

2003 DRAFTING REQUEST

Bill

Received: **10/22/2002**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**

By/Representing: **Joel**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Correctional System - misc
Criminal Law - sex offenses**

Extra Copies: **rlr
rpn**

Submit via email: **YES**

Requester's email: **Rep.Gundrum@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Penalty for failing to register as a sex offender

Instructions:

Make it a Class H felony for all offenses

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>
/P1	mdsida 10/23/2002	csicilia 10/28/2002		_____			S&L Crime
/1	mdsida 10/31/2002	jdyer 11/01/2002	pgreensl 11/01/2002	_____	sbasford 11/01/2002	mbarman 01/27/2003	S&L Crime

FE Sent For:



At intro.

<END>

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>
/P1	mdsida 10/23/2002	csicilia 10/28/2002	11 /1	11 /1			S&L Crime
/1	mdsida	jdyer	pgreensl	self	sbasford		S&L

11/01/2002 09:30:48 AM
Page 2

LRB-0535

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/31/2002	11/01/2002	11/01/2002	_____	11/01/2002		Crime

FE Sent For:

<END>

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<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0535/P1

MGD: ^.....

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; relating to: failing to register as a sex offender and providing a
2 penalty. ✓

Analysis by the Legislative Reference Bureau

* Under current law, persons convicted of certain sex offenses are required to register as sex offenders with the Department of Corrections (DOC). A person who knowingly fails to comply with this requirement may be fined not more than \$10,000 or imprisoned for not more than nine months or both for a first offense (an unclassified misdemeanor); and may be fined not more than \$10,000 or imprisoned for not more than six years or both for a second offense (a Class H felony), if the second offense is committed on or after February 1, 2003. * If the second offense is committed before February 1, 2003, the maximum term of imprisonment is five years. * Under this bill, if a sex offender who is required to register with DOC fails to do, he or she is guilty of a Class H felony, regardless of the number of prior offenses. (SO)

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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:

as affected by 2001 Wisconsin Act 109,

1 SECTION 1. 301.45 (6) (a) (intro.) and 2. of the statutes are consolidated,
2 renu^gnumbered 301.45 (6) (a) and amended to read:

3 301.45 (6) (a) Whoever knowingly fails to comply with any requirement to
4 provide information under subs. (2) to (4) is subject to the following penalties: For a
5 2nd or subsequent offense, the person is guilty of a Class H felony. For purposes of
6 this subdivision, an offense is a 2nd or subsequent offense if, prior to committing the
7 offense, the person has at any time been convicted of knowingly failing to comply
8 with any requirement to provide information under subs. (2) to (4).

2.

NOTE: NOTE: Subd. 2. is shown as amended eff. 2-1-03 by 2001 Wis. Act 109. Prior to 2-1-03 it reads: NOTE:

2. For a 2nd or subsequent offense, the person may be fined not more than \$10,000 or imprisoned for not more than 5 years or both. For purposes of this subdivision, an offense is a 2nd or subsequent offense if, prior to committing the offense, the person has at any time been convicted of knowingly failing to comply with any requirement to provide information under subs. (2) to (4).

History: 1995 a. 440 ss. 26 to 49, 53 to 74; Stats. 1995 s. 301.45; 1997 a. 3, 35, 130, 191, 237, 283; 1999 a. 9, 89, 156, 186; 2001 a. 38, 96, 109.

9 SECTION 2. 301.45 (6) (a) 1. of the statutes is repealed.

10 SECTION 3. Effective date.

11 (1) This act takes effect on February 1, 2003, or on the day after publication,
12 whichever is later.

13 (END)

Basford, Sarah

From: Basford, Sarah
Sent: Thursday, December 19, 2002 11:49 AM
To: Rep.Gundrum
Subject: LRB 03-0535/1 (attached)



03-0535/1

Sarah Basford
Program Assistant
State of Wisconsin
Legislative Reference Bureau
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sarah.basford@legis.state.wi.us

Barman, Mike

From: Churchill, Jolene
Sent: Monday, January 27, 2003 1:57 PM
To: Barman, Mike
Subject: Please Jacket these bills for Rep. Gundrum

LRB 533/2 and LRB 535/1