

**2011 DRAFTING REQUEST**

**Senate Amendment (SA-SB283)**

Received: 01/19/2012

Received By: phurley

Wanted: As time permits

Companion to LRB:

For: Van Wanggaard (608) 266-1832

By/Representing:

May Contact:

Drafter: phurley

Subject: Criminal Law - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Wanggaard@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Possession of a correctional employee's personal information

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**Instructions:**

See attached

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**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>
/?	phurley 01/20/2012	mduchek 01/30/2012		_____			
/1			rschluet 01/30/2012	_____	mbarman 01/30/2012	mbarman 01/30/2012	

FE Sent For:

<END>



## Hurley, Peggy

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**From:** Kelley, Margit  
**Sent:** Friday, January 20, 2012 11:48 AM  
**To:** Hurley, Peggy; Summerfield, Craig  
**Subject:** RE: 2011 SBL 283 amendment

Great! Thank you for checking on this, Peggy.

Margit Kelley  
Wisconsin Legislative Council  
608-266-9280  
Margit.Kelley@legis.wi.gov

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**From:** Hurley, Peggy  
**Sent:** Friday, January 20, 2012 11:41 AM  
**To:** Summerfield, Craig; Kelley, Margit  
**Subject:** RE: 2011 SBL 283 amendment

Craig and Margit,

I discussed this draft with Gordon Malaise, who drafts in juvenile corrections. It is his opinion that, even though youthful offenders are being included in the definition of "offenders," there is no need for special language regarding the disposition of juveniles who commit the offense. The usual laws would apply to disposition of this crime that already apply to other felonies.

I am drafting the other changes into the amendment, although rather than cross reference the DOC rule in the definition of "offenders," I am inserting the language from that rule. Please let me know if you have any questions or concerns.  
Thanks!

Peggy

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**From:** Summerfield, Craig  
**Sent:** Thursday, January 19, 2012 4:03 PM  
**To:** Kelley, Margit; Hurley, Peggy  
**Subject:** RE: 2011 SBL 283 amendment

Thanks, guys!

Craig

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**From:** Kelley, Margit  
**Sent:** Thursday, January 19, 2012 3:41 PM  
**To:** Hurley, Peggy  
**Cc:** Summerfield, Craig  
**Subject:** RE: 2011 SBL 283 amendment

Thank you, Peggy!

Margit Kelley  
Wisconsin Legislative Council  
608-266-9280  
Margit.Kelley@legis.wi.gov

**From:** Hurley, Peggy  
**Sent:** Thursday, January 19, 2012 3:40 PM  
**To:** Kelley, Margit  
**Cc:** Summerfield, Craig  
**Subject:** RE: 2011 SBL 283 amendment

Hi Margit,

Yes, I can do that. I will enter the request today and get a draft to the Senator's office as soon as I can. I will have one of the drafters who knows juvenile law review the language regarding juveniles.

Peggy

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**From:** Kelley, Margit  
**Sent:** Thursday, January 19, 2012 3:37 PM  
**To:** Hurley, Peggy  
**Cc:** Summerfield, Craig  
**Subject:** 2011 SBL 283 amendment

<< File: 2011 Senate BILL 283 MBR Changes (3).doc >>

Hi Peggy,

As we discussed, could you draft an amendment to 2011 SB 283 for Sen. Wanggaard that incorporates the attached revisions? The attachment did not change all instances of "prisoner" and replace it with "offender," although that definition is changed in the attachment, so that would also need to be done.

Also, please add a clarification to the effect that any person under age 17 should be adjudicated under ch. 938.

The draft can be sent to Craig Summerfield in the Senator's office.

Thank you!

Margit Kelley  
Wisconsin Legislative Council  
608-266-9280  
Margit.Kelley@legis.wi.gov

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa2165/?ins  
.....

INSERT 2.16

- 1.** Page 6, line 6: delete lines 6 to 8 and substitute:

(m) (f) "Offender" means any person who is an inmate in a state prison or correctional facility, any person who is on probation, parole, or extended supervision to the department of corrections, or any person under the supervision of the department of corrections within the meaning of s. 938.505 (1), or pursuant to s. 48.366, or a person subject to a criminal penalty who is placed in an institution under s. 973.013 (3m), regardless of age."

