

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/22/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - cust. and plac.

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Hughes - AM57,

Topic:

Taking children to certain foreign countries

Instructions:

See Attached

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>
/?	kahlepj 06/22/2001	csicilia 06/22/2001		_____			
/1			haugca 06/22/2001	_____	lrb_docadmin 06/22/2001		
/2	kahlepj 06/25/2001	csicilia 06/25/2001	jfrantze 06/25/2001	_____	gretskl 06/25/2001		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/22/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - cust. and plac.

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Hughes - AM57,

Topic:

Taking children to certain foreign countries

Instructions:

See Attached

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>
/?	kahlepj 06/22/2001	csicilia 06/22/2001		_____			
/1			haugeca 06/22/2001	_____	lrb_docadmin 06/22/2001		

FE Sent For:

1/2 jcs 6/25
01 JG 6/25

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/22/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Dom. Rel. - cust. and plac.

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Hughes - AM57,

Topic:

Taking children to certain foreign countries

Instructions:

See Attached

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>
1?	kahlepj	1 01	6/22 01	eth 6/22	eth 6/22		

FE Sent For:

<END>

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		Withdrawn	
Staff contact	Larry	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

PTK

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

Page 33 of 33

2001

Date (time) needed _____

LRB b 1511 / 11

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

PJK : / : _____
cjs

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 1188, line 7: *after that line insert:*

- #. Page, line:
- #. Page, line:
- #. Page, line:
- #. Page, line:
- #. Page, line:



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 ^{3786ec} 767.24 (4) (d) of the statutes is renumbered 767.24 (4) (d) (intro.)
2 and amended to read:

3 767.24 (4) (d) (intro.) If the court grants periods of physical placement to more
4 than one parent, it shall ~~order~~ do all of the following:

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

7 SECTION ^{3786ed} 767.24 (4) (d) 2. of the statutes is created to read:
8 767.24 (4) (d) 2. Advise the parents of the prohibition under sub. (6) (f).

9 SECTION ^{3786ef} 767.24 (6) (f) of the statutes is created to read:
10 767.24 (6) (f) Notwithstanding s. 767.327 (1) to (6), if the court grants periods
11 of physical placement with a child to both parents, a parent may not take the child
12 to a country that has not ratified or acceded to the Hague Convention on the Civil
13 Aspects of International Child Abduction unless the other parent agrees in writing
14 that the child may be taken to the country. This prohibition shall be included in the
15 order of physical placement.) ← ←

16 SECTION ^{3793 fm} 767.327 (6m) of the statutes is created to read:
17 767.327 (6m) TAKING A CHILD TO CERTAIN FOREIGN COUNTRIES. Section 767.24 (6)
18 (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement
19 with a child to both parents and a parent desires or intends to take the child to a
20 country that has not ratified or acceded to the Hague Convention on the Civil Aspects

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

ASSEMBLY BILL 220

1 of International Child Abduction, regardless of the length of time that the parent
2 desires or intends to remove the child from this state.)) ←
3

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1511/k
PJK:ejs:ch

2
stays
v. m. is. n. n.

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

D-note

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 ✓

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

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

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

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

10 767.327 (6m) TAKING A CHILD TO CERTAIN FOREIGN COUNTRIES. Section 767.24 (6)
11 (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement
12 with a child to both parents and a parent desires or intends to take the child to a
13 country that has not ratified or acceded to the Hague Convention on the Civil Aspects
14 of International Child Abduction, regardless of the length of time that the parent
15 desires or intends to remove the child from this state.".

16 (END)

Insert 2-7

and except as provided in subd. 2., ✓

I note



State of Wisconsin
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 2. Page 2, line 8: after "(f)" insert "1".

4 3. Page 2, line 10: before "Notwithstanding" insert "1."

5 4. Page 2, line 10: after "(6)," insert "and except as provided in subd. 2.,".

6 5. Page 2, line 15: after that line insert:

Insert 2-7 {
7 2. If a parent who has physical placement with a child desires or intends to
8 take the child to a country specified in subd. 1. and the other parent refuses or fails
9 to agree in writing that the child may be taken to such country, the parent who
10 desires or intends to take the child may, with notice to the other parent, file a motion,
11 petition, or order to show cause with the court for permission to take the child. The
12 court may grant the parent permission to take the child after considering, among

↓ contd

Ins. 2-7 contd

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

3

(END of ins 2-7)

LRB 61511/2

PJK:gs:

D-note

This redraft adds ~~the~~ assembly
Amendment 1 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



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.

