



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 366	Senate Amendments 1 and 2
<i>Memo published:</i> February 26, 2016	<i>Contact:</i> Michael Queensland, Staff Attorney (266-3810)

CURRENT LAW

Under current law, a person who threatens to expose information that would injure the reputation of the threatened person or another unless the threatened person transfers property to a person who is not entitled to the property is guilty of a Class I felony, punishable by a term of imprisonment not to exceed three years and six months, a fine of up to \$10,000, or both.

2015 SENATE BILL 366

Senate Bill 366 (the bill) provides that a person who threatens to expose information that would humiliate or injure the reputation of the injured person, with the intent to extort money or any pecuniary advantage, or with the intent to compel the threatened person to do any act against the person's will or omit to do any lawful act is guilty of a Class I felony. The bill specifies that for purposes of this crime, "information" includes any photograph, exposed film, motion picture, videotape, or data that represents a visual image, a sound recording, or any data that represents or produces an audio signal.

SENATE AMENDMENT 1

Senate Amendment 1 eliminates threats to expose information that would humiliate or injure the reputation of the injured person **with the intent to compel a person to omit to do any lawful act** from the prohibition created by the bill.

SENATE AMENDMENT 2

Senate Amendment 2 specifies that only **malicious** threats to expose information are prohibited by the bill.

BILL HISTORY

Senator Nass introduced Senate Amendment 1 on January 5, 2016 and Senate Amendment 2 on January 13, 2016. On February 15, 2016, the Senate Committee on Judiciary and Public Safety voted to recommend adoption of Senate Amendments 1 and 2 and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

MQ:jal