

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 10/01/2013 (Per: EHS)


Appendix C1

Appendix A1  The drafting file for LRB 13-0480 (used to create 13-3303)


Appendix A2  The drafting file for LRB 11-0558 (used to create 13-0480)


Appendix B1  The drafting file for LRB 13-0481 (used to create 13-3303)

Appendix B2  The drafting file for LRB 11-0559 (used to create 13-0481)

Appendix C1  The drafting file for LRB 13-0482 (used to create 13-3303)


Appendix C2  The drafting file for LRB 11-0560 (used to create 13-0482)

Appendix D1  The drafting file for LRB 13-0483 (used to create 13-3303)


Appendix D2  The drafting file for LRB 11-0563 (used to create 13-0483)

Appendix E  The drafting file for LRB 13-0484 (used to create 13-3303)

Appendix F  The drafting file for LRB 13-0486 (used to create 13-3303)

Appendix G  The drafting file for LRB 13-0487 (used to create 13-3303)

Appendix H  The drafting file for LRB 13-0488 (used to create 13-3303)

Appendix I  The drafting file for LRB 13-0489 (used to create 13-3303)

has been transferred to the drafting file for

2013 LRB-3303

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012

Received By: pkahler

Wanted: As time permits

Companion to LRB:

For: Legislative Council - LRC

By/Representing: Anne Sappenfield

May Contact:

Drafter: pkahler

Subject: Dom. Rel. - paternity

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Anne.Sappenfield@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Length of prison term stated in paternity summons

Instructions:

See attached

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>
/?	pkahler 11/2/2012	jdyer 11/7/2012	11/7/2012	_____			
/1				_____	srose 11/7/2012		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 11/1/2012 Received By: pkahler
Wanted: As time permits Same as LRB:
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: pkahler
Subject: Dom. Rel. - paternity Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
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/?	pkahler	11/7 JLD		Jan 11/7/12			

FE Sent For:

<END>

Kahler, Pam

From: Malaise, Gordon
Sent: Thursday, November 01, 2012 3:47 PM
To: Kahler, Pam
Subject: FW: DCF Law Revision Proposals
Attachments: 20121031101703927.pdf; LRB-0568--2 Last session law revision bill (SB 460).pdf; LRB-0568-P1 CW #1 Notice to unborn child.pdf; LRB-0569-P1 CW #2 & #3 Abuse & neglect + Foster parent training.pdf; LRB-0558-P1 CS #1 voluntary paternity - minors.pdf; LRB-4038-P1 CC #2 Criminal History of Child Care Licensees.pdf; LRB-0559-P1 CS #3 GAL & deceased respondents.pdf; LRB-0563-P1 CS #4 Release of frozen accounts.pdf; LRB-0560-P1 CS #2 Paternity summons imprisonment.pdf

Pam:

The redrafts of 11-0558, 11-0559, 11-560, and 11-0563 are yours as is Item 1 under Child Care in the Secretary's memo relating to Shares Child Care Subsidy Eligibility Services.

The redrafts of 11-0568, 11-0569, and 11-4038 are mine.

Gordon

From: Sappenfield, Anne
Sent: Thursday, November 01, 2012 2:25 PM
To: Malaise, Gordon
Subject: FW: DCF Law Revision Proposals

Hi Gordon,

I am attaching DCF's requests to the Law Revision Committee for remedial legislation for next session.

Let me know if you have any questions.

Thanks!
Anne

From: DCF Secretary Eloise Anderson [<mailto:DCFSecretaryEloiseAnderson@wisconsin.gov>]
Sent: Wednesday, October 31, 2012 10:30 AM
To: Sappenfield, Anne
Cc: Archer, Cynthia - DCF; Lippert, MaryAnn - DCF
Subject: DCF Law Revision Proposals

Attached please find the Department of Children and Families remedial legislation proposals for consideration. A hard copy will follow in the mail.

