during the next 2 years. If there is evidence that the other parent engaged in  
17 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
18 as defined in s. 813.12 (1) ~~(a)~~ (am), with respect to the parent providing the parenting  
19 plan, the parent providing the parenting plan is not required to disclose the specific  
20 address but only a general description of where he or she currently lives and intends  
21 to live during the next 2 years.

22 **SECTION 514k.** 767.24 (1m) (c) of the statutes is amended to read:

23 767.24 (1m) (c) Where the parent works and the hours of employment. If there  
24 is evidence that the other parent engaged in interspousal battery, as described under



1 s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) ~~(a)~~ (am), with  
2 respect to the parent providing the parenting plan, the parent providing the  
3 parenting plan is not required to disclose the specific address but only a general  
4 description of where he or she works.

5 **SECTION 514m.** 767.24 (1m) (o) of the statutes is amended to read:

6 767.24 (1m) (o) If there is evidence that either party engaged in interspousal  
7 battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined  
8 in s. 813.12 (1) ~~(a)~~ (am), with respect to the other party, how the child will be  
9 transferred between the parties for the exercise of physical placement to ensure the  
10 safety of the child and the parties.

11 **SECTION 514p.** 767.24 (2) (b) 2. c. of the statutes is amended to read:

12 767.24 (2) (b) 2. c. The parties will not be able to cooperate in the future decision  
13 making required under an award of joint legal custody. In making this finding the  
14 court shall consider, along with any other pertinent items, any reasons offered by a  
15 party objecting to joint legal custody. Evidence that either party engaged in abuse,  
16 as defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of  
17 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
18 as defined in s. 813.12 (1) ~~(a)~~ (am), creates a rebuttable presumption that the parties  
19 will not be able to cooperate in the future decision making required.

20 **SECTION 514s.** 767.24 (5) (i) of the statutes is amended to read:

21 767.24 (5) (i) Whether there is evidence of interspousal battery as described  
22 under s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) ~~(a)~~ (am).”.

23 **3.** Page 224, line 10: after that line insert:

1           **SECTION 519mb.** 813.12 (1) (a) (intro.), 1., 2. and 3. of the statutes are  
2           renumbered 813.12 (1) (am) (intro.), 1., 2. and 3., and 813.12 (1) (am) (intro.), as  
3           renumbered, is amended to read:

4           813.12 (1) (am) (intro.) “Domestic abuse” means any of the following engaged  
5           in by an adult family member or adult household member against another adult  
6           family member or adult household member, by an adult caregiver against an adult  
7           who is under the caregiver’s care, by an adult against his or her adult former spouse,  
8           by an adult against an adult with whom the individual has or had a dating  
9           relationship, or by an adult against an adult with whom the person has a child in  
10          common:

11          **SECTION 519mc.** 813.12 (1) (a) 4. of the statutes is renumbered 813.12 (1) (am)  
12          8. and amended to read:

13          813.12 (1) (am) 8. A threat to engage in the conduct under subd. 1., 2. ~~or 3., 5.,~~  
14          or 6.

15          **SECTION 519md.** 813.12 (1) (ad) of the statutes is created to read:  
16          813.12 (1) (ad) “Caregiver” means an individual who is a provider of in-home  
17          or community care to an individual through regular and direct contact.

18          **SECTION 519mf.** 813.12 (1) (ag) of the statutes is created to read:

19          813.12 (1) (ag) “Dating relationship” means a romantic or intimate social  
20          relationship between 2 adult individuals but “dating relationship” does not include  
21          a casual relationship or an ordinary fraternization between 2 individuals in a  
22          business or social context. A court shall determine if a dating relationship existed  
23          by considering the length of the relationship, the type of the relationship, and the  
24          frequency of the interaction between the adult individuals involved in the  
25          relationship.

1           **SECTION 519mg.** 813.12 (1) (am) 5. of the statutes is created to read:

2           813.12 (1) (am) 5. A violation of s. 943.01, involving property that belongs to  
3 the individual.

4           **SECTION 519mh.** 813.12 (1) (am) 6. of the statutes is created to read:

5           813.12 (1) (am) 6. A violation of s. 951.02, involving an animal that belongs to  
6 the individual.

7           **SECTION 519mj.** 813.12 (1) (cg) of the statutes is created to read:

8           813.12 (1) (cg) “Reasonable grounds” means more likely than not that a specific  
9 event has occurred or will occur.

10          **SECTION 519mL.** 813.12 (1) (cj) of the statutes is created to read:

11          813.12 (1) (cj) “Regular and direct contact” means face-to-face physical  
12 proximity to an individual that is planned, scheduled, expected, or periodic.

