2005 DRAFTING REQUEST

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Received: 09/14/2004				Received By: mdsida			
Wanted: As time permits				Identical to LRB:			
For: Dona	For: Donald Friske (608) 266-7694				By/Representing	g: Tim	
This file r	nay be shown	to any legislato	r: NO		Drafter: mdsida	ı	
May Cont	tact:				Addl. Drafters:		
Subject:	Subject: Criminal Law - law enforcement Children - juvenile justice Correctional System - misc			Extra Copies:	GMM		
Submit vi	a email: YES						
Requester	's email:	Rep.Friske	@legis.state	e.wi.us			
Carbon co	opy (CC:) to:						
Pre Topi	c:					***************************************	
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Topic:							
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2003 AB	550						
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Received By: mdsida

2005 DRAFTING REQUEST

Bill

Received: 09/14/2004

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May Contact: Subject: Criminal Law - law enforcement Children - juvenile justice Correctional System - misc Submit via email: YES Requester's email: Rep.Friske@legis.state.wi.us Carbon copy (CC:) to: Pre Topic: No specific pre topic given Topic: Information regarding registered sex offenders who are registered as a result of delinquency adjudical Instructions: 2003 AB 550 Drafting History: Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Reference of the proofed Submitted S				
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LRB-0201 10/19/2004 02:09:18 PM Page 2

FE Sent For:

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2005 DRAFTING REQUEST

Bill

Received: 09/14/2004

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Donald Friske (608) 266-7694

By/Representing: Tim

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

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject:

Criminal Law - law enforcement

Extra Copies:

GMM

Children - juvenile justice Correctional System - misc

Submit via email: YES

Requester's email:

Rep.Friske@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Information regarding registered sex offenders who are registered as a result of delinquency adjudication

Instructions:

2003 AB 550

Drafting History:

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Received By: mdsida

2005 DRAFTING REQUEST

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Received: 09/22/2004

Wanted: As time permits For: Administration-Budget 266-2213					Identical to LRB:		
					By/Representing: Steinmetz		
This file	may be show	wn to any legisla	tor: NO		Drafter: mdsida		
May Con	ntact:				Addl. Drafters:		
Subject:	Correctional System - probation Correctional System - ext superv Correctional System - parole Criminal Law - sex offenses				Extra Copies:	gmm	
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DOA:	.Steinmetz,	BB0007 -					
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2003 - 2004 LEGISLATURE

Chr

LRB-2733/1 MGD:kJffjf WL.j

2003 ASSEMBLY BILL 550

Lps: Please proof amended Stats. W/Folio

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October 2, 2003 – Introduced by Representatives Friske, Huber, Bies, Lothian, Vukmir, Petrowski, Gundrum, Ott, Suder, Hundertmark, Seratti, Olsen, McCormick, Ainsworth, Gunderson, Jeskewitz, Ward, Kaufert, Owens, Nass, Hines, Krawczyk, J. Fitzgerald, Musser, Ladwig and Hahn, cosponsored by Senators Roessler, Lazich and Darling. Referred to Committee on Corrections and the Courts.

AN ACT to repeal 301.46 (5) (c); to amend 301.46 (2) (e), 301.46 (2m) (c), 301.46 (4) (ag) (intro.) and 301.46 (5) (b) (intro.); and to create 938.78 (2) (h) of the statutes; relating to: individuals registered as sex offenders based upon a juvenile delinquency adjudication.

Analysis by the Legislative Reference Bureau

Under current law, a person who commits sexual assault or a sex offense involving a child must register with the Department of Corrections (DOC) as a sex offender. Information from the sex offender registry is available to police chiefs and sheriffs, who may provide that information on their own initiative to certain organizations (including schools, day care providers, and certain government agencies), individuals, and the public generally, if they determine that doing so is necessary to protect the public. In addition, organizations may request information regarding specific registrants from DOC, while individuals may request such information from either DOC or a police chief or sheriff. Current law, however, prohibits DOC and local law enforcement officers from disseminating information concerning a registrant who is a child or concerning a juvenile delinquency case in which the registrant was involved.

Under this bill, a police chief or sheriff may provide information from the sex offender registry concerning a registrant who is a child or concerning a delinquency case in which the registrant was involved to an organization or a member of the general public if the police chief or sheriff believes that doing so is necessary to protect the public. DOC may also do so in response to a request for information

ASSEMBLY BILL 550

regarding a specific registrant if it believes that doing so is necessary to protect the public.

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

SECTION 1. 301.46 (2) (e) of the statutes is amended to read:

301.46 **(2)** (e) A police chief or sheriff may provide any of the information to which he or she has access under this subsection, other than information specified in subs. (4) (ag) and (5) (e), to an entity in the police chief's community or the sheriff's county that is entitled to request information under sub. (4), to any person requesting information under sub. (5) or to members of the general public if, in the opinion of the police chief or sheriff, providing that information is necessary to protect the public.

SECTION 2. 301.46 (2m) (c) of the statutes is amended to read:

301.46 **(2m)** (c) A police chief or sheriff who receives a bulletin under this subsection may provide any of the information in the bulletin, other than information specified in subs. (4) (ag) and (5) (c), to an entity in the police chief's community or the sheriff's county that is entitled to request information under sub. (4), to any person requesting information under sub. (5) or to members of the general public if, in the opinion of the police chief or sheriff, providing that information is necessary to protect the public.

Section 3. 301.46 (4) (ag) (intro.) of the statutes is amended to read:

301.46 **(4)** (ag) (intro.) The department may not provide any of the following information in response to a request under par. (a) unless it determines that doing so is necessary to protect the public:

SECTION **4.** 301.46 (5) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 550

1	301.46 (5) (b) (intro.) If the department or a police chief or sheriff provides
2	information under par. (a), the department or police chief or sheriff shall, subject to
3	par. (c), provide all of the following concerning the person specified in the request
4	under par. (a) 2.:
5	SECTION 5. 301.46 (5) (c) of the statutes is repealed.
6	SECTION 6. 938.78 (2) (h) of the statutes is created to read:
7	938.78 (2) (h) Paragraph (a) does not prohibit the department from disclosing
8	information under s. 301.46 (2) (e), (2m) (c), (4), (5), or (5n) about an individual
9	adjudged delinquent for a sex offense and required to register as a sex offender under
10	s. 301.45 based upon that adjudication.
11	(END)

Northrop, Lori

From:

Sent:

Gary, Tim Tuesday, February 01, 2005 2:21 PM

To:

LRB.Legal

Subject:

Draft review: LRB 05-0201/1 Topic: Information regarding registered sex offenders who are

registered as a result of delinquency adjudication

It has been requested by <Gary, Tim> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0201/1 Topic: Information regarding registered sex offenders who are registered as a result of delinquency adjudication