- 2.** Page 6, line 9: delete "prisoner" and substitute "offender or health services patient".

## Hurley, Peggy

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**From:** Kelley, Margit  
**Sent:** Thursday, January 19, 2012 3:37 PM  
**To:** Hurley, Peggy  
**Cc:** Summerfield, Craig  
**Subject:** 2011 SBL 283 amendment

**Attachments:** 2011 Senate BILL 283 MBR Changes (3).doc



2011 Senate BILL  
283 MBR Chang...

Hi Peggy,

As we discussed, could you draft an amendment to 2011 SB 283 for Sen. Wanggaard that incorporates the attached revisions? The attachment did not change all instances of "prisoner" and replace it with "offender," although that definition is changed in the attachment; so that would also need to be done.

Also, please add a clarification to the effect that any person under age 17 should be adjudicated under ch. 938.

The draft can be sent to Craig Summerfield in the Senator's office.

Thank you!

Margit Kelley  
Wisconsin Legislative Council  
608-266-9280  
Margit.Kelley@legis.wi.gov

# 2011 SENATE BILL 283

November 4, 2011 - Introduced by Senators KING, SHILLING, MOULTON, SCHULTZ, WANGGAARD and ERPENBACH, cosponsored by Representatives HINTZ, BERCEAU, POPE-ROBERTS, RADCLIFFE, SINICKI, SPANBAUER, WYNN, ZEPNICK and STEINEKE. Referred to Committee on Labor, Public Safety, and Urban Affairs.

**AN ACT** to amend 48.685 (5) (br) 3m., 100.54 (9) (b), 103.34 (1) (b) 3., 895.446 (1), 2895.446 (2), 895.446 (3) (a), 939.03 (1) (e), 946.82 (4), 970.03 (11), 970.03 (13), 3971.19 (11) and 971.366; and to create 943.202 of the statutes; relating to: unauthorized possession of a correctional employee's or health services employee's personal identifying information and providing a penalty.

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## *Analysis by the Legislative Reference Bureau*

Current law prohibits the unauthorized use of another person's personal identifying information or documents related to the person's identifying information. Personal identifying information includes an individual's name, address, telephone number, driver's or employment identification number, the maiden name of an individual's mother, social security number, taxpayer's identification number, access code for an individual's bank or other account, an individual's unique biometric data, including fingerprint, voice print, retina or iris image, or deoxyribonucleic acid profile.

Under current law, a person who intentionally uses, attempts to use, or possesses with the intent to use another person's personal identifying information or documents to obtain something of value, to avoid civil or criminal process or penalty, or to harm the reputation or property of the person is guilty of a Class H felony and may be fined up to \$10,000, imprisoned for up to six years, or both.

Under current law, a person who is the victim of the unauthorized use of his or her personal identifying information or documents may obtain a security freeze on

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his or her credit reports free of charge, if he or she submits proof to a credit reporting agency that he or she reported the unauthorized use to a law enforcement agency.

This bill prohibits the possession, by a person who is incarcerated in a prison or who resides in a specified mental health facility, of a correctional employee's or health services employee's personal identifying information or a document relating to the employee's personal identifying information. A person who violates this prohibition is guilty of a Class H felony. Under the bill, a correctional employee or health services employee who is the victim of an unauthorized possession of his or her personal identifying information or documents may obtain a security freeze on his or her credit reports free of charge, if he or she submits proof to a credit reporting agency that he or she reported the unauthorized possession to a law enforcement agency.

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* 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:*

1SECTION 1. 48.685 (5) (br) 3m. of the statutes is amended to read:

2 48.685 (5) (br) 3m. Except for purposes of permitting a person to be a nonclient  
3resident or caregiver specified in sub. (1) (ag) 1. a. of a ~~day child~~ care center or ~~day~~  
4~~child~~ care provider, a violation of s. 943.201, 943.202, 943.203, 943.32 (2), or 943.38  
5(1) or (2); a violation of s. 943.34 (1), 943.395 (1), 943.41 (3) (e), (4) (a), (5), (6), or (6m),  
6943.45 (1), 943.455 (2), 943.46 (2), 943.47 (2), 943.50 (1m), or 943.70 (2) (a) or (am)  
7or (3) (a) that is a felony; or an offense under subch. IV of ch. 943 that is a felony.

