



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1523/1
GMM:cjs:jm

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 620**

January 29, 2014 – Offered by Representative JOHNSON.

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

2 **1.** Page 5, line 5: after that line insert:

3 “**SECTION 5j.** 48.981 (2) (br) of the statutes is created to read:

4 48.981 (2) (br) A court that has reason to suspect that any person has
5 committed abuse, as defined in s. 48.02 (1) (d), of a child who has entered into a
6 consent decree under s. 938.32 or a deferred prosecution agreement in accordance
7 with s. 938.245, 971.39, or 971.40 under the circumstances specified in s. 944.30 (2m)
8 shall report as provided in sub. (3).

9 **SECTION 5k.** 48.981 (2) (c) of the statutes is amended to read:

10 48.981 (2) (c) Any person not otherwise specified in par. (a), (b), ~~or (bm)~~, or (br),
11 including an attorney, who has reason to suspect that a child has been abused or
12 neglected or who has reason to believe that a child has been threatened with abuse

1 or neglect and that abuse or neglect of the child will occur may report as provided in
2 sub. (3).

3 **SECTION 5m.** 48.981 (3) (a) 2. e. of the statutes is created to read:

4 48.981 (3) (a) 2. e. Cases reported by a court under sub. (2) (br).

5 **SECTION 5n.** 48.981 (3) (a) 2d. of the statutes is amended to read:

6 48.981 (3) (a) 2d. The Except as provided in subd. 2. e., the sheriff or police
7 department may refer to the county department or, in a county having a population
8 of 500,000 or more, the department or a licensed child welfare agency under contract
9 with the department a case reported to the sheriff or police department in which a
10 person who is not a caregiver is suspected of abuse or of threatened abuse of a child.

11 **SECTION 5p.** 48.981 (3) (c) 1. a. of the statutes is amended to read:

12 48.981 (3) (c) 1. a. Immediately after receiving a report under par. (a), the
13 agency shall evaluate the report to determine whether there is reason to suspect that
14 a caregiver has abused or neglected the child, has threatened the child with abuse
15 or neglect, or has facilitated or failed to take action to prevent the suspected or
16 threatened abuse or neglect of the child or, if the case was reported by a court under
17 sub. (2) (br), that any person has committed abuse, as defined in s. 48.02 (1) (d), of
18 the child. Except as provided in sub. (3m), if the agency determines that a caregiver
19 is suspected of abuse or neglect ~~or,~~ of threatened abuse or neglect ~~of the child,~~
20 ~~determines that a caregiver is suspected,~~ or of facilitating or failing to take action to
21 prevent the suspected or threatened abuse or neglect of the child; determines, if the
22 case was reported by a court under sub. (2) (br), that any person has committed
23 abuse, as defined in s. 48.02 (1) (d), of the child; or cannot determine who abused or
24 neglected the child, within 24 hours after receiving the report the agency shall, in
25 accordance with the authority granted to the department under s. 48.48 (17) (a) 1.

1 or the county department under s. 48.57 (1) (a), initiate a diligent investigation to
2 determine if the child is in need of protection or services. If Except as provided in this
3 subd. 1. a., if the agency determines that a person who is not a caregiver is suspected
4 of abuse or of threatened abuse, the agency may, in accordance with that authority,
5 initiate a diligent investigation to determine if the child is in need or protection or
6 services. Within 24 hours after receiving a report under par. (a) of suspected unborn
7 child abuse, the agency, in accordance with that authority, shall initiate a diligent
8 investigation to determine if the unborn child is in need of protection or services. An
9 investigation under this subd. 1. a. shall be conducted in accordance with standards
10 established by the department for conducting child abuse and neglect investigations
11 or unborn child abuse investigations.”.

12 **2.** Page 11, line 18: after “971.40.” insert “If the court has reason to suspect
13 that any person has permitted, allowed, or encouraged the person who has entered
14 into the consent decree or the deferred prosecution agreement to violate sub. (1m),
15 the court shall report that suspicion as provided in s. 48.981 (3).”.

16

(END)