13          **SECTION 519mm.** 813.12 (2) (a) of the statutes is amended to read:

14          813.12 (2) (a) No action under this section may be commenced by complaint and  
15 summons. An action under this section may be commenced only by a petition  
16 described under sub. (5) (a). The action commences with service of the petition upon  
17 the respondent if a copy of the petition is filed before service or promptly after service.  
18 If the judge or family court commissioner extends the time for a hearing under sub.  
19 (3) (c) and the petitioner files an affidavit with the court stating that personal service  
20 by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful  
21 because the respondent is avoiding service by concealment or otherwise, the judge  
22 or family court commissioner shall inform the petitioner that he or she may serve the  
23 respondent by publication of a summary of the petition as a class 1 notice, under ch.  
24 985, and by mailing or sending a facsimile if the respondent’s post-office address or  
25 facsimile number is known or can with due diligence be ascertained. The mailing or

1 sending of a facsimile may be omitted if the post-office address or facsimile number  
2 cannot be ascertained with due diligence. A summary of the petition published as  
3 a class 1 notice shall include the name of the respondent and of the petitioner, notice  
4 of the temporary restraining order, and notice of the date, time, and place of the  
5 hearing regarding the injunction.

6 **SECTION 519mn.** 813.12 (3) (a) (intro.) of the statutes is amended to read:

7 813.12 (3) (a) (intro.) A judge or family court commissioner shall issue a  
8 temporary restraining order ordering the respondent to refrain from committing acts  
9 of domestic abuse against the petitioner, to avoid the petitioner's residence, except  
10 as provided in par. (am), or any premises other location temporarily occupied by the  
11 petitioner or both, or to avoid contacting or causing any person other than a party's  
12 attorney or a law enforcement officer to contact the petitioner unless the petitioner  
13 consents in writing, or any combination of these remedies requested in the petition,  
14 or any other appropriate remedy not inconsistent with the remedies requested in the  
15 petition, if all of the following occur:

16 **SECTION 519mo.** 813.12 (3) (a) 2. of the statutes is amended to read:

17 813.12 (3) (a) 2. The judge or family court commissioner finds reasonable  
18 grounds to believe that the respondent has engaged in, or based on prior conduct of  
19 the petitioner and the respondent may engage in, domestic abuse of the petitioner.

20 (aj) In determining whether to issue a temporary restraining order, the judge  
21 or family court commissioner shall consider the potential danger posed to the  
22 petitioner and the pattern of abusive conduct of the respondent but may not base his  
23 or her decision solely on the length of time since the last domestic abuse or the length  
24 of time since the relationship ended. The judge or family court commissioner may  
25 grant only the remedies requested or approved by the petitioner. The judge or family

1 court commissioner may not dismiss or deny granting a temporary restraining order  
2 because of the existence of a pending action or of any other court order that bars  
3 contact between the parties, nor due to the necessity of verifying the terms of an  
4 existing court order.

5 **SECTION 519mp.** 813.12 (3) (c) of the statutes is amended to read:

6 813.12 (3) (c) The temporary restraining order is in effect until a hearing is held  
7 on issuance of an injunction under sub. (4). The temporary restraining order is not  
8 voided if the respondent is admitted into a dwelling that the order directs him or her  
9 to avoid. A judge or family court commissioner shall hold a hearing on issuance of  
10 an injunction within ~~7~~ 14 days after the temporary restraining order is issued, unless  
11 the time is extended upon the written consent of the parties or extended once for 14  
12 days upon a finding that the respondent has not been served with a copy of the  
13 temporary restraining order although the petitioner has exercised due diligence.

14 **SECTION 519mq.** 813.12 (4) (a) (intro.) of the statutes is amended to read:

15 813.12 (4) (a) (intro.) A judge or family court commissioner may grant an  
16 injunction ordering the respondent to refrain from committing acts of domestic abuse  
17 against the petitioner, to avoid the petitioner's residence, except as provided in par.  
18 (am), or any ~~premises~~ other location temporarily occupied by the petitioner or both,  
19 or to avoid contacting or causing any person other than a party's attorney or a law  
20 enforcement officer to contact the petitioner unless the petitioner consents to that  
21 contact in writing, or any combination of these remedies requested in the petition,  
22 or any other appropriate remedy not inconsistent with the remedies requested in the  
23 petition, if all of the following occur:

24 **SECTION 519mr.** 813.12 (4) (a) 2. of the statutes is amended to read:

1           813.12 (4) (a) 2. The petitioner serves upon the respondent a copy or summary  
2 of the petition and notice of the time for hearing on the issuance of the injunction,  
3 or the respondent serves upon the petitioner notice of the time for hearing on the  
4 issuance of the injunction.

