

2003 Assembly Bill 60

Date of enactment: **August 20, 2003**
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2003 WISCONSIN ACT 53

AN ACT *to renumber and amend* 301.45 (6) (ag); *to repeal and recreate* 301.45 (6) (a) 1. and 301.45 (6) (a) 2.; and *to create* 301.45 (6) (ag) 1. and 2. of the statutes; **relating to:** sex offender registration and residency requirements and providing penalties.

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

SECTION 1. 301.45 (6) (a) 1. of the statutes is repealed and recreated to read:

301.45 (6) (a) 1. Except as provided in subd. 2., the person is guilty of a Class H felony.

SECTION 2. 301.45 (6) (a) 2. of the statutes, as affected by 2001 Wisconsin Act 109, is repealed and recreated to read:

301.45 (6) (a) 2. The person may be fined not more than \$10,000 or imprisoned for not more than 9 months or both if all of the following apply:

a. The person was ordered under s. 51.20 (13) (ct) 1m., 938.34 (15m) (am), 938.345 (3), 971.17 (1m) (b) 1m., or 973.048 (1m) to comply with the reporting requirements under s. 301.45 based on a finding that he or she committed or solicited, conspired, or attempted to commit a misdemeanor.

b. The person was not convicted of knowingly failing to comply with any requirement to provide information under subs. (2) to (4) before committing the present violation.

SECTION 3. 301.45 (6) (ag) of the statutes is renumbered 301.45 (6) (ag) (intro.) and amended to read:

301.45 (6) (ag) (intro.) Whoever intentionally violates sub. (4r) ~~may be fined not more than \$10,000 or~~

~~imprisoned for not more than 9 months or both. is subject to the following penalties:~~

SECTION 4. 301.45 (6) (ag) 1. and 2. of the statutes are created to read:

301.45 (6) (ag) 1. Except as provided in subd. 2., the person is guilty of a Class H felony.

2. The person may be fined not more than \$10,000 or imprisoned for not more than 9 months or both if all of the following apply:

a. The person was ordered under s. 51.20 (13) (ct) 1m., 938.34 (15m) (am), 938.345 (3), 971.17 (1m) (b) 1m., or 973.048 (1m) to comply with the reporting requirements under s. 301.45 based on a finding that he or she committed or solicited, conspired, or attempted to commit a misdemeanor.

b. The person was not convicted of another offense under sub. (4r) before committing the present violation.

SECTION 5. Initial applicability.

(1) This act first applies to offenses committed on the effective date of this subsection but does not preclude counting other offenses as prior convictions for the purpose of determining whether a person is subject to penalties under section 301.45 (6) (a) 1. of the statutes, as affected by this act, or section 301.45 (6) (ag) 1. of the statutes, as created by this act.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].