### 2009 DRAFTING REQUEST

Bill

Received: <b>02/25/2009</b>	Received By: pkahler
Wanted: As time permits	Identical to LRB:

For: Amy Sue Vruwink (608) 266-8366	By/Representing: Jon Mielke
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This file may be shown to any legislator: NO Draner: bkanler	This file may be shown to	any legislator: NO	Drafter: pkahler
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Addl. Drafters:

Submit via email: YES

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

Carbon copy (CC:) to:

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Pre Topic:			

No specific pre topic given

Topic:		
Substitue address for victims of domestic abuse		

Substitute address for victims of domestic abuse

**Instructions:** 

See attached

Drafting History:

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required
/?	pkahler 03/02/2009	nnatzke 03/04/2009					State
/P1			mduchek 03/04/200	9	lparisi 03/04/2009		State
/1	pkahler 03/09/2009 pkahler 10/05/2009	nnatzke 03/10/2009	mduchek 03/10/200	9	cduerst 03/10/2009	cduerst 10/05/2009	

**LRB-2234** 10/05/2009 03:42:48 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

<END>

At Intro.

Received By: pkahler

# 2009 DRAFTING REQUEST

# Bill

Received: 02/25/2009

Wanted: A	ks time permi	ts			Identical to LRB:		
For: Amy Sue Vruwink (608) 266-8366				By/Representing:	Jon Mielke		
This file n	nay be shown	to any legislator	NO		Drafter: pkahler		
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Substitue	address for vio	ctims of domesti	c abuse				
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**LRB-2234** 10/05/2009 03:27:30 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

<**END>** 

Received By: pkahler

# 2009 DRAFTING REQUEST

# Bill

Received: 02/25/2009

Wanted: As time permits				Identical to LRB:			
For: <b>Donna Seidel</b> (608) 266-0654				By/Representing:	Chris McKin	iny	
This file	may be shown	to any legislato	r: <b>NO</b>		Drafter: pkahler		
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Subject: Dom. Rel miscellaneous				Extra Copies:			
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/P1			mduchek 03/04/200	)9	lparisi 03/04/2009		State
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**LRB-2234** 03/10/2009 11:39:53 AM Page 2

FE Sent For:

<END>

# 2009 DRAFTING REQUEST

Bill

Received: 02/25/2009 Rece				Received By: pkahler				
Wanted: As time permits					Identical to LRB:			
For: <b>Donna Seidel</b> (608) 266-0654				By/Representing: Chris McKinny				
This file	may be shown	to any legislato	r: <b>NO</b>		Drafter: pkahler			
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Topic:								
Substitue	e address for vi	ctims of domes	tic abuse					
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### 2009 DRAFTING REQUEST

Bill

Received: 02/25/2009 Received By: pkahler

Wanted: As time permits Identical to LRB:

For: Donna Seidel (608) 266-0654 By/Representing: Chris McKinny

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

May Contact: Addl. Drafters:

Subject: Dom. Rel. - miscellaneous Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

**Pre Topic:** 

No specific pre topic given

Topic:

Substitue address for victims of domestic abuse

**Instructions:** 

See attached

**Drafting History:** 

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? pkahler  $\frac{\rho_1 \eta_0 \eta_0}{3}$ 

FE Sent For:

### Kahler, Pam

From:

McKinny, Chris

Sent:

Monday, February 23, 2009 5:31 PM Kahler, Pam

To:

Subject:

Substitute Address Issue

Attachments:

20090223173719120.pdf

Pam,

Here is the statutory language that I spoke with you about regarding the substitute address issue. Thank you very much for your help with this-please let me know if you need any additional information. Thanks, and have a great night!



2009022317371912 0.pdf (60 KB)

Chris McKinny Office of Rep. Donna Seidel Assistant Majority Leader 608-266-0654 (office) 1-888-534-0085 (toll free)

# Substitute Address for a Victim of Domestic Abuse

This Act allows victims of domestic violence or a representative to create a substitute address for them if there is a good reason to believe the victim's safety is at risk. The address will remain confidential and guarded from databases to ensure further safety of victims. These addresses can be used by the victim when interacting with any public agency, like school districts or the motor vehicle department. This helps ensure that an abuser is unable to track a victim through these agencies.

Submitted as: New Mexico HB 216 (enrolled version) Status: Enacted into law in 2007.

### **Suggested State Legislation**

(Title, enacting clause, etc.)

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Section 1. [Short Title.] This Act shall be cited as "An Act to Enable Domestic Abuse Victims to Use a Substitute Address."

