



**SENATE AMENDMENT 7,  
TO 2009 SENATE BILL 331**

November 5, 2009 – Offered by Senators DARLING, LAZICH, SCHULTZ, HOPPER,  
KANAVAS, KAPANKE, GROTHMAN, LEIBHAM and COWLES.

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

2 **1.** Page 6, line 19: delete “7.” and substitute “8.”.

3 **2.** Page 11, line 10: after that line insert:

4 “**SECTION 13g.** 48.685 (2) (br) of the statutes is created to read:

5 48.685 (2) (br) If the person who is the subject of a search under par. (am) is  
6 seeking a license to operate a day care center under s. 48.65, certification as a day  
7 care provider under s. 48.651, or a contract under s. 120.13 (14) to operate a day care  
8 program, the department, county department, agency contracted with under s.  
9 48.651 (2), or school board shall require the person to be fingerprinted on 2  
10 fingerprint cards, each bearing a complete set of the person’s fingerprints. The  
11 department of justice may provide for the submission of the fingerprint cards to the  
12 federal bureau of investigation for the purposes of verifying the identity of the person  
13 fingerprinted and obtaining records of his or her criminal arrests and convictions.”.

1           **3.** Page 16, line 11: delete the material beginning with that line and ending  
2 with page 17, line 12, and substitute:

3           “1. An offense under ch. 948 that is a felony, other than a violation of s. 948.22  
4 (2) or 948.51 (2).

5           2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (4), (5), or (6) or  
6 940.20 (1) or (1m), if the victim is the spouse of the person.

7           3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01, 940.02, 940.03,  
8 940.05, 940.06, 940.21, 940.225 (1), (2), or (3), 940.23, 940.305, 940.31, 941.20 (2) or  
9 (3), 941.21, 943.10 (2), 943.23 (1g), or 943.32 (2).

10          4. A misdemeanor involving sexual abuse, child abuse, or domestic abuse, if the  
11 person has ever been convicted or adjudicated delinquent for committing any felony.

12          5. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1), 125.085 (3) (a) 2.,  
13 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.12, 940.19 (2), (4), (5), or (6),  
14 940.20, 940.203, 940.205, 940.207, 940.22 (2) or (3), 940.25, 940.285 (2), 940.295,  
15 942.09 (2), or 948.22 (2), a violation of s. 948.51 (2) that is a felony under s. 948.51  
16 (3) (b) or (c), a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under s. 346.65  
17 (2) (am) 5., 6., or 7., or (f), (2j) (d), or (3m), or an offense under ch. 961 that is a felony,  
18 if the person has ever been convicted or adjudicated delinquent for any other crime.

19          6. A violation listed in subd. 5., if the person has never been convicted or  
20 adjudicated delinquent for committing any other crime and the person completed his  
21 or her sentence, including any probation, parole, or extended supervision, or was  
22 discharged by the department of corrections, less than 10 years before the date of the  
23 investigation under sub. (2) (am) or (b) 1.

1           7. A misdemeanor involving sexual abuse, child abuse, or domestic abuse, if the  
2 person has never been convicted or adjudicated delinquent for committing a felony,  
3 but has ever been convicted or adjudicated delinquent for committing any other  
4 misdemeanor, and the person completed his or her sentence, including any  
5 probation, parole, or extended supervision, or was discharged by the department of  
6 corrections, less than 10 years before the date of the investigation under sub. (2) (am)  
7 or (b) 1.

8           8. A misdemeanor involving sexual abuse, child abuse, or domestic abuse, if the  
9 person has never been convicted or adjudicated delinquent for committing any other  
10 misdemeanor and the person completed his or her sentence, including any probation,  
11 parole, or extended supervision, or was discharged by the department of corrections,  
12 less than 5 years before the date of the investigation under sub. (2) (am) or (b) 1.”.

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(END)