8SECTION 2. 100.54 (9) (b) of the statutes is amended to read:

9 100.54 (9) (b) A consumer reporting agency may not charge a fee to an  
10individual who submits evidence satisfactory to the consumer reporting agency that  
11the individual made a report to a law enforcement agency under s. 943.201 (4) or  
1212943.202 (4) regarding the individual's personal identifying information or a personal

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13identifying document. A copy of a law enforcement agency's report under s. 943.201  
14(4) or 943.202 (4) is considered satisfactory evidence for purposes of this paragraph.

15SECTION 3. 103.34 (1) (b) 3. of the statutes is amended to read:

16 103.34 (1) (b) 3. A violation of s. 943.20, 943.201, 943.203, 943.21, 943.23,  
175943.24 (2), 943.34, 943.50, 943.61, 943.62, or 943.70 or of a substantially similar  
18federal law or law of another state, if the value of the property misappropriated is  
19\$2,500 or more, or a violation of s. 943.202 or of a substantially similar federal law  
208or law of another state.

21SECTION 4. 895.446 (1) of the statutes is amended to read:

22 895.446 (1) Any person who suffers damage or loss by reason of intentional  
23conduct that occurs on or after November 1, 1995, and that is prohibited under s.  
2412943.01, 943.20, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50, 943.61,  
2513943.74, or 943.76, or by reason of intentional conduct that occurs on or after April 28,  
26141998, and that is prohibited under s. 943.201, 943.202, or 943.203, or by reason of  
2715intentional conduct that occurs on or after July 1, 2004, and that is prohibited under  
2816s. 943.011, 943.012, or 943.017, has a cause of action against the person who caused  
2917the damage or loss.

30SECTION 5. 895.446 (2) of the statutes is amended to read:

31 895.446 (2) The burden of proof in a civil action under sub. (1) is with the person  
3220who suffers damage or loss to prove a violation of s. 943.01, 943.011, 943.012,  
3321943.017, 943.20, 943.201, 943.202, 943.203, 943.21, 943.24, 943.26, 943.34, 943.395,  
3422943.41, 943.50, 943.61, 943.74, or 943.76 by a preponderance of the credible evidence.  
3523A conviction under s. 943.01, 943.011, 943.012, 943.017, 943.20, 943.201, 943.202,  
3624943.203, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50, 943.61, 943.74, or

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371943.76 is not required to bring an action, obtain a judgment, or collect on that  
382judgment under this section.

39SECTION 6. 895.446 (3) (a) of the statutes is amended to read:

40 895.446 (3) (a) Actual damages, including the retail or replacement value of  
415damaged, used, or lost property, whichever is greater, for a violation of s. 943.01,  
426943.011, 943.012, 943.017, 943.20, 943.201, 943.202, 943.203, 943.21, 943.24,  
437943.26, 943.34, 943.395, 943.41, 943.50, 943.61, 943.74, or 943.76.

44SECTION 7. 939.03 (1) (e) of the statutes is amended to read:



9 939.03 (1) (e) The person violates s. 943.201, 943.202, or 943.203 and the  
10 victim, at the time of the violation, is an individual who resides in this state, a  
11 deceased individual who resided in this state immediately before his or her death,  
12 or an entity, as defined in s. 943.203 (1) (a), that is located in this state.

13 SECTION 8. 943.202 of the statutes is created to read:

14 943.202 Unauthorized possession of personal identifying information  
15 or documents. (1) In this section:

16 (a) "Correctional employee" means a person who has direct contact with an  
17 ~~prisoner offender~~ in the course of his or her employment duties.

(xx) ~~"Health services employee means a person who has direct contact with a health  
services patient in the course of his or her employment duties."~~

(xx) ~~"Health services patient" means a person who is a patient at a mental health  
institute as defined in s. 51.01(12) or at the secure mental health facility established under s.  
46.055 or at the Wisconsin Resource Center established under s. 46.056~~

18 (b) "Personal identification document" means any of the following:

19 1. A document containing personal identifying information.