Section 2. [Substitute Address.]

A. A victim of domestic abuse, or the victim's representative pursuant to [insert citation], who has good reason to believe that the victim's safety is at risk may apply to the [secretary of state] for the use of the [secretary of state] as a substitute address. The application shall be on a form provided by the [secretary of state] and shall include:

- (1) a statement that the [secretary of state] is acting as an agent of the victim for purposes of the forwarding of mail;
- (2) a mailing address for forwarding received mail and a telephone number where the victim can be contacted by the [secretary of state];
- (3) payment of a [seventy-five-dollar (\$75.00)] fee, which may be waived if the applicant is indigent; and

(4) the signature of the victim or the victim's representative.

B. The [secretary of state] shall maintain a confidential record of applications for a substitute address and forward any mail received on behalf of a victim of domestic abuse to the new mailing address provided on the application.

Section 3. [Severability.] [Insert severability clause.]

22 Section 4. [Repealer.] [Insert repealer clause.]

Section 5. [Effective Date.] [Insert effective date.]



# State of Misconsin 2009 - 2010 LEGISLATURE

PJK: 1......

### PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAV (in 2,2)

X-ref v (in 2,2)

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AN ACT; relating to: substitute address for a victim of domestic abuse.

### Analysis by the Legislative Reference Bureau

This bill authorizes a victim of domestic abuse (victim), or a victim's representative, to file an application with the secretary of state (secretary), on a form provided by the secretary, to use the secretary as a substitute address. The application must include an address to which the secretary must forward mail that the secretary receives on behalf of the victim, a telephone number that the secretary may use to contact the victim, and the signature of the victim or victim's representative. The secretary may charge an applicant a one–time fee of not more than \$75, which the secretary may waive if the victim is indigent, and must keep a confidential record of all applications received from victims of domestic abuse.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

- **SECTION 1.** 995.60 of the statutes is created to read:
- 3 995.60 Substitute address for victims of domestic abuse. (1) In this
- 4 section, "victim of domestic abuse" has the meaning given in s. 46.28 (1) (f).

(2) (a) A victim of domestic abuse, or a person representing a victim of domestic
abuse, may file an application with the secretary of state, on a form provided by the
secretary of state, to use the secretary of state as a substitute address. The
application form shall include all of the following:
1. A statement that the secretary of state is acting as an agent of the victim of
domestic abuse for purposes of forwarding mail to the victim of domestic abuse.
2. A mailing address for forwarding to the victim of domestic abuse mail that
is received by the secretary of state.
3. A telephone number that may be used by the secretary of state for contacting
the victim of domestic abuse.
4. The signature of the victim of domestic abuse or of the victim's
representative.
(b) The secretary of state may charge an applicant a one-time fee, which may
not exceed \$75, and may waive the fee for an indigent applicant.
(3) The secretary of state shall do all of the following:
(a) Prepare application forms for use under this section.
(b) Maintain a confidential record of applications received for substitute
addresses of victims of domestic abuse.
(c) Forward any mail received on behalf of a victim of domestic abuse who has
filed an application with the secretary of state to the address provided on the victim's
application.

(END)

Jude Jude

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU \( \rangle \text{ate} \)

Pl LRB-2234/2dn PJK:.... Nwn

Do you want to put a time limit on how long an application is in effect and require a renewal after that time period so that the secretary of state does not have to keep forwarding mail indefinitely?

Do you want to allow the release of information from an application under any cricumstances, such as with the victim's permission or to law enforcement (see s. 765.20 (2), for example)?

Do you want to delay the effective date so that the secretary of state may prepare the forms?

Pamela J. Kahler Senior Legislative Attorney

Phone: (608) 266-2682

E-mail: pam.kahler@legis.wisconsin.gov

Do you want to examined for proposed A. 995.60

be determined for proposed A. 995.60

(2) (b)?

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-2234/P1dn PJK:nwn:md

March 4, 2009

Do you want to put a time limit on how long an application is in effect and require a renewal after that time period so that the secretary of state does not have to keep forwarding mail indefinitely?

Do you want to allow the release of information from an application under any circumstances, such as with the victim's permission or to law enforcement (see s. 765.20 (2), for example)?

Do you want to delay the effective date so that the secretary of state may prepare the forms?

Do you want to specify how "indigency" would be determined for proposed s. 995.60 (2) (b)?