5           **SECTION 519ms.** 813.12 (4) (a) 3. of the statutes is amended to read:

6           813.12 (4) (a) 3. After hearing, the judge or family court commissioner finds  
7 reasonable grounds to believe that the respondent has engaged in, or based upon  
8 prior conduct of the petitioner and the respondent may engage in, domestic abuse of  
9 the petitioner.

10          ~~(aj)~~ In determining whether to issue an injunction, the judge or family court  
11 commissioner shall consider the potential danger posed to the petitioner and the  
12 pattern of abusive conduct of the respondent but may not base his or her decision  
13 solely on the length of time since the last domestic abuse or the length of time since  
14 the relationship ended. The judge or family court commissioner may grant only the  
15 remedies requested by the petitioner. The judge or family court commissioner may  
16 not dismiss or deny granting an injunction because of the existence of a pending  
17 action or of any other court order that bars contact between the parties, nor due to  
18 the necessity of verifying the terms of an existing court order.

19          **SECTION 519mt.** 813.12 (4) (c) 1. of the statutes is amended to read:

20          813.12 (4) (c) 1. An injunction under this subsection is effective according to its  
21 terms, for the period of time that the petitioner requests, but not more than ~~2~~ 4 years.  
22 An injunction granted under this subsection is not voided if the petitioner allows or  
23 initiates contact with the respondent or by the admittance of the respondent into a  
24 dwelling that the injunction directs him or her to avoid.

25          **SECTION 519mu.** 813.12 (4) (c) 2. of the statutes is amended to read:

1           813.12 (4) (c) 2. When an injunction granted for less than 24 years expires, the  
2 court shall extend the injunction if the petitioner states that an extension is  
3 necessary to protect him or her. This extension shall remain in effect until 24 years  
4 after the date the court first entered the injunction.

5           **SECTION 519mv.** 813.12 (5) (d) of the statutes is created to read:

6           813.12 (5) (d) A petition may be prepared and filed by the person who alleges  
7 that he or she has been the subject of domestic abuse or by the guardian, as defined  
8 in s. 880.01 (3), of an incompetent individual, as defined in s. 880.01 (4), who has been  
9 the subject of domestic abuse.

10          **SECTION 519mw.** 813.12 (5m) of the statutes is created to read:

11          813.12 (5m) CONFIDENTIALITY OF VICTIM'S ADDRESS. The petition under sub. (5)  
12 and the court order under sub. (3) or (4) shall not disclose the address of the alleged  
13 victim.

14          **SECTION 519mx.** 813.12 (6) (d) of the statutes is created to read:

15          813.12 (6) (d) The issuance of an order under s. 813.12 (3) or (4) is enforceable  
16 despite the existence of any other criminal or civil order restricting or prohibiting  
17 contact.

18          **SECTION 519my.** 813.12 (7) (c) of the statutes is created to read:

19          813.12 (7) (c) A respondent who does not appear at a hearing at which the court  
20 orders an injunction under s. 813.12 (4) but who has been served with a copy of the  
21 petition and notice of the time for hearing under s. 813.12 (3) has constructive  
22 knowledge of the existence of the injunction and shall be arrested for violation of the  
23 injunction regardless of whether he or she has been served with a copy of the  
24 injunction.

25          **SECTION 519mz.** 814.61 (1) (e) of the statutes is amended to read:

1           814.61 (1) (e) No fee charged under this subsection in any action commenced  
2 under s. 813.122, 813.123, or 813.125 may be collected from a petitioner under s.  
3 813.122, 813.123, or 813.125 if the petition alleges conduct that is the same as or  
4 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)  
5 (am) 1. to -4. 8. If no fee is collected under this paragraph, the fee charged under this  
6 subsection for petitions filed and granted under s. 813.122, 813.123, or 813.125 shall  
7 be collected from the respondent under s. 813.122, 813.123, or 813.125 if he or she  
8 is convicted of violating a temporary restraining order or injunction issued under s.  
9 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4).”.

10           **4.** Page 225, line 3: after that line insert:

11           “**SECTION 523c.** 814.70 (1) of the statutes is amended to read:

12           814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a  
13 summons or any other process for commencement of an action, a writ, an order of  
14 injunction, a subpoena, or any other order, \$12 for each defendant or person. If there  
15 is more than one defendant or person to be served at a given address, \$6 for each  
16 additional defendant or person. No fee charged under this subsection in any action  
17 commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner  
18 under s. 813.12, 813.122, or 813.123. The fee charged under this subsection in any  
19 action commenced under s. 813.12, 813.122, 813.123, or 813.125 shall be collected  
20 from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of  
21 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),  
22 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4). No fee charged under this  
23 subsection in any action commenced under s. 813.125 may be collected from a  
24 petitioner under s. 813.125 if the petition alleges conduct that is the same as or



1 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) ~~(a)~~  
2 (am) 1. to ~~4.~~ 8. If no fee is collected under this subsection from a petitioner under  
3 s. 813.125, the fee charged under this subsection in any action commenced under s.  
4 813.125 shall be collected from the respondent under s. 813.125 if he or she is  
5 convicted of violating a temporary restraining order or injunction issued under s.  
6 813.125 (3) or (4).

