

**2013 Assembly Bill 441 (LRB -2448)**

An Act to amend 301.45 (2) (a) 5., 301.45 (7) (a), 301.46 (2) (b) 5. and 301.46 (5) (bm) 3.; and to create 301.45 (2) (a) 3m., 301.46 (2) (b) 3m., 301.46 (2m) (ap) and 301.46 (5) (bm) 5m. of the statutes; relating to: information on a person who is required to register as a sex offender and notification of law enforcement when certain sex offenders change residential addresses. (FE)

**2013**

10-17. A. Introduced by Representatives **Williams, Stone, Brooks, T. Larson, Born, Kaufert, Ohnstad, Jorgensen, Bernier and Nass**; cosponsored by Senator **Lassa** ..... 367

10-17. A. Read first time and referred to Committee on Criminal Justice ..... 367

10-31. A. Fiscal estimate received

11-19. A. Fiscal estimate received

**2014**

01-23. A. Representative Kleefisch added as a coauthor ..... 555

01-23. A. Public hearing held

01-28. A. Assembly Amendment 1 offered by Representative Williams (**LRB a1510**) ..... 561

01-28. A. Assembly Amendment 2 offered by Representative Williams (**LRB a1518**) ..... 561

01-28. A. Assembly Amendment 3 offered by Representative Goyke (**LRB a1547**) ..... 561

01-28. A. Assembly Amendment 4 offered by Representative Goyke (**LRB a1548**) ..... 561

01-30. A. Executive action taken

02-03. A. Report Assembly Amendment 1 adoption recommended by Committee on Criminal Justice, Ayes 9, Noes 0 ..... 575

02-03. A. Report Assembly Amendment 2 adoption recommended by Committee on Criminal Justice, Ayes 9, Noes 0 ..... 575

02-03. A. Report passage as amended recommended by Committee on Criminal Justice, Ayes 9, Noes 0 ..... 575

02-03. A. Referred to Committee on Rules ..... 575

02-11. A. Placed on calendar 2-13-2014 by Committee on Rules

02-13. A. Read a second time ..... 629

02-13. A. **Assembly Amendment 1 adopted** ..... 629

02-13. A. **Assembly Amendment 2 adopted** ..... 629

02-13. A. Ordered to a third reading ..... 629

02-13. A. Rules suspended ..... 629

02-13. A. Read a third time and **passed** ..... 629

02-13. A. Ordered immediately messaged ..... 629

02-14. S. Received from Assembly ..... 670

02-17. S. Read first time and referred to committee on Transportation, Public Safety, and Veterans and Military Affairs ..... 676

02-27. S. Public hearing held

03-06. S. Executive action taken

03-07. S. Report concurrence recommended by Committee on Transportation, Public Safety, and Veterans and Military Affairs, Ayes 5, Noes 0 ..... 744

03-07. S. Available for scheduling

03-14. S. Placed on calendar 3-18-2014 pursuant to Senate Rule 18(1) ..... 779

03-18. S. Read a second time

03-18. S. Ordered to a third reading

03-18. S. Rules suspended

03-18. S. Read a third time and **concurred in**

03-18. S. Ordered immediately messaged

03-18. A. Received from Senate concurred in

*SR*

**2013**  
**ENROLLED BILL**

13en AB-441

**ADOPTED DOCUMENTS:**

Orig     Engr           SubAmdt       

13-244811

Amendments to above (if none, write "NONE"): AA1 — a1510/1

AA2 — a1518/1

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

March 28, 2014: LRBa1510/1ccc-1

Topic Rel

3-27-14

Date

JR Miller

Enrolling Drafter



## 2013 ASSEMBLY BILL 441

October 17, 2013 – Introduced by Representatives WILLIAMS, STONE, BROOKS, T. LARSON, BORN, KAUFERT, OHNSTAD, JORGENSEN, BERNIER and NASS, cosponsored by Senator LASSA. Referred to Committee on Criminal Justice.

1     **AN ACT to amend** 301.45 (2) (a) 5., 301.45 (7) (a), 301.46 (2) (b) 5. and 301.46 (5)  
2           (bm) 3.; and **to create** 301.45 (2) (a) 3m., 301.46 (2) (b) 3m., 301.46 (2m) (ap) and  
3           301.46 (5) (bm) 5m. of the statutes; **relating to:** information on a person who  
4           is required to register as a sex offender and notification of law enforcement  
5           when certain sex offenders change residential addresses.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person must register with the Department of Corrections (DOC) as a sex offender if he or she has been convicted of certain sex offenses, found not guilty of certain sex offenses by reason of mental disease or defect, or adjudicated delinquent on the basis of certain sex offenses. DOC must provide the general public with Internet access to certain information on the registry, such as a registrant's name, physical description, address, and crime that subjects the registrant to the requirement to register. This bill requires the registry to include, and make available to the general public, any sex offense that was dismissed as part of a plea agreement if the court ordered the offender to register and all addresses at which a registrant will reside. In addition, the general public Internet site must indicate all addresses for each entry in the sex offender register, whether the entry is a registrant's name or an alias a registrant uses.

