

ASSEMBLY BILL 27 (LRB -0965)

An Act to amend 944.06 of the statutes; relating to: the definition of sexual intercourse for the crime of incest. (FE)

2009

02-05. A. Introduced by Representatives **Cullen, Zepnick, A. Williams, Sinicki, Staskunas, Gundrum, Kerkman, Ziegelbauer, Berceau, Townsend, Spanbauer, Vruwink, Strachota, Barca, Turner and Soletski**; cosponsored by Senators **Lassa, Taylor, Sullivan, Coggs, Olsen, Lazich, A. Lasee, Darling and Plale**.

02-05. A. Read first time and referred to committee on Criminal Justice 50

02-17. A. Fiscal estimate received.

03-04. A. Fiscal estimate received.

03-05. A. Public hearing held.

04-16. A. Executive action taken.

04-17. A. Report passage recommended by committee on Criminal Justice, Ayes 8, Noes 1 133

04-17. A. Referred to committee on Rules 133

04-21. A. Placed on calendar 4-23-2009 by committee on Rules.

04-23. A. Placed on the calendar of 4-23-2009 following AB 103 142

04-23. A. Placed at the foot of the calendar of 4-23-2009 143

04-23. A. Read a second time 145

04-23. A. Refused to refer to committee on Judiciary and Ethics, Ayes 18, Noes 78 145

04-23. A. Ordered to a third reading 146

04-23. A. Rules suspended 146

04-23. A. Read a third time and **passed**, Ayes 86, Noes 10 146

04-23. A. Ordered immediately messaged 146

04-23. S. Received from Assembly 139

04-24. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing 143

05-13. S. Rules suspended to withdraw from committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing and take up.

05-13. S. Read a second time.

05-13. S. Ordered to a third reading.

05-13. S. Rules suspended.

05-13. S. Read a third time and **concurred in**.

05-13. S. Ordered immediately messaged.

05-13. A. Received from Senate concurred in.

CD

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

09 - 096511

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

5-13-09

Date

JR Miller

Enrolling Drafter



2009 ASSEMBLY BILL 27

February 5, 2009 – Introduced by Representatives CULLEN, ZEPNICK, A. WILLIAMS, SINICKI, STASKUNAS, GUNDRUM, KERKMAN, ZIEGELBAUER, BERCEAU, TOWNSEND, SPANBAUER, VRUWINK, STRACHOTA, BARCA, TURNER and SOLETSKI, cosponsored by Senators LASSA, TAYLOR, SULLIVAN, COGGS, OLSEN, LAZICH, A. LASEE, DARLING and PLALE. Referred to Committee on Criminal Justice.

1 **AN ACT to amend** 944.06 of the statutes; **relating to:** the definition of sexual
2 intercourse for the crime of incest.

Analysis by the Legislative Reference Bureau

Under current law, a person who has sexual intercourse with a blood relative, if the relationship would prohibit them from legally marrying, is guilty of a felony. "Sexual intercourse" is defined to require vulvar penetration. This bill expands the definition of "sexual intercourse" to include cunnilingus, fellatio, or anal intercourse or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening.

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.

For further information see the *state and local* 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.** 944.06 of the statutes is amended to read:
4 **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse, as
5 defined in s. 948.01 (6), with a person he or she knows is a blood relative and such

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1 relative is in fact related in a degree within which the marriage of the parties is
2 prohibited by the law of this state is guilty of a Class F felony.

3 (END)