20 2. A correctional employee's or health services employee's card or plate, if it can be  
used, alone or in

21 conjunction with another access device, to obtain money, goods, services, or any other  
22 thing of value or benefit, or if it can be used to initiate a transfer of funds.

23 3. Any other device that is unique to, assigned to, or belongs to a correctional  
24 employee or health services employee and that is intended to be used to access services,  
funds, or benefits of any

25 kind to which the individual is entitled.

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1(c) "Personal identifying information" means any of the following information:

2 1. A correctional employee's or health services employee's address.

3 2. A correctional employee's or health services employee's telephone number.

4 3. The unique identifying driver number assigned to a correctional employee or  
health services employee

5 by the department of transportation under s. 343.17 (3) (a) 4.

6 4. A correctional employee's or health services employee's social security number.

7 5. An identification number assigned to a correctional employee or health services  
employee by his or her

8 employer.

9 6. The maiden name of a correctional employee's or health services employee's  
mother.

10 7. The identifying number of a depository account, as defined in s. 815.18 (2)  
11 (e), of a correctional employee or health services employee.

12 8. A correctional employee's or health services employee's taxpayer identification  
number.

13 9. A correctional employee's or health services employee's deoxyribonucleic acid  
profile, as defined in s.

14 939.74 (2d) (a).

15 10. Any of the following, if it can be used, alone or in conjunction with any access  
16 device, to obtain money, goods, services, or any other thing of value or benefit, or if

17 it can be used to initiate a transfer of funds:

18 a. A correctional employee's or health services employee's code or account number.

19 b. A correctional employee's or health services employee's electronic serial number,  
mobile identification  
20 number, personal identification number, or other telecommunications service,  
21 equipment, or instrument identifier.

22 c. Any other means of account access.

23 11. A correctional employee's or health services employee's unique biometric data,  
including fingerprint,  
24 voice print, retina or iris image, or any other unique physical representation.

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112. Any other information or data that is unique to, assigned to, or belongs to  
2a correctional employee or health services employee and that is intended to be used to access  
services, funds, or  
3 benefits of any kind to which the individual is entitled.

4 13. Any other information that can be associated with a particular individual  
5 ~~through one or more~~ identifiers or other information or circumstances.

6 (d) "Prisoner" "Offender" means any person who is an inmate in a state prison or  
correctional facility or incarcerated, imprisoned, or otherwise  
7 ~~detained in a prison or correctional institution in the state,~~  
8 ~~but does not include a person confined in a jail, any person who is on probation, parole, or~~  
~~extended supervision to the department, or any youth as defined in DOC 380.03(11).~~

Deleted: ~~or mental health facility~~

9 (2) Any prisoner or health services patient who possesses any personal identifying  
information or

10 personal identification document of a correctional employee or health services employee,  
including a deceased

11 correctional employee or health services employee, without the authorization or consent of  
the correctional

12 employee or health services employee is guilty of a Class H felony.

13 (3) It is an affirmative defense to a prosecution under this section that the  
14 defendant was authorized by law to engage in the conduct that is the subject of the  
15 prosecution. A defendant who raises this affirmative defense has the burden of  
16 proving the defense by a preponderance of the evidence.

17 (4) If a correctional employee or health services employee reports to a law  
enforcement agency for the  
18 jurisdiction which is the correctional employee's or health services employee's residence that  
personal identifying

19 information or a personal identification document belonging to him or her  
20 reasonably appears to be in the possession of another in violation of this section, the  
21 agency shall prepare a report on the alleged violation. If the law enforcement agency  
22 concludes that it appears not to have jurisdiction to investigate the violation, it shall  
23 inform the correctional employee or health services employee which law enforcement agency  
may have  
24 jurisdiction. A copy of a report prepared under this subsection shall be furnished

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1 upon request to the person who made the request, subject to payment of any  
2 reasonable fee for the copy.

