



**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2009 SENATE BILL 325**

January 13, 2010 – Offered by Senator KREITLOW.

1 **AN ACT** *to create* 301.50 of the statutes; **relating to:** notification to a parent  
2 before chaperoning a sex offender.

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***Analysis by the Legislative Reference Bureau***

Currently, the Department of Corrections (DOC) approves individuals as chaperones for sex offenders, and DOC designs a chaperone agreement for the individual to sign. This substitute amendment requires the chaperone agreement to indicate that the individual has notified in writing any other person with whom the individual has a child in common of the individual's intention to chaperone a sex offender.

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

3 **SECTION 1.** 301.50 of the statutes is created to read:  
4 **301.50 Notification of intent to chaperone sex offenders.** (1) In this  
5 section, "substantial parental relationship" means the acceptance and exercise of  
6 significant responsibility for the daily supervision, education, protection, and care

1 of the child. In evaluating whether an individual has had a substantial parental  
2 relationship with the child, factors that may be considered include, but are not  
3 limited to, whether the individual has expressed concern for or interest in the  
4 support, care, or well-being of the child; whether the individual has neglected or  
5 refused to provide care or support for the child; and whether, with respect to an  
6 individual who is or may be the father of the child, the individual has expressed  
7 concern for or interest in the support, care, or well-being of the mother during her  
8 pregnancy.

9 (2) The department shall design a form to be signed by any individual who  
10 intends to be a chaperone for sex offenders. The form must include a place for the  
11 individual's signature as well as a statement that the individual has, unless par. (a),  
12 (b), or (c) applies, informed, in writing, or has made a good faith effort to inform, any  
13 individual with whom the individual who intends to be a chaperone has a child in  
14 common, whether through blood, marriage, or adoption, of his or her intent to  
15 chaperone a sex offender. The individual does not have to inform an individual with  
16 whom he or she has a child in common if any of the following applies:

17 (a) The child in common is over the age of 18.

18 (b) The individual who intends to be a chaperone is not the child's parent or has  
19 not had a substantial parental relationship with the child.

20 (c) The individual who has a child in common with the individual who intends  
21 to be a chaperone is not the child's parent or has not had a substantial parental  
22 relationship with the child.

23 (3) The department is immune from any civil liability for any good faith act or  
24 omission of the department in connection with the requirements under this section.

25 **SECTION 2. Initial applicability.**

