

fixed

2011 DRAFTING REQUEST

Senate Amendment (SA-AB102)

Received: **10/31/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie**

May Contact:

Drafter: **phurley**

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

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Abuse by child care provider

Instructions:

take out licensing info and replace with any paid child care provider

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 10/31/2011	mduchek 10/31/2011	jfrantze 10/31/2011	_____	mbarman 10/31/2011	mbarman 10/31/2011	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB102)

Received: 10/31/2011

Received By: phurley

Wanted: As time permits

Companion to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

May Contact:

Drafter: phurley

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

Addl. Drafters:

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Abuse by child care provider

Instructions:

take out licensing info and replace with any paid child care provider

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	<i>W</i> 10/31/11	<i>J</i>	10/31			

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,

ASSEMBLY BILL 102

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



LRBa1861/1
PJH:/.....

med

SENATE

ASSEMBLY AMENDMENT,
TO 2011 ASSEMBLY BILL 102

Please fix house of
origin to senate

today

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: ~~delete "day care"~~ ^{after} and substitute ^{insert} ~~child care~~ for
5 compensation"

6 (END)

keep quote

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