

2017 Senate Bill 253 (LRB -2505)

An Act to renumber and amend 115.31 (1) (c); and to create 115.31 (1) (c) 1. b., 115.31 (1) (c) 2. and 118.07 (4p) of the statutes; relating to: prohibiting aiding and abetting sexual abuse.

2017

05-17.	S.	Introduced by Senators Olsen, Darling, Larson and Marklein ; cosponsored by Representatives Duchow, Considine, Jacque, Pope, Ripp, Sargent and Subeck	270
05-17.	S.	Read first time and referred to Committee on Education	270
08-17.	S.	Public hearing held	
09-12.	S.	Senate Amendment 1 offered by Senator Olsen (LRB a0811)	442
09-28.	S.	Executive action taken	
09-28.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Education, Ayes 7, Noes 0	465
09-28.	S.	Report passage as amended recommended by Committee on Education, Ayes 7, Noes 0	465
09-28.	S.	Available for scheduling	
10-27.	S.	Placed on calendar 10-31-2017 pursuant to Senate Rule 18(1)	511
10-31.	S.	Read a second time	518
10-31.	S.	Senate Amendment 1 adopted	518
10-31.	S.	Ordered to a third reading	518
10-31.	S.	Rules suspended	518
10-31.	S.	Read a third time and passed	519
10-31.	S.	Ordered immediately messaged	521
10-31.	A.	Received from Senate	493
11-06.	A.	Read first time and referred to committee on Rules	517
11-07.	A.	Placed on calendar 11-9-2017 by Committee on Rules	
11-09.	A.	Rules suspended to withdraw from calendar and take up	542
11-09.	A.	Read a second time	542
11-09.	A.	Ordered to a third reading	542
11-09.	A.	Rules suspended	542
11-09.	A.	Read a third time and concurred in	542
11-09.	A.	Ordered immediately messaged	542
11-09.	S.	Received from Assembly concurred in	

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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17 2505 / 1

Amendments: None or Listed below.

SA 1

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

11/13/17

Caswell

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2505/1
FFK:amn&kjf

2017 SENATE BILL 253

May 17, 2017 - Introduced by Senators OLSEN, DARLING, LARSON and MARKLEIN, cosponsored by Representatives DUCHOW, CONSIDINE, JACQUE, POPE, RIPP, SARGENT and SUBECK. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 115.31 (1) (c); and *to create* 115.31 (1) (c) 1.
2 b., 115.31 (1) (c) 2. and 118.07 (4p) of the statutes; **relating to:** prohibiting
3 aiding and abetting sexual abuse.

Analysis by the Legislative Reference Bureau

Under current law, the state superintendent of public instruction may revoke a license issued by the state superintendent for immoral conduct on the part of a licensee. This bill specifies that it is immoral conduct for a licensee to help a school employee, contractor, or agent obtain a new job if the licensee knows or has reason to believe that the school employee, contractor, or agent has committed a sex offense and the victim was a minor or a pupil. This bill also prohibits a school board, governing body of a private school, and operator of a charter school from helping a school employee, contractor, or agent obtain a new job if the school board, governing body, or operator knows or has reason to believe that the school employee, contractor, or agent has committed a sex offense and the victim was a minor or a pupil.

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

4 **SECTION 1.** 115.31 (1) (c) of the statutes is renumbered 115.31 (1) (c) 1. (intro.)
5 and amended to read:

SENATE BILL 253**SECTION 1**

1 115.31 (1) (c) 1. (intro.) "Immoral conduct" means conduct or behavior that is
2 contrary to commonly accepted moral or ethical standards and that endangers the
3 health, safety, welfare, or education of any pupil. "Immoral conduct" includes ~~the~~ all
4 of the following:

5 a. The intentional use of an educational agency's equipment to download, view,
6 solicit, seek, display, or distribute pornographic material.

7 **SECTION 2.** 115.31 (1) (c) 1. b. of the statutes is created to read:

8 115.31 (1) (c) 1. b. Assisting a school employee, contractor, or agent to obtain
9 a new job ^{(INSERT SP1 #1} if the individual knows or has a reasonable suspicion to believe that the
10 school employee, contractor, or agent committed a sex offense, as defined in s. 301.45
11 (1d) (b), and the victim was a minor or a pupil.

12 **SECTION 3.** 115.31 (1) (c) 2. of the statutes is created to read:

13 115.31 (1) (c) 2. It is not immoral conduct under subd. 1. b. if any of the following
14 apply:

15 a. The assistance is the transmittal of administrative and personnel files.

16 b. The information the individual knows or that is the basis of the individual's
17 reasonable suspicion has been properly reported to law enforcement and law
18 enforcement has closed any resulting case or investigation without a conviction.

19 **SECTION 4.** 118.07 (4p) of the statutes is created to read:

20 118.07 (4p) (a) Except as provided in par. (b), no school board, governing body
21 of a private school, or operator of a charter school may assist a school employee,
22 contractor, or agent to obtain a new job ^{(INSERT SP1 #2} if the school board, governing body, or
23 operator knows or has a reasonable suspicion to believe that the school employee,
24 contractor, or agent committed a sex offense, as defined in s. 301.45 (1d) (b), and the
25 victim was a minor or a pupil.

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1 (b) Paragraph (a) does not apply if any of the following apply:

2 1. The assistance is the transmittal of administrative and personnel files.

3 2. The information the school board, private school, or charter school knows or
4 that is the basis of the school board, private school, or charter school's reasonable
5 suspicion has been properly reported to law enforcement and law enforcement has
6 closed any resulting case or investigation without a conviction.

7 (END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa0811/1
FFK:jld/amn/ahc

SENATE AMENDMENT 1,
TO SENATE BILL 253

September 12, 2017 - Offered by Senator OLSEN.

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

2 **1.** Page 2, line 9: after "new job" insert "in a school or with a local educational
3 agency, as defined in 20 USC 7801 (30)".

4 **2.** Page 2, line 22: after "new job" insert "in a school or with a local educational
5 agency, as defined in 20 USC 7801 (30)".

6 (END)

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(N)
SA #
#2