Under current law, when a registrant is released into the community from confinement or other care, DOC or the Department of Health Services (DHS), whichever agency has authority over the registrant, has the option to notify the

**ASSEMBLY BILL 441**

police chief of the community, and the sheriff of the county, in which the registrant will be residing, employed, or attending school if the registrant has been convicted, or found not guilty by reason of mental defect or disease, of a sex offense only one time and must notify the police chief of the community, and the sheriff of the county, in which the registrant will be residing, employed, or attending school or through which the registrant will be traveling if the registrant has been, on two or more occasions, convicted, or found not guilty by reason of mental disease or defect, of a sex offense or if the registrant has been found to be a sexually violent person. The notification must include the registrant's residential address. This bill requires DOC or DHS, if the agency provided notice, to notify the same persons if the registrant moves.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 301.45 (2) (a) 3m. of the statutes is created to read:

2           301.45 (2) (a) 3m. a. Any sex offense that was dismissed as part of a plea  
3 agreement if the sentencing court ordered that the offender be subject to the  
4 registration requirements of this section.

5           b. Any sex offense that was dismissed as part of a plea agreement if the  
6 adjudicating court ordered that the juvenile be subject to the registration  
7 requirements of this section.

8           **SECTION 2.** 301.45 (2) (a) 5. of the statutes is amended to read:

9           301.45 (2) (a) 5. ~~The address~~ All addresses at which the person is or will be  
10 residing.

11           **SECTION 3.** 301.45 (7) (a) of the statutes is amended to read:

12           301.45 (7) (a) The department shall maintain information provided under sub.  
13 (2). The department shall keep the information confidential except as provided in  
14 ss. 301.03 (14) and 301.46, except as needed for law enforcement purposes and except  
15 to provide, in response to a request for information under s. 49.22 (2m) made by the

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1 department of children and families or a county child support agency under s. 59.53  
2 (5), the name and ~~address~~ all residential addresses of an individual registered under  
3 this section, the name and address of the individual's employer and financial  
4 information related to the individual.

5 SECTION 4. 301.46 (2) (b) 3m. of the statutes is created to read:

6 301.46 (2) (b) 3m. a. Any sex offense that was dismissed as part of a plea  
7 agreement if the sentencing court ordered that the offender be subject to the  
8 registration requirements of s. 301.45.

9 b. Any sex offense that was dismissed as part of a plea agreement if the  
10 adjudicating court ordered that the juvenile be subject to the registration  
11 requirements of s. 301.45.

12 SECTION 5. 301.46 (2) (b) 5. of the statutes is amended to read:

13 301.46 (2) (b) 5. ~~The address~~ All addresses at which the person is residing.

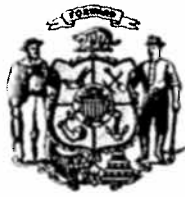
14 SECTION 6. 301.46 (2m) (ap) of the statutes is created to read:

15 301.46 (2m) (ap) If the subject of the notification under par. (a) or (am) changes  
16 his or her residential address, the agency with jurisdiction shall notify the police  
17 chief of any community, and the sheriff of any county, in which the person will be  
18 residing, employed, or attending school. Notification under this paragraph shall be  
19 in the form of a written bulletin and ~~shall be~~ <sup>INS AAT</sup> in addition to providing access to  
20 information under sub. (2) and to any other notification that an agency with  
21 jurisdiction is authorized to provide. <sup>INS. AA2</sup>

22 SECTION 7. 301.46 (5) (bm) 3. of the statutes is amended to read:

23 301.46 (5) (bm) 3. The person's name and ~~home address~~ any aliases the person  
24 uses, indicating for each name and each alias all addresses at which the person is  
25 residing.





State of Wisconsin  
2013-2014 LEGISLATURE

**CORRECTIONS IN:**

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 441**

Prepared by the Legislative Reference Bureau  
(March 28, 2014)

In enrolling, the following correction was made:

1. Page 1, line 2: delete "19" and substitute "18".

\*\*\*NOTE: Corrects line number.

(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1510/1  
CMH:jld:jf

ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 441

January 27, 2014 - Offered by Representative WILLIAMS.

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

ccc

2

✓ 1. Page 3, line 18: delete "shall be" and substitute "may be in an electronic form"

3

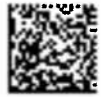
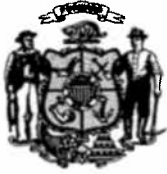
or.

4

(END)

✓  
AA1





**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 441**

January 27, 2014 – Offered by Representative WILLIAMS.

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

2 1. Page 3, line 21: after that line insert:

3 SECTION 6d. 301.46 (2m) (at) of the statutes is renumbered 301.46 (2m) (at)

4 1.

5 SECTION 6e. 301.46 (2m) (at) 2. of the statutes is created to read:

6 301.46 (2m) (at) 2. Paragraph (ap) does not apply if the agency with jurisdiction  
7 determines that notification is not necessary in the interest of public protection and  
8 that the person did not commit a sex offense with the use or threat of force or  
9 violence.

10

(END)

AA 2