7 **SECTION 523f.** 814.70 (3) (intro.) of the statutes is amended to read:

8 814.70 (3) (intro.) For travel in serving any summons, writ or other process,  
9 except criminal warrants, and except that a fee under this subsection in any action  
10 commenced under s. 813.12, 813.122, or 813.123 may not be collected from a  
11 petitioner but shall be collected from the respondent if he or she is convicted of  
12 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),  
13 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4), and except that a fee under  
14 this subsection in any action commenced under s. 813.125 may not be collected from  
15 a petitioner if the petition alleges conduct that is the same as or similar to conduct  
16 that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) ~~(a)~~ (am) 1. to ~~4.~~ 8. but  
17 shall be collected from the respondent if he or she is convicted of violating a  
18 temporary restraining order or injunction issued under s. 813.125 (3) or (4):

19 **SECTION 523h.** 895.73 (1) (a) of the statutes is amended to read:

20 895.73 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.  
21 46.95 (1) (a), 813.12 (1) ~~(a)~~ (am), or 968.075 (1) (a), harassment, as defined under s.  
22 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under  
23 s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.  
24 948.02 to 948.11.

25 **SECTION 523j.** 895.78 of the statutes is created to read:

1           **895.78 Injury caused by preventing passage to and from a health care**  
2 **facility. (1)** Any person who suffers physical injury to his or her person or emotional  
3 distress by reason of conduct that is prohibited under s. 947.08 has a civil cause of  
4 action against the person who causes the physical injury or emotional distress.

5           **(2)** The burden of proof in a civil action under sub. (1) rests with the person who  
6 suffers the physical injury or emotional distress to prove his or her case by a  
7 preponderance of the credible evidence.

8           **(3)** If the plaintiff prevails in a civil action under sub. (1), he or she may recover  
9 special and general damages, including damages for emotional distress; punitive  
10 damages; and costs, including all reasonable attorney fees and other costs of the  
11 investigation and litigation that were reasonably incurred.

12           **(4)** A person may bring a civil action under sub. (1), regardless of whether there  
13 has been a criminal action related to the physical injury or emotional distress under  
14 sub. (1) and regardless of the outcome of any such criminal action.

15           **(5)** This section does not limit the right of a person to recover from any parent  
16 or parents under s. 895.035.

17           **SECTION 523m.** 905.045 of the statutes is created to read:

18           **905.045 Domestic violence or sexual assault advocate-victim**  
19 **privilege. (1) DEFINITIONS.** In this section:

20           (a) “Abusive conduct” means abuse, as defined in s. 813.122 (1) (a), of a child,  
21 as defined in s. 48.02 (2), interspousal battery, as described under s. 940.19 or 940.20  
22 (1m), domestic abuse, as defined in s. 813.12 (1) (am), or sexual assault under s.  
23 940.225.

1           (b) “Advocate” means an individual who is an employee of or a volunteer for an  
2 organization the purpose of which is to provide counseling, assistance, or support  
3 services free of charge to a victim.

4           (c) A communication or information is “confidential” if not intended to be  
5 disclosed to 3rd persons other than persons present to further the interest of the  
6 person receiving counseling, assistance, or support services, persons reasonably  
7 necessary for the transmission of the communication or information, and persons  
8 who are participating in providing counseling, assistance, or support services under  
9 the direction of an advocate, including family members of the person receiving  
10 counseling, assistance, or support services and members of any group of individuals  
11 with whom the person receives counseling, assistance, or support services.

12           (d) “Victim” means an individual who has been the subject of abusive conduct  
13 or who alleges that he or she has been the subject of abusive conduct. It is immaterial  
14 that the abusive conduct has not been reported to any government agency.

15           **(2) GENERAL RULE OF PRIVILEGE.** A victim has a privilege to refuse to disclose and  
16 to prevent any other person from disclosing confidential communications made or  
17 information obtained or disseminated among the victim, an advocate who is acting  
18 in the scope of his or her duties as an advocate, and persons who are participating  
19 in providing counseling, assistance, or support services under the direction of an  
20 advocate, if the communication was made or the information was obtained or  
21 disseminated for the purpose of providing counseling, assistance, or support services  
22 to the victim.

