



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.

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

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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.

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 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.

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.

