



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 51

**Assembly
Amendment 1**

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Assembly Bill 51 creates two Class A misdemeanors relating to prohibiting certain computer messages or postings that invite harassment or obscene, lewd, or profane communication.

First, the bill prohibits sending, posting, or displaying a message on a computerized communication system if all of the following apply:

- The actor's message invites a person to send mail or a message to another individual, make a telephone call to the individual, or otherwise contact the individual.
- The actor's message includes information on how to contact the individual.
- The actor intends that the individual be harassed, frightened, intimidated, threatened, or abused by the invited contact.
- As a result of the actor's message, a person contacts the individual and the contact harasses, frightens, intimidates, threatens, or abuses the individual.

Second, the bill prohibits sending, posting, or displaying a message on a computerized communication system if all of the following apply:

- The message invites a person to contact the individual and use obscene, lewd, or profane language or suggest a lewd or lascivious act in the contact.
- The message includes information on how to contact the individual.
- The actor intends that the individual be harassed, frightened, intimidated, threatened, or abused by the invited contact.

- As a result of the message, a person contacts the individual and uses obscene, lewd, or profane language or suggests a lewd or lascivious act in the contact and the contact harasses, frightens, intimidates, threatens, or abuses the individual.

Assembly Amendment 1 adds as an element for the second offense that the actor intends that the invited contact serve no legitimate purpose.

Legislative History

Representative Friske offered Assembly Amendment 1. On January 15, 2008, the Assembly adopted the amendment on a voice vote and passed the bill, as amended, on a vote of Ayes, 93; Noes, 1.

AS:ksm