Pamela J. Kahler Senior Legislative Attorney Phone: (608) 266–2682

E-mail: pam.kahler@legis.wisconsin.gov

# state of wisconsin – Legislative Reference Bureau

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

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# State of Misconsin 2009 - 2010 LEGISLATURE

LRB-2234/PA

# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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Regen.

- AN ACT to create 995.60 of the statutes; relating to: substitute address for a
- 2 victim of domestic abuse.

### Analysis by the Legislative Reference Bureau

This bill authorizes a victim of domestic abuse (victim), or a victim's representative, to file an application with the secretary of state (secretary), on a form provided by the secretary, to use the secretary as a substitute address. The application must include an address to which the secretary must forward mail that the secretary receives on behalf of the victim, a telephone number that the secretary may use to contact the victim, and the signature of the victim or victim's representative. The secretary may charge an applicant a one-time fee of not more than \$75, which the secretary may waive if the victim is indigent, and must keep a confidential record of all applications received from victims of domestic abuse.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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18 19	addresses of victims of domestic abuse.  (c) Forward any mail received on behalf of a victim of domestic abuse who has
17	(b) Maintain a confidential record of applications received for substitute
16	(a) Prepare application forms for use under this section.
usert 15	not exceed \$75, and may waive the fee for an indigent applicant, if any of the 2 -19 (3) The secretary of state shall do all of the following:
13	(b) The secretary of state may charge an applicant a one-time fee, which may
12	representative.
11	4. The signature of the victim of domestic abuse or of the victim's
10	the victim of domestic abuse.
9	3. A telephone number that may be used by the secretary of state for contacting
8	is received by the secretary of state.
7	2. A mailing address for forwarding to the victim of domestic abuse mail that
6	domestic abuse for purposes of forwarding mail to the victim of domestic abuse.
5	1. A statement that the secretary of state is acting as an agent of the victim of
4	application form shall include all of the following:
3	secretary of state, to use the secretary of state as a substitute address. The
2	(2) (a) A victim of domestic abuse, or a person representing a victim of domestic abuse, may file an application with the secretary of state, on a form provided by the
1	(2) (a) A victim of domestic abuse on a nargon representing a victim of domestic

### 2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

### **INSERT A**

The secretary may disclose the name and address of a victim, however, with the permission of the victim or his or her representative, or if the requester is a law enforcement officer who requests the information in writing for the performance of an investigation or for serving a warrant. Use of the secretary as a substitute address is effective for no more than two years, but may be extended any number of times for up to two more years by filing another application and paying the fee, if applicable.

(END OF INSERT A)

### INSERT 2-14

1. The applicant is a recipient of means-tested public assistance, including relief provided by counties under s. 59.53 (21), medical assistance under subch. IV of ch. 49, supplemental security income, food stamps, or benefits received by veterans under s. 45.40 (1) or under 38 USC 501 to 562.

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2. The applicant is otherwise unable, because of poverty, to pay the fee. In determining the applicant's ability under this subdivision to pay the fee, the secretary shall consider the applicant's household size, income, expenses, assets, debts, and the federal poverty guidelines under 42 USC 9902 (2).

#### (END OF INSERT 2-14)

### INSERT 2-21

(4) Notwithstanding sub. (3) (b), the secretary of state may disclose the name and address of a victim of domestic abuse who has filed an application under this section in the following situations:

(a)
(1) The victim of domestic abuse or his or her representative gives permission for the disclosure.

(2.) The requester of the information is a law enforcement officer, as defined in s. 51.01 (11), who requests, in writing, the name and address for the performance of an investigation or the service of a warrant.



# 2ms 2-21 contd

1	(5) The use of the secretary of state as a substitute address under this section
2	shall be in effect for no more than 2 years, but may be extended any number of times
3	for up to 2 more years by filing another application and paying the fee as provided
4	under sub. (2) (b).

### SECTION 1. Effective date.

5

6 (1) This act takes effect on the first day of the 13th month beginning after publication.

(END OF INSERT 2-21)

### Kahler, Pam

From:

Sent:

McKinny, Chris Monday, October 05, 2009 2:55 PM Kahler, Pam

To:

Subject:

DV Bill

Hey Pam,

A while back you drafted LRB 2234/1 for us. Could you please release the draft to Jon in the Vruwink office? They will be introducing the bill. Thank you very much and please let me know if you need any additional information. Have a great afternoon!

Chris McKinny Office of Rep. Donna Seidel Assistant Majority Leader 608-266-0654 (office) 1-888-534-0085 (toll free)