



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 325

Senate Substitute Amendment 1

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Contact: Anne Sappenfield, Senior Staff Attorney (267-9485)

Senate Bill 325 requires the Department of Corrections (DOC) to design a form to be signed by any individual who intends to be a chaperone for a sex offender to inform an individual with whom the chaperone has a child in common of the individual's intent to chaperone a sex offender.

Senate Substitute Amendment 1 provides that the form must include a statement that the individual has informed, in writing, or has made a good faith effort to inform, any individual with whom the individual who intends to be a chaperone has a child in common of his or her intent to chaperone a sex offender. The individual does not have to inform an individual with whom he or she has a child in common if any of the following applies:

- The child in common is over the age of 18.
- The individual who intends to be a chaperone is not the child's parent or has not had a substantial parental relationship with the child. The substitute amendment defines "substantial parental relationship" as the acceptance and exercise of significant responsibility for the daily supervision, education, protection, and care of the child and lists factors to consider in evaluating whether an individual has had a substantial parental relationship with the child.
- The individual who has a child in common with the individual who intends to be a chaperone is not the child parent or has not had a substantial parental relationship with the child.

The substitute amendment provides that DOC is immune from any civil liability for any good faith act or omission of DOC in connection with the requirements under the substitute amendment.

Legislative History

Senator Kreitlow offered Senate Substitute Amendment 1. On January 19, 2010, the Senate adopted Senate Substitute Amendment 1 and passed the bill, as amended, on voice votes.

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