

2009 DRAFTING REQUEST

Bill

Received: 12/01/2008

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: David Cullen (608) 267-9836

By/Representing: Ritch Williams

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: Criminal Law - sex offenses

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Definition of sexual intercourse for purposes of incest

Instructions:

See attached--2007 AB-652

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>
/?	chanaman 12/01/2008	bkraft 12/11/2008		_____			S&L Crime
/1			phery 12/11/2008	_____	sbasford 12/11/2008	sbasford 12/12/2008	

FE Sent For: "/1" @ intro. 2/4/09 <END>

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/?	chanaman	1 bjk 12/11	<del>ph</del> ph	<del>12/11</del> ph			

FE Sent For:

<END>

## Hanaman, Cathlene

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**From:** Williams, Ritch  
**Sent:** Monday, December 01, 2008 10:28 AM  
**To:** Hanaman, Cathlene  
**Subject:** Email from LRB Website

Cathlene -

Representative Cullen would like to have 2007 Assembly Bill 652 (LRB 3347/1) redrafted for introduction in the upcoming legislative session. Please let me know if you have any questions or concerns about this request. Thank you.

### **Ritch Williams**

Office of Rep. David Cullen  
State Capitol, Room 216 North  
P.O. Box 8952  
Madison, WI 53708-8952

(608) 267-9836  
ritch.williams@legis.wisconsin.gov

-0965/1  
Lebjk

## 2007 ASSEMBLY BILL 652

PWF

SAV  
X-ref V

January 3, 2008 - Introduced by Representatives CULLEN, ALBERS, BERCEAU, BIES, HRAYCHUCK, JESKEWITZ, MOLEPSKE, MUSSER, NASS, SINICKI, SOLETSKI, STASKUNAS, A. WILLIAMS and ZIEGELBAUER, cosponsored by Senators LASSA, A. LASEE, LAZICH, ROESSLER, SULLIVAN and TAYLOR. Referred to Committee on Criminal Justice.

repeal

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

**ASSEMBLY BILL 652**

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)

**Barman, Mike**

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**From:** Williams, Ritch  
**Sent:** Friday, December 12, 2008 8:47 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0965/1 Topic: Definition of sexual intercourse for purposes of incest

Please Jacket LRB 09-0965/1 for the ASSEMBLY.