2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/22/2001					Received By: kahlepj			
Wanted: Soon For: Assembly Republican Caucus				Identical to LRB: By/Representing: Hughes Drafter: kahlepj				
								This file may be shown to any legislator: NO
May Co	ntact:							
Subject:	Dom. Re	el cust. and j	olac.		Extra Copies:			
Submit v	via email: NO							
Requeste	er's email:							
Topic:	Hughes - AM children to certa	· · · · · · · · · · · · · · · · · · ·	ntries					
Drafting	g History:							
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	kahlepj 06/22/2001	csicilia 06/22/2001						
/1			haugeca 06/22/20	01	lrb_docadmin 06/22/2001			
/2	kahlepj 06/25/2001	csicilia 06/25/2001	jfrantze 06/25/20	01	gretskl 06/25/2001			
FE Sent	For:			<fnd></fnd>				

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May Con	tact:	·		•	Addl. Drafters:			
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Pre Topi	ic:							
ARC:	Hughes - AM	57,						
Topic:								
Taking ch	nildren to certa	nin foreign cour	tries					
Instructi	ions:			- -				
See Attac	ched							
Drafting	History:			<u> </u>				
Vers.	<u>Drafted</u>	Reviewed	Typed	<u>Proofed</u>	Submitted	Jacketed	Required	
/?	kahlepj 06/22/2001	csicilia 06/22/2001					·	
/1	/2	is 6/25	haugeca 06/22/200	01	lrb_docadmin 06/22/2001			
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<END>

FE Sent For:

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Assembly Amendment (AA-ASA1-SB55)

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This file may be	shown to any legislator: NO		Drafter: kahlepj			
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ARC:Hughes	- AM57,				•	
Topic:				<u> </u>		
Taking children t	o certain foreign countries					
Instructions:						
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Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent

Taking Children to Certain Foreign Countries

Legislator

Johnsrud

Amendment

57

Legislator 2

Pass or Fail

Pass

Legislator 3

Spending Cut

Legislator 4

.

Staff contact

Larry

Withdrawn
Package

Agency

Workforce and Development

Summary

Provides that, if both parents of a child have periods of physical placement with the child, neither parent may take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction, unless the other parent agrees in writing that the child may be taken to that country or is authorized by the courts.

This prohibition applies instead of the current law provision relating to removing a child or establishing a different legal residence with a child.

In addition, the court must advise the parties of the prohibition when granting physical placement, and the prohibition must be included in the order of physical placement.

This is the same as AB 220.

Fiscal Impact

No fiscal effect.

Drafting Inst

ARC Analyst

Hughes

82/

Request #

307

Friday, June 22, 2001

Page 32 of 33

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Request #

307

Friday, June 22, 2001

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	v	v	_

Date (time) needed

LRB b 1511

ARC CAUCUS BUDGET AMENDMENT [ONLY FOR CAUCUS]

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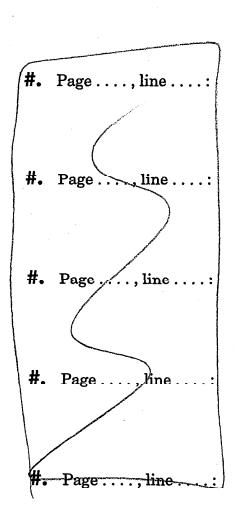
See form AMENDMENTS - COMPONENTS & ITEMS.

CAUCUS AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 2001 SENATE BILL 55

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page!! 88, line. 7.: after that line insert:



ASSEMBLY BILL 220

relating to removing a child or establishing a different legal residence with a child. In addition, the court must advise the parties of the prohibition when granting physical placement, and the prohibition must be included in the order of physical placement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

(1) > SECTION (2. 767.24 (4) (d) of the statutes is renumbered 767.24 (4) (d) (intro.)

2 and amended to read:

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767.24 (4) (d) (intro.) If the court grants periods of physical placement to more than one parent, it shall order do all of the following:

1. Order a parent with legal custody and physical placement rights to provide the notice required under s. 767.327 (1).

SECTION 2. 767.24 (4) (d) 2. of the statutes is created to read:

767.24 (4) (d) 2. Advise the parents of the prohibition under sub. (6) (f).

SECTION 5. 767.24 (6) (f) of the statutes is created to read:

767.24 (6) (f) Notwithstanding s. 767.327 (1) to (6), if the court grants periods of physical placement with a child to both parents, a parent may not take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction unless the other parent agrees in writing that the child may be taken to the country. This prohibition shall be included in the order of physical placement.

SECTION 767.327 (6m) of the statutes is created to read:

767.327 (6m) Taking a child to certain foreign countries. Section 767.24 (6) (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement with a child to both parents and a parent desires or intends to take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects

#. Page 1193, line 7: apte-that line insert:

ASSEMBLY BILL 220

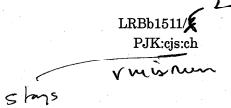
of International Child Abduction, regardless of the length of time that the parent desires or intends to remove the child from this state.

