

## 2011 DRAFTING REQUEST

### Assembly Amendment (AA-AB102)

Received: **05/05/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Daniel LeMahieu (608) 266-9175**

By/Representing: **Jeff**

May Contact:

Drafter: **phurley**

Subject: **Criminal Law - crimes agnst kids**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.LeMahieu@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Crimes against children by child care providers

---

#### Instructions:

change language from day care to child care

---

#### 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>
/1	phurley 05/05/2011	jdye 05/05/2011	mduchek 05/05/2011	_____	sbasford 05/05/2011	sbasford 05/05/2011	

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-AB102)**

Received: 05/05/2011

Received By: phurley

Wanted: As time permits

Companion to LRB:

For: Daniel LeMahieu (608) 266-9175

By/Representing: Jeff

May Contact:

Drafter: phurley

Subject: Criminal Law - crimes agnst kids

Addl. Drafters:

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Crimes against children by child care providers


---

**Instructions:**

change language from day care to child care

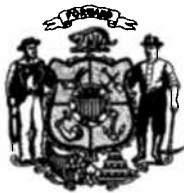
---

**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>
/1	phurley	1/5 jld		_____	_____		

FE Sent For:

<END>



## 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,

child

**ASSEMBLY BILL 102**

**SECTION 1**

*child*

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 ~~day care~~, the maximum term of imprisonment for that  
4 crime may be increased by not more than 5 years.

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

ASSEMBLY AMENDMENT,  
TO 2011 ASSEMBLY BILL 102

soon  
5-5-11

1

At the locations indicated, amend the bill as follows:

2

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

3

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

4

(END)