23           **(3) WHO MAY CLAIM THE PRIVILEGE.** The privilege may be claimed by the victim,  
24 by the victim’s guardian or conservator, or by the victim’s personal representative if  
25 the victim is deceased. The advocate may claim the privilege on behalf of the victim.

1 The advocate's authority to do so is presumed in the absence of evidence to the  
2 contrary.

3 (4) EXCEPTIONS. Subsection (2) does not apply to any report concerning child  
4 abuse that an advocate is required to make under s. 48.981.

5 (5) RELATIONSHIP TO S. 905.04. If a communication or information that is  
6 privileged under sub. (2) is also a communication or information that is privileged  
7 under s. 905.04 (2), the provisions of s. 905.04 supersede this section with respect to  
8 that communication or information.”

9 5. Page 248, line 19: after that line insert:

10 “SECTION 657b. 940.32 (1) (a) of the statutes is renumbered 940.32 (1) (a)  
11 (intro.) and amended to read:

12 940.32 (1) (a) (intro.) “Course of conduct” means ~~repeatedly maintaining a~~  
13 ~~visual or physical proximity to a person. a series of 2 or more acts carried out over~~  
14 ~~time, however short or long, that show a continuity of purpose, including any of the~~  
15 following:

16 SECTION 657c. 940.32 (1) (a) 1. of the statutes is created to read:

17 940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

18 SECTION 657d. 940.32 (1) (a) 2. of the statutes is created to read:

19 940.32 (1) (a) 2. Approaching or confronting the victim.

20 SECTION 657e. 940.32 (1) (a) 3. of the statutes is created to read:

21 940.32 (1) (a) 3. Appearing at the victim's workplace or contacting the victim's  
22 employer or coworkers.

23 SECTION 657f. 940.32 (1) (a) 4. of the statutes is created to read:

1           940.32 (1) (a) 4. Appearing at the victim's home or contacting the victim's  
2 neighbors.

3           **SECTION 657g.** 940.32 (1) (a) 5. of the statutes is created to read:

4           940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.

5           **SECTION 657h.** 940.32 (1) (a) 6. of the statutes is created to read:

6           940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim's  
7 telephone or any other person's telephone to ring repeatedly or continuously,  
8 regardless of whether a conversation ensues.

9           **SECTION 657i.** 940.32 (1) (a) 7. of the statutes is created to read:

10           940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose  
11 of obtaining information about, disseminating information about, or communicating  
12 with the victim, to a member of the victim's family or household or an employer,  
13 coworker, or friend of the victim.

14           **SECTION 657j.** 940.32 (1) (a) 8. of the statutes is created to read:

15           940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,  
16 leased, or occupied by the victim.

17           **SECTION 657k.** 940.32 (1) (a) 9. of the statutes is created to read:

18           940.32 (1) (a) 9. Delivering an object to a member of the victim's family or  
19 household or an employer, coworker, or friend of the victim or placing an object on,  
20 or delivering an object to, property owned, leased, or occupied by such a person with  
21 the intent that the object be delivered to the victim.

22           **SECTION 657L.** 940.32 (1) (a) 10. of the statutes is created to read:

23           940.32 (1) (a) 10. Harming an animal owned or cared for by the victim or a  
24 member of the victim's family or household.

25           **SECTION 657m.** 940.32 (1) (a) 11. of the statutes is created to read:

1           940.32 (1) (a) 11. Causing a person to engage in any of the acts described in  
2       subds. 7. to 10.

3           **SECTION 657n.** 940.32 (1) (am) of the statutes is created to read:

4           940.32 (1) (am) “Domestic abuse” has the meaning given in s. 813.12 (1) (am).

5           **SECTION 657no.** 940.32 (1) (ap) of the statutes is created to read:

6           940.32 (1) (ap) “Domestic abuse offense” means an act of domestic abuse that  
7       constitutes a crime.

8           **SECTION 657p.** 940.32 (1) (b) of the statutes is renumbered 940.32 (1) (cb) and  
9       amended to read:

10          940.32 (1) (cb) ~~“Immediate family”~~ “Member of a family” means a spouse,  
11       parent, child, sibling, or any other person who regularly resides in the household or  
12       who within the prior 6 months regularly resided in the household who is related by  
13       blood or adoption to another.

14          **SECTION 657q.** 940.32 (1) (cd) of the statutes is created to read:

15          940.32 (1) (cd) “Member of a household” means a person who regularly resides  
16       in the household of another or who within the previous 6 months regularly resided  
17       in the household of another.