3

(END)



State of Wisconsin 2001 - 2002 LEGISLAT



ARC:.....Hughes - AM57, Taking children to certain foreign countries

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55



10

At the locations indicated, amend the substitute amendment as follows: 1 **1.** Page 1188, line 7: after that line insert: 2 "Section 3786ec. 767.24 (4) (d) of the statutes is renumbered 767.24 (4) (d) 3 (intro.) and amended to read: 4 767.24 (4) (d) (intro.) If the court grants periods of physical placement to more 5 than one parent, it shall order do all of the following: 6 1. Order a parent with legal custody and physical placement rights to provide 7 the notice required under s. 767.327 (1). 8 **SECTION 3786ed.** 767.24 (4) (d) 2. of the statutes is created to read: 767.24 (4) (d) 2. Advise the parents of the prohibition under sub. (6) (f)

Eurost 2-7)

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SECTION 3786ef. 767.24 (6) (f) of the statutes is created to read:

767.24 (6) (f) Notwithstanding s. 767.327 (1) to (6), if the court grants periods of physical placement with a child to both parents, a parent may not take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction unless the other parent agrees in writing that the child may be taken to the country. This prohibition shall be included in the order of physical placement.

2. Page 1193, line 7: after that line insert:

"Section 3793fm. 767.327 (6m) of the statutes is created to read:

767.327 (6m) Taking a child to certain foreign countries. Section 767.24 (6) (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement with a child to both parents and a parent desires or intends to take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction, regardless of the length of time that the parent desires or intends to remove the child from this state.".

(END)

and except as provided in subd. 2.,

J. vote



State of Misconsin 2001 - 2002 LEGISLATURE

LRBa0481/1 PJK:kmg:pg

ASSEMBLY AMENDMENT 1, TO 2001 ASSEMBLY BILL 220

May 1, 2001 – Offered by Representatives Krusick, Johnsrud, Kestell, Berceau, Wade and Friske.

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 1, line 4: after "parent" insert, unless so authorized by the court.
- 3 Page 2, line 8: after "(f)" insert "1".
 - 3. Page 2, line 10: before "Notwithstanding" insert "1.".
 - 4. Page 2, line 10: after "(6)," insert "and except as provided in subd. 2.,".
 - **5.** Page 2, line 15: after that line insert:
 - E2. If a parent who has physical placement with a child desires or intends to take the child to a country specified in subd. 1. and the other parent refuses or fails to agree in writing that the child may be taken to such country, the parent who desires or intends to take the child may, with notice to the other parent, file a motion, petition, or order to show cause with the court for permission to take the child. The court may grant the parent permission to take the child after considering, among

1 contd

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2-2-Jus. 2-7 conto

- other things, the likelihood that the parent will promptly return the child by the time 1
- 2 represented by that parent.".

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(END) 2-7)

STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

(RB b 1511/2 PJK:95:	
108 72	
D-vote	
This redraft adds the assembly assembly Bile	
$C \rightarrow A + 2 \rightarrow A + A \rightarrow B $	
amendment I to 2001 assembly Bill	
220.	
PJK	

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb1511/2dn PJK:cjs:jf

June 25, 2001

This redraft adds Assembly Amendment 1 to 2001 Assembly Bill 220.

Pamela J. Kahler Senior Legislative Attorney Phone: (608) 266–2682

E-mail: pam.kahler@legis.state.wi.us



State of Misconsin 2001 - 2002 LEGISLATURE

LRBb1511/2 PJK:cjs:jf

ARC:.....Hughes – AM57, Taking children to certain foreign countries FOR 2001–03 BUDGET — NOT READY FOR INTRODUCTION CAUCUS ASSEMBLY AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2001 SENATE BILL 55

1	At the locations indicated, amend the substitute amendment as follows:
2	1. Page 1188, line 7: after that line insert:
3	"Section 3786ec. 767.24 (4) (d) of the statutes is renumbered 767.24 (4) (d)
4	(intro.) and amended to read:
-5	767.24 (4) (d) (intro.) If the court grants periods of physical placement to more
6	than one parent, it shall order do all of the following:
7	1. Order a parent with legal custody and physical placement rights to provide
8	the notice required under s. 767.327 (1).
9	SECTION 3786ed. 767.24 (4) (d) 2. of the statutes is created to read:
10	767.24 (4) (d) 2. Advise the parents of the prohibition under sub. (6) (f) 1.

SECTION 3786ef. 767.24 (6) (f) of the statutes is created to read:

767.24 (6) (f) 1. Notwithstanding s. 767.327 (1) to (6), and except as provided in subd. 2., if the court grants periods of physical placement with a child to both parents, a parent may not take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction unless the other parent agrees in writing that the child may be taken to the country. This prohibition shall be included in the order of physical placement.

- 2. If a parent who has physical placement with a child desires or intends to take the child to a country specified in subd. 1. and the other parent refuses or fails to agree in writing that the child may be taken to such country, the parent who desires or intends to take the child may, with notice to the other parent, file a motion, petition, or order to show cause with the court for permission to take the child. The court may grant the parent permission to take the child after considering, among other things, the likelihood that the parent will promptly return the child by the time represented by that parent."
 - 2. Page 1193, line 7: after that line insert:

"Section 3793fm. 767.327 (6m) of the statutes is created to read:

767.327 (6m) Taking a child to certain foreign countries. Section 767.24 (6) (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement with a child to both parents and a parent desires or intends to take the child to a country that has not ratified or acceded to the Hague Convention on the Civil Aspects of International Child Abduction, regardless of the length of time that the parent desires or intends to remove the child from this state.".