



## 2013 SENATE BILL 668

1     **AN ACT** *to renumber and amend* 301.46 (2m) (a) and 301.46 (2m) (am); *to*  
2             *amend* 301.46 (2m) (b) 2.; and *to create* 301.46 (2m) (a) 2. and 301.46 (2m) (am)  
3             2. of the statutes; **relating to:** notifications to law enforcement officers and  
4             dissemination to the public when registered out-of-state sex offenders enter a  
5             community.

---

*Analysis by the Legislative Reference Bureau*

---

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

6             **SECTION 1.** 301.46 (2m) (a) of the statutes is renumbered 301.46 (2m) (a) 1. and  
7             amended to read:  
8             301.46 (2m) (a) 1. If an agency with jurisdiction confines a person under s.  
9             301.046, provides a person entering the intensive sanctions program under s.  
10            301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases

**SENATE BILL 668****SECTION 1**

1 a person from confinement in a state correctional institution or institutional care,  
2 and the person has, on one occasion only, been convicted or found not guilty or not  
3 responsible by reason of mental disease or defect for a sex offense or for a violation  
4 of a law of this state that is comparable to a sex offense, the agency with jurisdiction  
5 may notify the police chief of any community and the sheriff of any county in which  
6 the person will be residing, employed, or attending school if the agency with  
7 jurisdiction determines that such notification is necessary to protect the public.  
8 Notification under this ~~paragraph~~ subdivision may be in addition to providing access  
9 to information under sub. (2) or to any other notification that an agency with  
10 jurisdiction is authorized to provide.

11 **SECTION 2.** 301.46 (2m) (a) 2. of the statutes is created to read:

12 301.46 **(2m)** (a) 2. If a person described under s. 301.45 (1g) (dh), (dj), (f), or (g)  
13 becomes a resident of this state from another state under s. 304.16, becomes a  
14 student in this state, becomes employed or begins carrying on a vocation in this state,  
15 or becomes subject to a sanction in this state other than a placement in a Type 1  
16 prison or a jail, and the person has, on one occasion only, been convicted or found not  
17 guilty or not responsible by reason of mental disease or defect for a violation of the  
18 law of another jurisdiction that is comparable to a sex offense, the department may  
19 notify the police chief of any community and the sheriff of any county in which the  
20 person will be residing, employed or carrying on a vocation, or attending school if the  
21 department determines that such notification is necessary to protect the public.  
22 Notification under this subdivision may be in addition to providing access to  
23 information under sub. (2) or to any other notification that the department is  
24 authorized to provide.

**SENATE BILL 668**

1           **SECTION 3.** 301.46 (2m) (am) of the statutes is renumbered 301.46 (2m) (am)

2           1. and amended to read:

3           301.46 **(2m)** (am) 1. If an agency with jurisdiction confines a person under s.  
4           301.046, provides a person entering the intensive sanctions program under s.  
5           301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases  
6           a person from confinement in a state correctional institution or institutional care,  
7           and the person has been found to be a sexually violent person under ch. 980 or has,  
8           on 2 or more separate occasions, been convicted or found not guilty or not responsible  
9           by reason of mental disease or defect for a sex offense or for a violation of a law of this  
10          state that is comparable to a sex offense, the agency with jurisdiction shall notify the  
11          police chief of any community and the sheriff of any county in which the person will  
12          be residing, employed, or attending school and through or to which the person will  
13          be regularly traveling. Notification under this ~~paragraph shall be~~ subdivision is in  
14          addition to providing access to information under sub. (2) and to any other  
15          notification that an agency with jurisdiction is authorized to provide.

16          **SECTION 4.** 301.46 (2m) (am) 2. of the statutes is created to read:

17          301.46 **(2m)** (am) 2. If a person described under s. 301.45 (1g) (dh), (dj), (f), or  
18          (g) becomes a resident of this state from another state under s. 304.16, becomes a  
19          student in this state, becomes employed or begins carrying on a vocation in this state,  
20          or becomes subject to a sanction in this state other than a placement in a Type 1  
21          prison or a jail, and the person has, on 2 or more separate occasions, been convicted  
22          or found not guilty or not responsible by reason of mental disease or defect for a  
23          violation of the law of another jurisdiction that is comparable to a sex offense, the  
24          department shall notify the police chief of any community and the sheriff of any  
25          county in which the person will be residing, employed or carrying on a vocation, or

**SENATE BILL 668**

1 attending school. Notification under this subdivision is in addition to providing  
2 access to information under sub. (2) or to any other notification that the department  
3 is authorized to provide.

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

5 301.46 **(2m)** (b) 2. Any other information that the agency with jurisdiction, if  
6 the notice is provided under par. (a) 1. or (am) 1., or that the department, if the notice  
7 is provided under par. (a) 2. or (am) 2., determines is necessary to assist law  
8 enforcement officers or to protect the public. Information under this subdivision may  
9 include a photograph of the person, other identifying information and a description  
10 of the person's patterns of violation.

11 (END)