



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3086/en
CMH:jld

2015 ASSEMBLY BILL 808

1 **AN ACT** *to amend* 36.35 (1), 125.07 (4) (bs) (intro.) and 125.07 (4) (c) (intro.); and
2 *to create* 36.35 (4) and 125.07 (5) of the statutes; **relating to:** prohibiting
3 issuance of citations for alcohol beverages violations to certain underage
4 persons in connection with sexual assault or certain other crimes and
5 prohibiting certain disciplinary sanctions if the underage person is a student.

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.** 36.35 (1) of the statutes is amended to read:
7 36.35 (1) POWER TO SUSPEND; RULES. The board may delegate the power to
8 suspend or expel students for misconduct or other cause prescribed by the board. The
9 Subject to sub. (4), the board shall promulgate rules under ch. 227 governing student
10 conduct and procedures for the administration of violations.

ASSEMBLY BILL 808**SECTION 2**

1 **SECTION 2.** 36.35 (4) of the statutes is created to read:

2 **36.35 (4) UNDERAGE ALCOHOL VIOLATIONS.** The board or an institution or college
3 campus may not impose any of the following disciplinary sanctions against a student
4 for the student’s violation of s. 125.07 (4) (a) or (b), if the student is exempt under s.
5 125.07 (5) from issuance of a citation for, or conviction of, the violation:

6 (a) Removal from a course in progress.

7 (b) Enrollment restrictions on a course or program.

8 (c) Suspension or expulsion.

9 (d) Exclusion from student housing.

10 **SECTION 3.** 125.07 (4) (bs) (intro.) of the statutes is amended to read:

11 125.07 (4) (bs) (intro.) ~~Any~~ Subject to sub. (5), any person violating par. (a) is
12 subject to the following penalties:

13 **SECTION 4.** 125.07 (4) (c) (intro.) of the statutes is amended to read:

14 125.07 (4) (c) (intro.) ~~Any~~ Subject to sub. (5), any person violating par. (b) is
15 subject to the following penalties:

16 **SECTION 5.** 125.07 (5) of the statutes is created to read:

17 **125.07 (5) REQUESTS FOR EMERGENCY ASSISTANCE.** (a) In this subsection:

18 1. “Bystander” means a person who is present with a crime victim at the time
19 of or immediately following the alleged crime.

20 2. “Crime victim” means a person who claims to have been the victim of a crime
21 constituting a violation under s. 940.22 (2), 940.225, 940.302, 948.02 (1) or (2),
22 948.025, or 948.05 to 948.095.

23 (b) Subject to par. (c), an underage person may not be issued a citation for, or
24 convicted of, a violation of sub. (4) (a) or (b) if all of the following apply:

