

2017 DRAFTING REQUEST**Bill**

For: **Melissa Sargent (608) 266-0960** Drafter: **mjohns**
 By: **Britt** Secondary Drafters:
 Date: **3/30/2017** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Sargent@legis.wisconsin.gov**
 Carbon copy (CC) to: **Melinda.Johns@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

statute of limitations for second degree sexual assault

Instructions:

Add second degree sexual assault to the list for which prosecution can commence at any time -
 eliminate statute of limitations for second degree sexual assault

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mjohns 4/4/2017	eweiss 4/6/2017			
/P1	mjohns 4/12/2017	eweiss 4/13/2017	mbarman 4/6/2017		
/P2	mjohns 5/18/2017	eweiss 5/18/2017	lparisi 4/13/2017		
/1			lparisi 5/18/2017	mbarman 5/18/2017	

FE Sent For:

<END>



State of Wisconsin
2017 - 2018 LEGISLATURE

DUE 4/6/17

LRB-2716?

MLJ:...

emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

J.A.V.
K.R.P.
P.W.F.

Gen. ✓

1

AN ACT ...; **relating to:** the statute of limitations for second degree sexual assault. ✓

Analysis by the Legislative Reference Bureau

This bill eliminates the statute of limitations for second degree sexual assault, which means that a prosecution for a second degree sexual assault may commence at any time after the crime is committed. This changes current law, under which the statute of limitations for second degree sexual assault is ten years and the statute of limitations for second degree sexual assault of a child is when the victim reaches the age of 45. ✓

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

2

SECTION 1. 939.74 (2) (a) 1. of the statutes is amended to read:

3

939.74 (2) (a) 1. A prosecution under s. 940.01, 940.02, 940.03, 940.05, 940.225

4

(1) or (2), 948.02 (1) or (2), or 948.025 (1) (a), (b), (c), or (d) or (e) may be commenced

5

at any time.

History: 1981 c. 280; 1985 a. 275; 1987 a. 332, 380, 399, 403; 1989 a. 121; 1991 a. 269; 1993 a. 219, 227, 486; 1995 a. 456; 1997 a. 237; 2001 a. 16, 109; 2003 a. 196, 279, 326; 2005 a. 60, 276, 277; 2007 a. 80, 97, 116; 2009 a. 203; 2011 a. 271, 282; 2013 a. 165, 167; 2015 a. 121, 366.

6

SECTION 2. 939.74 (2) (ar) of the statutes is amended to read:

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



-2716 drafting instruction - 4/11/17

↳ remove the changes related to the statute of limitations for sexual assault of a child from this draft



State of Wisconsin
2017 - 2018 LEGISLATURE

DUE 4/14/17

LRB-2716/P1 P2
MLJ:emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

S.A.
X
DRAFT

Reyn

1 **AN ACT to amend** 939.74 (2) (a) 1., 939.74 (2) (ar) and 939.74 (2) (c) of the statutes;
2 **relating to:** the statute of limitations for second degree sexual assault.

Analysis by the Legislative Reference Bureau

This bill eliminates the statute of limitations for second degree sexual assault, which means that a prosecution for a second degree sexual assault may commence at any time after the crime is committed. This changes current law, under which the statute of limitations for second degree sexual assault is ten years and the statute of limitations for second degree sexual assault of a child is when the victim reaches the age of 45.

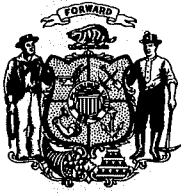
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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4 939.74 (2) (a) 1. A prosecution under s. 940.01, 940.02, 940.03, 940.05, 940.225

5 (1) or (2), 948.02 (1) or (2), or 948.025 (1) (a), (b), (c), ^{PLAIN} ~~or~~ (d), or (e) may be commenced
6 at any time.

7 **SECTION 2.** 939.74 (2) (ar) of the statutes is amended to read:



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2716/P2
MLJ:emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 939.74 (2) (a) 1. and 939.74 (2) (ar) of the statutes; **relating**
2 **to:** the statute of limitations for second degree sexual assault.

Analysis by the Legislative Reference Bureau

This bill eliminates the statute of limitations for second degree sexual assault, which means that a prosecution for a second degree sexual assault may commence at any time after the crime is committed. This changes current law, under which the statute of limitations for second degree sexual assault is ten years.

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

3 **SECTION 1.** 939.74 (2) (a) 1. of the statutes is amended to read:
4 939.74 (2) (a) 1. A prosecution under s. 940.01, 940.02, 940.03, 940.05, 940.225
5 (1) or (2), 948.02 (1), or 948.025 (1) (a), (b), (c), or (d) may be commenced at any time.
6 **SECTION 2.** 939.74 (2) (ar) of the statutes is amended to read:
7 939.74 (2) (ar) A prosecution for a violation of s. 940.225 (2) ~~or~~ (3) may be
8 commenced within 10 years after the commission of the violation.

Barman, Mike

From: Cudaback, Britt
Sent: Thursday, May 18, 2017 2:19 PM
To: LRB.Legal
Subject: Draft Review: LRB -2716/1

Please Jacket LRB -2716/1 for the ASSEMBLY.