18          **SECTION 657r.** 940.32 (1) (d) of the statutes is repealed.

19          **SECTION 657s.** 940.32 (2) (intro.) of the statutes is amended to read:

20          940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class  
21       ~~A misdemeanor~~ E felony:”.

22          **6.** Page 248, line 20: delete lines 20 to 22 and substitute:

23          **“SECTION 658b.** 940.32 (2) (intro.) of the statutes, as affected by 2001 Wisconsin  
24       Act .... (this act), is amended to read:

1           940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class  
2 ~~E~~ I felony:

3           **SECTION 658c.** 940.32 (2) (a) of the statutes is amended to read:

4           940.32 (2) (a) The actor intentionally engages in a course of conduct directed  
5 at a specific person that would cause a reasonable person under the same  
6 circumstances to fear bodily injury to ~~himself or herself or a member of his or her~~  
7 ~~immediate family~~ or to fear the death of himself or herself or a member of his or her  
8 immediate family or household.

9           **SECTION 658d.** 940.32 (2) (b) of the statutes is amended to read:

10           940.32 (2) (b) The actor ~~has knowledge or should have knowledge~~ intends that  
11 at least one of the acts that constitute the course of conduct will place the specific  
12 person ~~will be placed~~ in reasonable fear of bodily injury to ~~himself or herself or a~~  
13 ~~member of his or her immediate family~~ or ~~will be placed in reasonable fear of the~~  
14 death of himself or herself or a member of his or her ~~immediate family~~ or household.

15           **SECTION 658e.** 940.32 (2) (c) of the statutes is amended to read:

16           940.32 (2) (c) The actor's acts induce fear in the specific person of bodily injury  
17 to ~~himself or herself or a member of his or her immediate family~~ or ~~induce fear in the~~  
18 ~~specific person~~ of the death of himself or herself or a member of his or her ~~immediate~~  
19 ~~family~~ or household.

20           **SECTION 658f.** 940.32 (2e) of the statutes is created to read:

21           940.32 (2e) Whoever meets all of the following criteria is guilty of a Class E  
22 felony:

23           (a) After having been convicted of sexual assault under s. 940.225, 948.02, or  
24 948.025 or a domestic abuse offense, the actor engages in any of the acts listed in sub.

1 (1) (a) 1. to 11., if the act is directed at the victim of the sexual assault or the domestic  
2 abuse offense.

3 (b) The actor intends that the act will place the specific person in reasonable  
4 fear of bodily injury to or the death of himself or herself or a member of his or her  
5 family or household.

6 (c) The actor's act induces fear in the specific person of bodily injury to or the  
7 death of himself or herself or a member of his or her family or household.

8 **SECTION 658g.** 940.32 (2e) (intro.) of the statutes, as created by 2001 Wisconsin  
9 Act .... (this act), is amended to read:

10 940.32 (2e) (intro.) Whoever meets all of the following criteria is guilty of a  
11 Class ~~F~~ I felony:

12 **SECTION 658h.** 940.32 (2m) of the statutes is renumbered 940.32 (2m) (intro.)  
13 and amended to read:

14 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if ~~he~~  
15 ~~or she~~ any of the following applies:

16 (c) The actor intentionally gains access or causes another person to gain access  
17 to a record in electronic format that contains personally identifiable information  
18 regarding the victim in order to facilitate the violation ~~under sub. (2).~~”.

19 **7.** Page 248, line 23: delete the material beginning with that line and ending  
20 on page 249, line 2, and substitute:

21 **SECTION 659b.** 940.32 (2m) (intro.) of the statutes, as affected by 2001  
22 Wisconsin Act .... (this act), is amended to read:

23 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class ~~D~~ H felony if  
24 any of the following applies:



1           **SECTION 659c.** 940.32 (2m) (a) of the statutes is created to read:

2           940.32 (2m) (a) The actor has a previous conviction for a violent crime, as  
3 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013  
4 (1r), (1t), (1v), or (1x).

5           **SECTION 659d.** 940.32 (2m) (b) of the statutes is created to read:

6           940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of  
7 that crime is the victim of the present violation of sub. (2), and the present violation  
8 occurs within 7 years after the prior conviction.

9           **SECTION 659e.** 940.32 (2m) (d) of the statutes is created to read:

10          940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to  
11 facilitate the violation.

12          **SECTION 659f.** 940.32 (2m) (e) of the statutes is created to read:

13          940.32 (2m) (e) The victim is under the age of 18 years at the time of the  
14 violation.

