



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3425/1
GMM:amn

2015 ASSEMBLY BILL 627

January 4, 2016 – Introduced by Representatives HUTTON, E. BROOKS, GANNON, HORLACHER, JACQUE, KLEEFISCH, KNODL, T. LARSON, MURSAU, ROHRKASTE, SKOWRONSKI, THIESFELDT and TITTL, cosponsored by Senators WANGGAARD, OLSEN and PETROWSKI. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to repeal* 938.991 to 938.9985 and 938.999 (6) (f); and *to amend* 301.45
2 (1g) (dj), 301.45 (2) (e) 2., 301.45 (3) (a) 1m., 301.45 (3) (b) 2., 301.45 (5m) (a) 1.,
3 938.14 and 938.999 (2) (k) of the statutes; **relating to:** repeal of the Interstate
4 Compact on Juveniles and requiring a juvenile from another state who is on
5 supervision in this state under the Interstate Compact for Juveniles for a sex
6 offense to register as a sex offender before entering this state.

Analysis by the Legislative Reference Bureau

This bill repeals the Interstate Compact *on* Juveniles, which has been replaced by the Interstate Compact *for* Juveniles. The bill also requires a juvenile from another state who is on supervision in this state under the Interstate Compact for Juveniles for a sex offense to register with the Department of Corrections (DOC) as a sex offender before entering this state.

Under current law, the Interstate Compact on Juveniles provides procedures for the return to their home state of juveniles located in another state who are runaways, escapees from institutional custody, or absconders from supervision or from a charge of being a delinquent. Also under current law, the Interstate Compact for Juveniles creates an Interstate Commission for Juveniles that is required to oversee, supervise, and coordinate the interstate movement of juveniles who are subject to that compact and to promulgate rules to effect the purposes of that compact, which purposes include ensuring that juveniles adjudicated delinquent in

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another state are provided with adequate supervision in the state to which they are sent and returning juveniles who have run away, absconded, or escaped from supervision or control, or who have been accused of an offense, to the state requesting their return.

The Interstate Compact on Juveniles, however, is no longer in effect in any state as each state has now enacted the Interstate Compact for Juveniles. Accordingly, this bill repeals the Interstate Compact on Juveniles.

Current law requires a juvenile from another state who is on supervision in this state under the Interstate Compact on the Placement of Children for a sex offense to register with DOC as a sex offender before entering this state. This bill, in addition, requires a juvenile from another state who is on supervision in this state under the Interstate Compact for Juveniles for a sex offense to register with DOC as a sex offender before entering this state.

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

1 **SECTION 1.** 301.45 (1g) (dj) of the statutes is amended to read:

2 301.45 (1g) (dj) Is a juvenile in this state on or after May 9, 2000, and is on
3 supervision in this state from another state pursuant to the interstate compact on
4 the placement of juveniles under ~~s. 938.988~~ children under ss. 48.988 and 48.989, the
5 interstate compact for the placement of children under s. 48.99, or the interstate
6 compact for juveniles under s. 938.999 for a violation of a law of another state that
7 is comparable to a sex offense.

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

9 301.45 (2) (e) 2. If the person is on parole, extended supervision, probation, or
10 other supervision from another state under ~~s. ss. 48.988 and 48.989~~ or under s. 48.99,
11 304.13 (1m), 304.135, 304.16, or ~~938.988~~ 938.999, before the person enters this state.

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

13 301.45 (3) (a) 1m. If the person is on parole, extended supervision, probation,
14 or other supervision from another state under ~~s. ss. 48.988 and 48.989~~ or under s.

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1 48.99, 304.13 (1m), 304.135, 304.16, or ~~938.988~~ 938.999, he or she is subject to this
2 subsection upon entering this state.

3 **SECTION 4.** 301.45 (3) (b) 2. of the statutes is amended to read:

4 301.45 (3) (b) 2. The department shall notify a person who is being released
5 from prison in this state because he or she has reached the expiration date of his or
6 her sentence and who is covered under sub. (1g) of the need to comply with the
7 requirements of this section. Also, probation, extended supervision, and parole
8 agents, aftercare agents, and agencies providing supervision shall notify any client
9 who is covered under sub. (1g) of the need to comply with the requirements of this
10 section at the time that the client is placed on probation, extended supervision,
11 parole, supervision, or aftercare supervision or, if the client is on probation, extended
12 supervision, parole, or other supervision from another state under s. ss. 48.988 and
13 48.989 or under s. 48.99, 304.13 (1m), 304.135, 304.16, or ~~938.988~~ 938.999, when the
14 client enters this state.

15 **SECTION 5.** 301.45 (5m) (a) 1. of the statutes is amended to read:

16 301.45 (5m) (a) 1. If the person is on parole, extended supervision, probation,
17 or other supervision from another state under s. ss. 48.988 and 48.989 or under s.
18 48.99, 304.13 (1m), 304.135, 304.16, or ~~938.988~~ 938.999, 15 years after discharge
19 from that parole, extended supervision, probation, or other supervision or the period
20 of time that the person is in this state, whichever is less.

21 **SECTION 6.** 938.14 of the statutes is amended to read:

22 **938.14 Jurisdiction over interstate compact proceedings.** The court has
23 exclusive jurisdiction over ~~proceedings under the Interstate Compact on Juveniles~~
24 ~~under s. 938.991~~ and over proceedings under the Interstate Compact for Juveniles
25 under s. 938.999.