Child Support

1. Voluntary Paternity Acknowledgements From Minors

Specific Statutory Change:

Amend s. 69.15 (3)(b) 3 to remove the authority of the state registrar to receive voluntary paternity acknowledgements from minors.

Administrative or Substantive Problem with Current Law and Need for the Change:

2005 Wisconsin Act 443 created s. 767.805 (1m) which provides that minor parents are not permitted to sign voluntary acknowledgements of paternity. However the vital records provisions in Chapter 69 still allow the state registrar to accept voluntary paternity acknowledgements from minors as long as the form is also signed by a parent or legal guardian of a minor. The Chapter 69 provision is in direct conflict with s. 767.805 (1m).

Fiscal Effect: None

Earlier LRB Draft: LRB-0558/P1

2. Summons in Paternity Action

Specific Statutory Change:

Amend s. 767.813 (5) (a) to correct the maximum length of time for imprisonment for interfering with the custody of a child that is stated in the form for a paternity action summons.

Administrative or Substantive Problem with Current Law and Need for the Change:

In s. 767.813 a form for a summons in a paternity action provides notice that interfering with the custody of a child (Class I felony, as identified in s. 948.31(2)) is punishable by imprisonment for up to five years. However, a Class I felony is actually punishable by imprisonment for up to three years and six months.

Fiscal Effect: None

Earlier LRB Draft: LRB-0560/P1 and LRB-0568/2 [2011 Senate Bill 460]

3. Paternity/GAL for Deceased Respondents

Specific Statutory Change:

Amend s. 767.865 (1) to provide that the summons and petition must be served on the personal representative or the guardian ad litem (not both) of the deceased respondent.

Administrative or Substantive Problem with Current Law and Need for the Change:

2005 Wisconsin Act 443 created s. 767.865 under which a guardian ad litem is authorized to appear on behalf of a deceased respondent in a paternity action if there is no personal representative. However, the language provides that the summons and petition must be served on both the guardian ad litem and the personal representative.

Fiscal Effect: None

"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...

 DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: PJK) (Date: 11 / 2 / 12)

Note:

BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR"

(exception: companion bills)



Please transfer the drafting file for
2011 LRB 0560 (For: Rep./Sen. LRC)
to the drafting file for
2013 LRB 0482 (For: Rep./Sen. LRC)

-----OR-----

Please copy the drafting file for
2013 LRB _____ / _____ (For: Rep./Sen. _____)
and place it in the drafting file for
2013 LRB _____ (For: Rep./Sen. _____)


 Are These "Companion Bills" ?? ... Yes No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: _____



State of Wisconsin
2011-2012 LEGISLATURE
2013-2014



LRB-0560/1
PJK:ld:ph

0482 /
stays /

rm not m

2013
2011) BILL

(in 11-2)
PWF
NDF 11/10/11

regenerate
↓

4

- 1 AN ACT to amend 767.813 (5) (a) 4. of the statutes; relating to: maximum prison
- 2 term length stated in the form for a paternity action summons (suggested as
- 3 remedial legislation by the Department of Children and Families).

Analysis by the Legislative Reference Bureau

Under current law, the form for a summons in a paternity action provides notice that interfering with the custody of a child, which is a Class I felony, is punishable by imprisonment for up to five years. A Class I felony actually is punishable under current law by imprisonment for up to three years and six months. This bill corrects the maximum length of time for imprisonment for interfering with the custody of a child that is stated in the form for a paternity action summons.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Children and Families and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0482/1
PJK:jld:jm

2013 BILL

1 **AN ACT to amend** 767.813 (5) (a) 4. of the statutes; **relating to:** maximum prison
2 term length stated in the form for a paternity action summons (suggested as
3 remedial legislation by the Department of Children and Families).

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Under current law, the form for a summons in a paternity action provides notice that interfering with the custody of a child, which is a Class I felony, is punishable by imprisonment for up to five years. A Class I felony actually is punishable under current law by imprisonment for up to three years and six months. This bill corrects the maximum length of time for imprisonment for interfering with the custody of a child that is stated in the form for a paternity action summons.

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