3 SECTION 9. 946.82 (4) of the statutes is amended to read:

4 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961  
5 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission

offender

6of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49,  
7134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625,  
8221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6),  
9940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 941.20 (2) and  
10(3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g), 943.011,  
11943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e),  
12943.201, 943.202, 943.203, 943.23 (1g), (2) and (3), 943.24 (2), 943.27, 943.28, 943.30,  
13943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c),  
14943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 943.81, 943.82, 943.83, 943.84,  
15943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e), 944.32, 944.33  
16(2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12,  
17946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76,  
18946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

19SECTION 10. 970.03 (11) of the statutes is amended to read:

20 970.03 (11) The court may admit a statement which is hearsay and which is  
21not excluded from the hearsay rule under ss. 908.02 to 908.045 to prove ownership  
22of property or lack of consent to entry to or possession or destruction of property or  
23to prove any element under s. 943.201 (2), 943.202, or 943.203 (2).

24SECTION 11. 970.03 (13) of the statutes is amended to read:

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1970.03 (13) Testimony may be received into the record of a preliminary  
2examination by telephone or live audiovisual means if the proponent shows good  
3cause or if the testimony is used to prove an element of an offense under s. 943.201  
4(2), 943.202, or 943.203 (2).

5SECTION 12. 971.19 (11) of the statutes is amended to read:

6 971.19 (11) In an action under s. 943.201 or 943.202, the defendant may be tried  
7in the county where the victim or intended victim resided at the time of the offense  
8or in any other county designated under this section. In an action under s. 943.203,  
9the defendant may be tried in the county where the victim or intended victim was  
10located at the time of the offense or in any other county designated under this section.

11SECTION 13. 971.366 of the statutes is amended to read:

12971.366 Use of another's personal identifying information: charges.

13In any case under s. 943.201, 943.202, or 943.203 involving more than one violation,  
14all violations may be prosecuted as a single crime if the violations were pursuant to  
15a single intent and design.

16 (END)

**SENATE BILL 283****SECTION 8**

1           12. Any other information or data that is unique to, assigned to, or belongs to  
2 a correctional employee and that is intended to be used to access services, funds, or  
3 benefits of any kind to which the individual is entitled.

4           13. Any other information that can be associated with a particular individual  
5 through one or more identifiers or other information or circumstances.

6           (d) "Prisoner" means any person who is incarcerated, imprisoned, or otherwise  
7 detained in a prison or correctional institution or mental health facility in the state,  
8 but does not include a person confined in a jail.

9           (2) Any prisoner <sup>offender, h.s.p.</sup> who possesses any personal identifying information or  
10 personal identification document of a correctional employee, including a deceased  
11 correctional employee, without the authorization or consent of the correctional  
12 employee is guilty of a Class H felony.

13           (3) It is an affirmative defense to a prosecution under this section that the  
14 defendant was authorized by law to engage in the conduct that is the subject of the  
15 prosecution. A defendant who raises this affirmative defense has the burden of  
16 proving the defense by a preponderance of the evidence.

17           (4) If a correctional employee reports to a law enforcement agency for the  
18 jurisdiction which is the correctional employee's residence that personal identifying  
19 information or a personal identification document belonging to him or her  
20 reasonably appears to be in the possession of another in violation of this section, the  
21 agency shall prepare a report on the alleged violation. If the law enforcement agency  
22 concludes that it appears not to have jurisdiction to investigate the violation, it shall  
23 inform the correctional employee which law enforcement agency may have  
24 jurisdiction. A copy of a report prepared under this subsection shall be furnished

**SENATE BILL 283**

1 upon request to the person who made the request, subject to payment of any  
2 reasonable fee for the copy.

3 **SECTION 9.** 946.82 (4) of the statutes is amended to read:

4 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961  
5 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission  
6 of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49,  
7 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625,  
8 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6),  
9 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 941.20 (2) and  
10 (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g), 943.011,  
11 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e),  
12 943.201, 943.202, 943.203, 943.23 (1g), (2) and (3), 943.24 (2), 943.27, 943.28, 943.30,  
13 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c),  
14 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 943.81, 943.82, 943.83, 943.84,  
15 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e), 944.32, 944.33  
16 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12,  
17 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76,  
18 946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

19 **SECTION 10.** 970.03 (11) of the statutes is amended to read:

20 970.03 (11) The court may admit a statement which is hearsay and which is  
21 not excluded from the hearsay rule under ss. 908.02 to 908.045 to prove ownership  
22 of property or lack of consent to entry to or possession or destruction of property or  
23 to prove any element under s. 943.201 (2), 943.202, or 943.203 (2).