15          **SECTION 659g.** 940.32 (3) (intro.) of the statutes is amended to read:

16          940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following~~  
17 ~~circumstances~~ is guilty of a Class ~~E~~ C felony if any of the following applies:"

18          **8.** Page 249, line 3: delete lines 3 to 5 and substitute:

19          **"SECTION 660b.** 940.32 (3) (intro.) of the statutes, as affected by 2001 Wisconsin  
20 Act .... (this act), is amended to read:

21          940.32 (3) (intro.) Whoever violates sub. (2) is guilty of a Class C ~~F~~ felony if any  
22 of the following applies:

23          **SECTION 660c.** 940.32 (3) (a) of the statutes is amended to read:

1           940.32 (3) (a) The act results in bodily harm to the victim or a member of the  
2 victim's family or household.

3           **SECTION 660d.** 940.32 (3) (b) of the statutes is amended to read:

4           940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined  
5 in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r),  
6 (1t), (1v) or (1x) for a violation against, the same victim of that crime is the victim of  
7 the present violation of sub. (2), and the present violation occurs within 7 years after  
8 the prior conviction.

9           **SECTION 660e.** 940.32 (3) (c) of the statutes is created to read:

10          940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts  
11 listed in sub. (1) (a) 1. to 10.”

12          **9.** Page 249, line 6: delete lines 6 to 8 and substitute:

13          **“SECTION 661b.** 940.32 (3m) of the statutes is repealed.”

14          **10.** Page 282, line 8: after that line insert:

15          **“SECTION 874x.** 947.013 (1t) of the statutes is amended to read:

16          947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person  
17 has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s. 940.32 (2),  
18 (2e), (2m), or (3) or (3m) involving the same victim and the present violation occurs  
19 within 7 years of the prior conviction.”

20          **11.** Page 282, line 9: delete lines 9 to 13 and substitute:

21          **“SECTION 875b.** 947.013 (1t) of the statutes, as affected by 2001 Wisconsin Act  
22 .... (this act), is amended to read:

23          947.013 (1t) Whoever violates sub. (1r) is guilty of a Class ~~E~~ I felony if the  
24 person has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s.

1 940.32 (2), (2e), (2m), or (3) involving the same victim and the present violation  
2 occurs within 7 years of the prior conviction.”

3 **12.** Page 282, line 21: after that line insert:

4 “SECTION 877g. 947.013 (1x) (a) of the statutes is amended to read:

5 947.013 (1x) (a) The person has a prior conviction under sub. (1r), (1t) or (1v)  
6 or this subsection or s. 940.32 (2), (2e), (2m), or (3) ~~or (3m)~~.”

7 **13.** Page 283, line 2: after that line insert:

8 “SECTION 878g. 947.08 of the statutes is created to read:

9 **947.08 Preventing passage to and from a health care facility;**  
10 **prohibited activities near a facility. (1)** In this section, “health care facility”  
11 means all of the following:

12 (a) A place or service that is licensed, registered, certified, or approved by the  
13 department of health and family services under s. 50.02, 50.03, 50.032, 50.033,  
14 50.034, 50.35, 50.49, 50.52, or 50.93.

15 (b) A place that is operated, certified, or licensed by a county under s. 49.70,  
16 49.71, 49.72, 49.73, 50.032, or 50.033.

17 (c) A local health department under s. 251.02 or a public health dispensary  
18 under s. 252.10.

19 (d) The Wisconsin Veterans Home at King and the southeastern facility under  
20 s. 45.365.

21 (e) A medical clinic, including a private, free-standing medical clinic that is  
22 situated on private property and a family planning clinic.

23 (f) A care management organization under s. 46.284.

24 (g) A facility, as defined in s. 647.01 (4).

1 (h) A facility or service that is not included under pars. (a) to (g) and that is  
2 certified under s. 49.45 (2) (a) 11. as a provider of health care services.

3 (2) Whoever does any of the following is guilty of a Class A misdemeanor:

4 (a) Intentionally obstructs, detains, hinders, impedes, or blocks another  
5 person's entry to or exit from a health care facility.

6 (b) Intentionally approaches another person within 8 feet of the person, unless  
7 the person consents, for the purpose of doing any of the following on a public way or  
8 sidewalk area within a radius of 100 feet from an entrance door to a health care  
9 facility:

10 1. Passing a leaflet or handbill to the person.

11 2. Displaying a sign to the person.

12 3. Engaging in oral protest, education, or counseling with the person.”

13 **14.** Page 435, line 2: after that line insert:

14 “(2zy) DOMESTIC VIOLENCE PRIVILEGE. The treatment of section 905.045 of the  
15 statutes first applies to communications made or information obtained or  
16 disseminated on the effective date of this subsection.

