

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-AB413)**

Received: 01/04/2010

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Terry Van Akkeren (608) 266-0656

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Criminal Law - crimes agnst kids

Extra Copies:

Submit via email: YES

Requester's email: Rep.VanAkkeren@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalty enhancer

---

**Instructions:**

add to s. 973.01 (2) (c) 2. a.

---

**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	phurley 01/04/2010	jdye 01/05/2010	phenry 01/05/2010	_____	sbasford 01/05/2010	sbasford 01/05/2010	

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-AB413)**

Received: 01/04/2010

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Terry Van Akkeren (608) 266-0656

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Criminal Law - crimes agnst kids

Extra Copies:

Submit via email: YES

Requester's email: Rep.VanAkkeren@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalty enhancer

---

**Instructions:**

add to s. 973.01 (2) (c) 2. a.

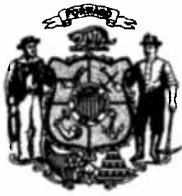
---

**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	phurley	1 1/5 jld	1/5 ph	1/5 ph			

FE Sent For:

<END>



## 2009 ASSEMBLY BILL 413

September 4, 2009 – Introduced by Representatives VAN AKKEREN, TURNER, MASON, VAN ROY, TOWNSEND, BIES, BERCEAU, GUNDERSON, SMITH and SPANBAUER, cosponsored by Senators COGGS, LEIBHAM and HOPPER. Referred to Committee on Criminal Justice.

1     **AN ACT to create** 939.635 of the statutes; **relating to:** crimes against children  
2             committed by certain persons and creating a penalty.

---

### *Analysis by the Legislative Reference Bureau*

Current law provides a number of penalty enhancement provisions that allow a judge to increased a penalty for a crime that is committed under certain circumstances. This bill allows a judge to increase the maximum period of imprisonment by up to five years if a person who is licensed or certified to provide day care commits a sexual assault against, or intentionally or recklessly causes bodily harm to, a child for whom the person provides day care.

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.

---

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

3             **SECTION 1.** 939.635 of the statutes is created to read:  
4             **939.635 Increased penalty for certain crimes against children**  
5             **committed by a day care provider.** If a person who is licensed under s. 48.65,

**ASSEMBLY BILL 413**

1 certified under s. 48.651, or providing care pursuant to a contract under s. 120.13 (14)  
2 commits a violation of s. 948.02, 948.025, 948.03 (2), or 948.03 (3) against a child for  
3 whom the person was providing day care, the maximum term of imprisonment for  
4 that crime may be increased by not more than 5 years.

5

(END)



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1247/1

PJH: :...

SOON

jld

ASSEMBLY AMENDMENT ,  
TO 2009 ASSEMBLY BILL 413

1-4-10

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 4: after that line insert:

3 "SECTION 1m. 973.01 (2) (c) 2. a. of the statutes is amended to read:

4 973.01 (2) (c) 2. a. Sections 939.621, 939.632, 939.635, 939.645, 946.42 (4),  
5 961.46, and 961.49."

6 History: 1997 a. 283; 2001 a. 109; 2003 a. 33; 2005 a. 277; 2007 a. 116, 226; 2009 a. 28.

(END)