

2009 DRAFTING REQUEST

Bill

Received: **02/25/2009**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Amy Sue Vruwink (608) 266-8366**

By/Representing: **Jon Mielke**

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.Vruwink@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitute address for victims of domestic abuse

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>
/?	pkahler 03/02/2009	nmatzke 03/04/2009		_____			State
/P1			mduchek 03/04/2009	_____	lparisi 03/04/2009		State
/1	pkahler 03/09/2009 pkahler 10/05/2009	nmatzke 03/10/2009	mduchek 03/10/2009	_____	cdurst 03/10/2009	cdurst 10/05/2009	

*for Assembly Per Jon
via phone*

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

↳ At Intro.

2009 DRAFTING REQUEST

Bill

Received: 02/25/2009

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Amy Sue Vruwink (608) 266-8366**

By/Representing: **Jon Mielke**

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.Vruwink@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Substitutue address for victims of domestic abuse

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>
/?	pkahler 03/02/2009	nmatzke 03/04/2009		_____			State
/P1			mduchek 03/04/2009	_____	lparisi 03/04/2009		State
/1	pkahler 03/09/2009 pkahler	nmatzke 03/10/2009	mduchek 03/10/2009	_____	cduerst 03/10/2009		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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:

Substitutue address for victims of domestic abuse

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>
/?	pkahler 03/02/2009	nmatzke 03/04/2009		_____			State
/P1			mduchek 03/04/2009	_____	lparisi 03/04/2009		State
/1	pkahler 03/09/2009	nmatzke 03/10/2009	mduchek 03/10/2009	_____	cduerst 03/10/2009		

FE Sent For:

<END>

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:

Substitute address for victims of domestic abuse

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>
/?	pkahler 03/02/2009	nmatzke 03/04/2009 /1 nun 3/10		_____			State
/P1			mduchek 03/04/2009	_____	lparisi 03/04/2009		

FE Sent For:

MD
MK
PK
~~END~~
3/10

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:

Adl. 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:

Substitute address for victims of domestic abuse

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?	pkahler	/p1 nwn 3/4	MD	MD			

FE Sent For:

3/4 JF

<END>

Kahler, Pam

From: McKinny, Chris
Sent: Monday, February 23, 2009 5:31 PM
To: Kahler, Pam
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.)

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

3
4 Section 2. [*Substitute Address.*]

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

9 (1) a statement that the [secretary of state] is acting as an agent of the victim for
10 purposes of the forwarding of mail;

11 (2) a mailing address for forwarding received mail and a telephone number where
12 the victim can be contacted by the [secretary of state];

13 (3) payment of a [seventy-five-dollar (\$75.00)] fee, which may be waived if the
14 applicant is indigent; and

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

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

19
20 Section 3. [*Severability.*] [Insert severability clause.]

21
22 Section 4. [*Repealer.*] [Insert repealer clause.]

23
24 Section 5. [*Effective Date.*] [Insert effective date.]



PI
v m (not seen)
NWN

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
X-ref ✓

D-note
(in 3-2)

Gen cat

1 **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:

2 ^{X ^} **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). ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2234/7dn P1
PJK: f: :...
rwn

Date

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? ✓

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

Do you want to specify how "indigency" would 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

3-9

LRB-2234/P1

Chris

answers to D-note:

1. 2 yrs for in effect
2. yes, both reasons (permission & law enforcement officer)
3. 1 yr (delay eff date)
4. Same as s. 814.29(1)(d) (for indigency)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2234/1

PJK:nwn:md

rm is new

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

(in 3-9)

Regen.

1 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.

Insert A

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:

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

1 (2) (a) A victim of domestic abuse, or a person representing a victim of domestic
2 abuse, may file an application with the secretary of state, on a form provided by the
3 secretary of state, to use the secretary of state as a substitute address. The
4 application form shall include all of the following:

5 1. A statement that the secretary of state is acting as an agent of the victim of
6 domestic abuse for purposes of forwarding mail to the victim of domestic abuse.

7 2. A mailing address for forwarding to the victim of domestic abuse mail that
8 is received by the secretary of state.

9 3. A telephone number that may be used by the secretary of state for contacting
10 the victim of domestic abuse.

11 4. The signature of the victim of domestic abuse or of the victim's
12 representative.

13 (b) The secretary of state may charge an applicant a one-time fee, which may
14 not exceed \$75, and may waive the fee for an indigent applicant if any of the following applies:

Insert 2-19 →

15 (3) The secretary of state shall do all of the following:

16 (a) Prepare application forms for use under this section.

17 (b) Maintain a confidential record of applications received for substitute
18 addresses of victims of domestic abuse.

19 (c) Forward any mail received on behalf of a victim of domestic abuse who has
20 filed an application with the secretary of state to the address provided on the victim's
21 application.

following applies:

22 →

(END)

Insert 2-21

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2234/lins
PJK:.....

INSERT A

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

5 *(2)* 2. The applicant is otherwise unable, because of poverty, to pay the fee. In
6 determining the applicant's ability under this subdivision to pay the fee, the
7 secretary shall consider the applicant's household size, income, expenses, assets,
8 debts, and the federal poverty guidelines under 42 USC 9902 (2).

(END OF INSERT 2-14)

INSERT 2-21

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

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

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



Ins 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).[✓]

5 **SECTION 1. Effective date.**

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

(END OF INSERT 2-21)

Kahler, Pam

From: McKinny, Chris
Sent: Monday, October 05, 2009 2:55 PM
To: Kahler, Pam
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)