

2007 DRAFTING REQUEST

Senate Amendment (SA-SB264)

Received: 11/29/2007

Received By: rnelson2

Wanted: Soon

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Kelly

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Courts - evidence

Extra Copies:

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Child abuse report privileged

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	rnelson2 11/29/2007	bkraft 11/29/2007	jfrantze 11/30/2007	_____	sbasford 11/30/2007	sbasford 11/30/2007	
/2	rnelson2 12/03/2007	bkraft 12/03/2007	pgreensl 12/03/2007	_____	lparisi 12/03/2007	lparisi 12/03/2007	

FE Sent For:

<END>

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12/3 Draft a suggest in D-Note

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FE Sent For:

12 bjk 12/3
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/?	rnelson2	1bjk 11/29	<i>[Signature]</i>	<i>[Signature]</i>			

FE Sent For:

<END>

Nelson, Robert P.

From: Johnson, Kelly
Sent: Thursday, November 29, 2007 10:46 AM
To: Nelson, Robert P.
Cc: Plona, Katie P - DHFS
Subject: Changes to 2867/1

Hi Robert:

The changes should be made to SB 264---or 2867/1. Thanks!

We would like to extend the intent of the bill to include permissive reporters as well as mandatory reporters. Only mandatory reporters are specified in the original bill. The language is from DHFS legal council and if you have any questions please feel free to call either me or Katie Plona from DHFS. Her phone number is: 266-3262. We have kind of a tight time frame so if you wouldn't mind putting a rush on this it would be greatly appreciated.

Language:

So, the language change would be in Section 3 of the bill to read: "905.04(4)(e)2m. There is no privilege for information contained in a report of child abuse or neglect that is provided under s. 48.981(3) when that report is required or permitted under s. 48.981(2)."

This change would cover permissive reporting under s. 48.981(2)(c), Stats. which covers professionals or anyone else who suspect or know of child abuse from a source other than seeing the child in the course of their professional duties, which is covered by mandated reporting.

Thank you for all of your help. I really appreciate it.

Kelly Johnson-Becker
Office of Senator Jon Erpenbach
27th District
608-266-6670



500a (12/29) ←
State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0927/1

RPN:.....

Lbjk

SENATE AMENDMENT,
TO 2007 SENATE BILL 264 ✓

bhv ✓

D-note

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 1. Page 2, line 6: after "required" insert "or permitted". ✓
- 3 (END) ✓

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0927/1dn

RPN:.....

Lbjk

Date

With this change in the policy, perhaps it would be better to just say "There is no privilege for information contained in a report of child abuse or neglect that is provided under s. 48.981 (3)."

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0927/1dn
RPN:bjk:jf

November 30, 2007

With this change in the policy, perhaps it would be better to just say "There is no privilege for information contained in a report of child abuse or neglect that is provided under s. 48.981 (3)."

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.wisconsin.gov



**SENATE AMENDMENT ,
TO 2007 SENATE BILL 264**

bhv

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2 1. Page 2, line 6: after "required" insert "or permitted".

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#1 Page 2 line 6 ⁵ delete
" when that report is ⁵ ~~is~~ ⁵
#1 Page 2 line 6 ⁶ delete
" required under s.
48.981 (2) ⁶ ~~is~~ ⁶