

ASSEMBLY BILL 102 (LRB -0985)

An Act to amend 973.01 (2) (c) 2. a.; and to create 939.635 of the statutes; relating to: crimes against children committed by certain persons and providing a penalty.

2011

- 04-26. A. Introduced by Representatives **LeMahieu, Endsley, Kestell, Kerkman, Nygren, Steineke, Jacque, Kleefisch, Mursau, Ripp, Bies, Honadel, Brooks, A. Ott** and **Spanbauer**; cosponsored by Senators **Leibham** and **Olsen**.
- 04-26. A. Read first time and referred to committee on Criminal Justice and Corrections 253
- 05-06. A. Assembly amendment 1 offered by Representative **LeMahieu (LRB a0785)** 269
- 07-28. A. Public hearing held.
- 09-08. A. Executive action taken.
- 09-13. A. Report Assembly Amendment 1 adoption recommended by committee on Criminal Justice and Corrections, Ayes 9, Noes 0 504
- 09-13. A. Report passage as amended recommended by committee on Criminal Justice and Corrections, Ayes 9, Noes 0 504
- 09-13. A. Referred to committee on Rules 504
- 10-18. A. Placed on calendar 10-20-2011 by committee on Rules.
- 10-20. A. Read a second time 590
- ✓ 10-20. A. Assembly amendment 1 **adopted** 590
- 10-20. A. Ordered to a third reading 590
- 10-20. A. Rules suspended 590
- ✓ 10-20. A. Read a third time and **passed** 590
- 10-20. A. Ordered immediately messaged 590
- 10-21. S. Received from Assembly 523
- 10-21. S. Read first time and referred to committee on Judiciary, Utilities, Commerce, and Government Operations 524
- 10-26. S. Public hearing held.
- 11-01. S. Senate amendment 1 offered by Senator **Erpenbach (LRB a1861)** 560
- 11-01. S. Executive action taken.
- 11-01. S. Report adoption of Senate Amendment 1 recommended by committee on Judiciary, Utilities, Commerce, and Government Operations, Ayes 5, Noes 0 561
- 11-01. S. Report concurrence as amended recommended by committee on Judiciary, Utilities, Commerce, and Government Operations, Ayes 5, Noes 0 561
- 11-01. S. Available for scheduling.
- 11-01. S. Placed on calendar 11-2-2011 pursuant to Senate Rule 18(1) 562
- 11-02. S. Rules suspended and taken up.
- 11-02. S. Read a second time.
- ✓ 11-02. S. Senate amendment 1 **adopted**.
- 11-02. S. Ordered to a third reading.
- 11-02. S. Rules suspended.
- 11-02. S. Read a third time and **concurred in** as amended.
- 11-02. S. Ordered immediately messaged.
- 11-03. A. Received from Senate amended and concurred in as amended (Senate amendment 1 adopted).
- ✓ 11-03. A. Senate amendment 1 **concurred in**.
- 11-03. A. Action ordered immediately messaged.

SB

**2011
ENROLLED BILL**

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11 098517

Amendments to above (if none, write "NONE"): AA-1 (a0785/1),

SA-1 (a1861/1)

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

Topic Rel

11-4-11

Date

Tom F. Krepp

Enrolling Drafter



2011 ASSEMBLY BILL 102

April 26, 2011 - Introduced by Representatives LEMAHIEU, ENDSLEY, KESTELL, KERKMAN, NYGREN, STEINEKE, JACQUE, KLEEFISCH, MURSAU, RIPP, BIES, HONADEL, BROOKS, A. OTT and SPANBAUER, cosponsored by Senators LEIBHAM and OLSEN. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT** *to amend* 973.01 (2) (c) 2. a.; and *to create* 939.635 of the statutes;
2 **relating to:** crimes against children committed by certain persons and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides a number of penalty enhancement provisions that allow a judge to increase a penalty for a crime that is committed under certain circumstances. This bill allows a judge to increase the maximum period of imprisonment by up to five years if a person who is licensed or certified to provide day care commits a sexual assault against, or intentionally or recklessly causes bodily harm to, a child for whom the person provides day care.

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.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 939.635 of the statutes is created to read:

5 939.635 Increased penalty for certain crimes against children
6 committed by a day care provider. If a person who is licensed under s. 48.65,

Ins AA1-1

ASSEMBLY BILL 102

SECTION 1

1

certified under s. 48.651, or providing care pursuant to a contract under s. 120.13 (14)

2

commits a violation of s. 948.02, 948.025, or 948.03 (2) or (3) against a child for whom

3

the person was providing ^{Ins AA1-2} day care, the maximum term of imprisonment for that

4

crime may be increased by not more than 5 years. _{Ins SA1-1}

5

SECTION 2. 973.01 (2) (c) 2. a. of the statutes is amended to read:

6

973.01 (2) (c) 2. a. Sections 939.621, 939.632, 939.635, 939.645, 946.42 (4),

7

961.46, and 961.49.

8

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa0785/1
PJH:jld:md

ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 102

May 6, 2011 - Offered by Representative LEMAHIEU.

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

2 1. Page 1, line 6: delete "day" and substitute "child".

Ins AA1-1

3 2. Page 2, line 3: delete "day" and substitute "child".

Ins AA1-2

4 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1861/1
PJH:med:jf

SENATE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 102

November 1, 2011 - Offered by Senator ERPENBACH.

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

2 1. Page 1, line 6: delete "who is licensed under s. 48.65,".

3 2. Page 2, line 1: delete that line.

4 3. Page 2, line 3: after "care" insert "for compensation".

5 (END)

Ins SA1-1