24 **SECTION 11.** 970.03 (13) of the statutes is amended to read:





1-20-12

steps 2165/1  
rmnr

SENATE AMENDMENT,  
TO 2011 SENATE BILL 283

~~#~~ Page 4, line 16: delete  
"with a" and substitute  
"with an".  
~~#~~ Page 4, line 17: delete  
"prisoner" and substitute  
"offender".

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

2 **1.** Page 1, line 4: after "employee's" insert "or health services employee's".

3 **2.** Page 4, line 17: after that line insert:

4 "(b) "Health services employee" means a person who has direct contact with a  
5 health services patient in the course of his or her employment duties.

6 (c) "Health services patient" means a person who is a patient at a mental health  
7 institute, as defined in s. 51.01 (12), at the secure mental health facility established  
8 under s. 46.055, or at the Wisconsin Resource Center established under s. 46.056.<sup>e</sup>

ins  
1-8  
8

9 **3.** Page 4, line 18: delete "(b)" and substitute "(d)".

10 **4.** Page 4, line 20: after "employee's" insert "or health services employee's".

11 **5.** Page 4, line 24: after "employee" insert "or health services employee".

12 **6.** Page 5, line 1: delete "(c)" and substitute "(e)".

- 1           **7.** Page 5, line 2: after "employee's" insert "or health services employee's".
- 2           **8.** Page 5, line 3: after "employee's" insert "or health services employee's".
- 3           **9.** Page 5, line 4: after "employee" insert "or health services employee".
- 4           **10.** Page 5, line 6: after "employee's" insert "or health services employee's".
- 5           **11.** Page 5, line 7: after "employee" insert "or health services employee".
- 6           **12.** Page 5, line 9: after "employee's" insert "or health services employee's".
- 7           **13.** Page 5, line 11: after "employee" insert "or health services employee".
- 8           **14.** Page 5, line 12: after "employee's" insert "or health services employee's".
- 9           **15.** Page 5, line 13: after "employee's" insert "or health services employee's".
- 10          **16.** Page 5, line 18: after "employee's" insert "or health services employee's".
- 11          **17.** Page 5, line 19: after "employee's" insert "or health services employee's".
- 12          **18.** Page 5, line 23: after "employee's" insert "or health services employee's".
- 13          **19.** Page 6, line 2: after "employee" insert "or health services employee".
- 14          **20.** Page 6, line 6: delete "(d)" and substitute "(f)".
- 15          **21.** Page 6, line 7: delete "or mental health facility".
- 16          **22.** Page 6, line 9: after "prisoner" insert "or health services patient".
- 17          **23.** Page 6, line 10: after "employee" insert "or health services employee".
- 18          **24.** Page 6, line 11: delete "correctional employee" and substitute "employee".
- 19          **25.** Page 6, line 12: after "employee" insert "or health services employee".
- 20          **26.** Page 6, line 17: after "employee" insert "or health services employee".
- 21          **27.** Page 6, line 18: after "employee's" insert "or health services employee's".

Insert 216





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INSERT ~~2-16~~ 1-8

1. Page 6, line 6: delete lines 6 to 8 and substitute:

<sup>3a(3m)</sup>  
(f) "Offender" means any person who is an inmate in a state prison or correctional facility, any person who is on probation, parole, or extended supervision to the department of corrections, or any person under the supervision of the department of corrections within the meaning of s. 938.505 (1) or pursuant to s. 48.366, or a person subject to a criminal penalty who is placed in an institution under s. 973.013 (3m), regardless of age." END INS 1-8

INS 2-16  
#. Page 6, line 9: delete "prisoner" and substitute "offender or health services patient".

# Page 6, line 6: delete lines 6 to 8.