17 (2zz) DOMESTIC ABUSE INJUNCTIONS. The treatment of sections 106.50 (5m) (d),  
18 767.11 (8) (b) 2. and (10) (e) 2., 767.24 (1m) (b), (c), and (o), (2) (b) 2. c., and (5) (i),  
19 813.12 (1) (a) (intro.) 1., 2., 3., and 4., (ad), (ag), (am) 5. and 6., (cg), and (cj), (2) (a),  
20 (3) (a) (intro.) and 2. and (c), (4) (a) (intro.), 2., and 3. and (c) 1. and 2., (5) (d), (5m),  
21 (6) (d), and (7) (c), 814.61 (1) (e), 814.70 (1) and (3) (intro.), and 895.73 (1) (a) of the  
22 statutes first applies to actions commenced on the effective date of this subsection.”

23 **15.** Page 440, line 17: after “940.32 (2) (intro.)” insert “(by SECTION 658b),  
24 940.32 (2e) (intro.) (by SECTION 658g)”.

- 1           **16.** Page 440, line 17: after “(2m)” insert “(intro.) (by SECTION 659b)”.
- 2           **17.** Page 440, line 18: after “(3) (intro.)” insert “(by SECTION 660b)”.
- 3           **18.** Page 440, line 18: delete “940.32 (3m) (intro.)”.
- 4           **19.** Page 441, line 24: after “947.013 (1t)” insert “(by SECTION 875b)”.
- 5           **20.** Page 451, line 20: after “940.32 (2) (intro.)” insert “(by SECTION 658b),  
6           940.32 (2e) (intro.) (by SECTION 658g)”.
- 7           **21.** Page 451, line 20: after “940.32 (2m)” insert “(by SECTION 659b)”.
- 8           **22.** Page 451, line 20: after “940.32 (3) (intro.)” insert “(by SECTION 660b)”.
- 9           **23.** Page 451, line 20: delete “940.32 (3m) (intro.)”.
- 10          **24.** Page 453, line 2: after “947.013 (1t)” insert “(by SECTION 875b)”.

11

(END)

## Kennedy, Debora

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**From:** Arsenault, Yvonne  
**Sent:** Tuesday, April 02, 2002 4:21 PM  
**To:** Dsida, Michael; Kennedy, Debora; Nelson, Robert P.  
**Cc:** Morgan, Charlie; Zimmerman, Art  
**Subject:** SDC action today on 2892/2

Since it isn't clear who is to issue new drafting instructions when the Caucus makes changes, I'm sending along my understanding of the changes that the caucus made on LRB draft#2892/2.

First, delete provisions related to access to health care facilities. Second, delete all references to the mistreatment of animals, both under the domestic abuse injunctions provisions and under the stalking provisions.

Thanks.

Yvonne M. Arsenault  
Legislative Fiscal Bureau  
(608) 266-3847  
*Yvonne.Arsenault@legis.state.wi.us*

## Kennedy, Debora

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**From:** Engel, Andy  
**Sent:** Wednesday, April 03, 2002 3:47 PM  
**To:** Kennedy, Debora  
**Subject:** RE: SDC action today on 2892/2

Yes, that is my understanding of what we'd like as a redraft.  
I haven't checked to see if this has been redrafted as of yet, but if not, you can go ahead and make the changes.

Thank you,

Andy

-----Original Message-----

**From:** Kennedy, Debora  
**Sent:** Wednesday, April 03, 2002 10:45 AM  
**To:** Engel, Andy  
**Subject:** FW: SDC action today on 2892/2

Andy, is this your understanding of what the Caucus wants as a redraft? Should we go ahead and make these changes?

-----Original Message-----

**From:** Arsenault, Yvonne  
**Sent:** Tuesday, April 02, 2002 4:21 PM  
**To:** Dsida, Michael; Kennedy, Debora; Nelson, Robert P.  
**Cc:** Morgan, Charlie; Zimmerman, Art  
**Subject:** SDC action today on 2892/2

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Thanks.

Yvonne M. Arsenault  
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(608) 266-3847  
[Yvonne.Arsenault@legis.state.wi.us](mailto:Yvonne.Arsenault@legis.state.wi.us)

**Nelson, Robert P.**

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**From:** Arsenault, Yvonne  
**Sent:** Tuesday, April 02, 2002 4:21 PM  
**To:** Dsida, Michael; Kennedy, Debora; Nelson, Robert P.  
**Cc:** Morgan, Charlie; Zimmerman, Art  
**Subject:** SDC action today on 2892/2

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Thanks.

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Debora & Mike:  
I changed the  
draft to 1/3 and  
forwarded it to  
the editors. Please  
review my changes in  
your areas.  
Bib